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TABLE OF CONTENTS

PUBLIC HEARINGS AND MEETINGS

Borough President - Bronx	4987
City Council	4988
Landmarks Preservation Commission . . .	4989
Management and Budget	4990

PROPERTY DISPOSITION

Citywide Administrative Services	4991
Housing Preservation and Development .	4991

PROCUREMENT

Citywide Administrative Services	4992
Administration	4992
Comptroller	4992
Information Technology	4992
Correction	4992
Central Office of Procurement	4992
Environmental Protection	4993
Water Supply	4993

Health and Mental Hygiene	4993
Housing Authority	4994
Procurement	4994
Housing Preservation and Development .	4994
ONS/DTR Operations	4994
Human Resources Administration	4995
Parks and Recreation	4995
Purchasing and Accounting	4995
Revenue and Concessions	4995

AGENCY RULES

Housing Preservation and Development .	4996
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SPECIAL MATERIALS

Citywide Administrative Services	4998
Changes in Personnel	5000

LATE NOTICE

NYC Health + Hospitals	5001
Contract Services	5001
Small Business Services	5001
Human Resources Administration	5004

READER'S GUIDE	5017
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THE CITY RECORD

BILL DE BLASIO

Mayor

LISETTE CAMILO

Commissioner, Department of Citywide
Administrative Services

JANAE C. FERREIRA

Editor, The City Record

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in the City Record.

PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOROUGH PRESIDENT - BRONX

■ PUBLIC HEARINGS

A VIRTUAL PUBLIC HEARING IS BEING CALLED by the President of the Borough of The Bronx, Honorable Ruben Diaz Jr. This hearing will take place on Wednesday, August 4, 2021, commencing at 11:00 A.M. Anyone wishing to participate should use the link provided below



ULURP Hearing - Office of The Bronx Borough President

<https://nycbp.webex.com/nycbp/j.php?MTID=m85deafa8391eaf265034f62d8d299815>

Wednesday, August 4, 2021, 11:00 A.M. | 1 hour | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 179 359 5421

Password: bx0804

Join by phone

+1-646-992-2010 United States Toll (New York City)

+1-408-418-9388 United States Toll

Access code: 179 359 5421

THE FOLLOWING MATTER WILL BE HEARD:

**CD #1: ULURP APPLICATION NUMBER: C 210339 ZMX-624
Morris Avenue Rezoning:**

IN THE MATTER OF AN application submitted by 624 Morris Avenue B, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section 6a by establishing within an existing R7-1 District a C1-4 District bounded by Morris Avenue, a line 175 feet northerly of East 151st Street, a line 70 feet easterly of Morris Avenue, and East 151st Street, Borough of The Bronx, Community District #1, as shown on a diagram (for illustrative purposes only) dated May 3, 2021.

PLEASE DIRECT ANY QUESTIONS CONCERNING THIS HEARING TO THE OFFICE OF THE BOROUGH PRESIDENT, (718) 590-6124.

Accessibility questions: Sam Goodman (718) 590-6124, by: Wednesday, August 4, 2021, 10:00 A.M.



CITY COUNCIL

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Council has scheduled the following remote public hearing on the matter indicated below:

The Subcommittee on Zoning and Franchises will hold a public hearing, accessible both in person and remotely, on the following matters in the City Council Chambers, City Hall, New York, NY 10007, commencing at 10:00 A.M., on August 3, 2021. The hearing will be live-streamed via the Council's website, at https://council.nyc.gov/livestream/. Please visit https://council.nyc.gov/testify/ in advance for information about how to testify and how to submit written testimony.

BEACH 67TH STREET REZONING QUEENS CB - 14 C 200230 ZMQ

Application submitted by Brisa Builders Development LLC and God's Battalion of Prayer Properties Inc., pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 30c, by changing from an R4A District to an R6 District property bounded by a line 540 feet northerly of Beach Channel Drive, a line midway between Beach 66th Street and Beach 67th Street, a line 230 feet northerly of Beach Channel Drive, Beach 67th Street, a line 100 feet northerly of Beach Channel Drive, Beach 68th Street, a line 380 feet northerly of Beach Channel Drive, and Beach 67th Street, as shown on a diagram (for illustrative purposes only) dated March 1, 2021, and subject to the conditions of CEQR Declaration E-605.

BEACH 67TH STREET REZONING QUEENS CB - 14 N 200231 ZRQ

Application submitted by Brisa Builders Development LLC and God's Battalion of Prayer Properties, Inc., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

* * *

APPENDIX F Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

QUEENS

* * *

QUEENS COMMUNITY DISTRICT 14

* * *

Map 3 [date of adoption]



Mandatory Inclusionary Housing Area see Section 23-154(d)(3) Area # - [date of adoption] - MIH Program Option 1 and Option 2

Portion of Community District 14, Queens

840 ATLANTIC AVENUE REZONING BROOKLYN CB - 8 C 210249 ZMK

Application submitted by Vanderbilt Atlantic Holdings LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c:

- 1. changing from an R6B District to a C6-3X District property bounded by a line midway between Atlantic Avenue and Pacific Street, a line 125 feet easterly of Vanderbilt Avenue, Pacific Street, and a line 100 feet easterly of Vanderbilt Avenue; and
2. changing from an M1-1 District to a C6-3X District property bounded by the northerly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), a line 200 feet easterly of Vanderbilt Avenue and its northerly prolongation, a line midway between Atlantic Avenue and Pacific Street, a line 100 feet easterly of Vanderbilt Avenue, Pacific Street, and Vanderbilt Avenue and its northerly centerline prolongation;

as shown on a diagram (for illustrative purposes only) dated March 1, 2021, and subject to the conditions of CEQR Declaration E-604.

840 ATLANTIC AVENUE REZONING BROOKLYN CB - 8 N 210250 ZRK

Application submitted by Vanderbilt Atlantic Holdings 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 Article III Chapter 5 for the purpose of amending street wall location regulations and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

* * *

ARTICLE III COMMERCIAL DISTRICT REGULATIONS

* * *

Chapter 5 Bulk Regulations for Mixed Buildings in Commercial Districts

* * *

35-66 Special Height and Setback Provisions for Certain Areas

* * *

35-662 Special height and setback provisions in C6-3X Districts along Atlantic Avenue within Community District 8, Borough of Brooklyn

In C6-3X Districts in Community District 8, in the Borough of Brooklyn, for a #zoning lot# with frontage along Atlantic Avenue, the #street wall# provisions of paragraph (a) of Section 35-651 shall apply along the Atlantic Avenue #street# frontage, and shall also apply along #street# frontages intersecting Atlantic Avenue, within 50 feet of the intersection.

* * *

APPENDIX F Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

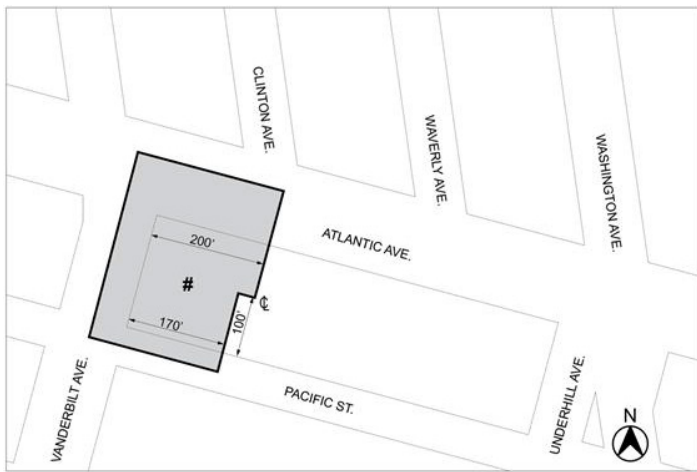
BROOKLYN

* * *

Brooklyn Community District 8

* * *

Map 4. [date of adoption]



Mandatory Inclusionary Housing area (see Section 23-154(d)(3))
 Area # — [date of adoption] MIH Program Option 2

Portion of Community District 8, Brooklyn

133 BEACH 116TH STREET REZONING

QUEENS CB - 14 C 210148 ZMQ

Application submitted by Beach 116th Associates LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 30b:

1. eliminating from within an existing R7A District a C1-3 District bounded by Beach 116th Street, a line 200 feet northwesterly of Ocean Promenade, a line midway between Beach 116th Street and Beach 117th Street, and a line 150 feet southeasterly of Rockaway Beach Boulevard; and
2. establishing within an existing R7A District a C2-4 District bounded by Beach 116th Street, a line 200 feet northwesterly of Ocean Promenade, a line midway between Beach 116th Street and Beach 117th Street, and a line 150 feet southeasterly of Rockaway Beach Boulevard;

as shown on a diagram (for illustrative purposes only) dated April 5, 2021.

For questions about accessibility and requests for additional accommodations, please contact swerts@council.nyc.gov, or nbenjamin@council.nyc.gov, or (212) 788-6936, at least three (3) business days before the hearing.

Accessibility questions: Kaitlin Greer, kgreer@council.nyc.gov, by: Thursday, July 29, 2021, 3:00 P.M.



jy28-a3

NOTICE IS HEREBY GIVEN that the Council has scheduled the following public hearing on the matter indicated below:

The Subcommittee on Landmarks, Public Sitings, and Dispositions will hold a public hearing, accessible both in person and remotely, on the following matters in the City Council Chambers, City Hall, New York, NY 10007, commencing at 2:00 P.M. on August 4, 2021. The hearing will be live-streamed via the Council's website, at https://council.nyc.gov/livestream/. Please visit https://council.nyc.gov/testify/ in advance for information about how to testify and how to submit written testimony.

HOLYROOD EPISCOPAL CHURCH LANDMARK

MANHATTAN CB - 12 N 210467 HIM

Communication dated May 27, 2021, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Holyrood Episcopal Church (Block 2176, Lot 30), by the Landmarks Preservation Commission on May 18, 2021 (Designation List No. 523/LP No. LP-2649).

EDUCATIONAL BUILDING 70 FIFTH AVENUE LANDMARK

MANHATTAN CB - 2 N 210468 HIM

Communication dated May 27, 2021, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Educational Building, 70 Fifth Avenue (Block 576, Lot 36), by the Landmarks Preservation Commission on May 18, 2021 (Designation List No. 253/LP-2650).

For questions about accessibility and requests for additional accommodations, please contact swerts@council.nyc.gov or nbenjamin@council.nyc.gov or (212) 788-6936 at least three (3) business days before the hearing.

Accessibility questions: Kaitlin Greer, kgreer@council.nyc.gov, by: Friday, July 30, 2021, 3:00 P.M.



jy29-a4

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 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, August 10, 2021, at 9:30 A.M., a public hearing will be held in the public hearing room, at 1 Centre Street, 9th Floor, Borough of Manhattan, with respect to the following properties and then followed by a public meeting. An overflow room is located outside of the primary doors of the public hearing room. The occupancy limit in the public hearing room is 12, and the occupancy limit for the overview room is 10.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting. Additionally, the public hearing will be posted or livestreamed on YouTube for viewing only by visiting the "New York City Landmarks Preservation Commission" channel. Finally, please be aware: COVID-19 safety protocols are in effect at the location; all meeting attendees will be required to practice physical distancing and all attendees over the age of two who are medically able to tolerate a face covering will be required to wear a face covering, regardless of vaccination status. Please see additional information on safety protocols below the itemized agenda.

237 Beverly Road - Douglaston Historic District

LPC-21-07505 - Block 8033 - Lot 53 - Zoning: R1-2

CERTIFICATE OF APPROPRIATENESS

An Arts & Crafts style house, designed by Frederick J. Schroeter, Jr. and built in 1924. Application is to enclose a porch, replace windows, and construct dormers and additions.

122 Gates Avenue - Clinton Hill Historic District

LPC-21-09251 - Block 1981 - Lot 35 - Zoning: R6B

CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse, designed by Effingham Nichols & John W. Gregory and built c. 1863. Application is to construct a rear yard addition.

1180 Bergen Street - Crown Heights North Historic District II

LPC-21-08229 - Block 1221 - Lot 18 - Zoning: R6

CERTIFICATE OF APPROPRIATENESS

A garage, built c. 1880. Application is to replace fencing and a gate.

415 12th Street - Park Slope Historic District Extension

LPC-21-02724 - Block 1096 - Lot 67 - Zoning: R6B

CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style rowhouse, built c. 1878-80. Application is to construct rooftop and rear yard additions, replace windows, and extend chimneys.

93 Mercer Street - SoHo-Cast Iron Historic District

LPC-21-09865 - Block 485 - Lot 22 - Zoning: M1-5A

CERTIFICATE OF APPROPRIATENESS

A loft building, designed by Hill & Turner and built in 1900-01. Application is to construct a barrier-free access ramp and replace doors.

19 East 74th Street - Upper East Side Historic District

LPC-21-09652 - Block 1389 - Lot 12 - Zoning: R8B

CERTIFICATE OF APPROPRIATENESS

An Italianate style residence, built c. 1869 and altered in a simplified Neo-Federal style by Schwartz & Gross in 1930. Application is to replace windows, modify an opening and construct a stair bulkhead.

146 West 121st Street - Mount Morris Park Historic District Extension

LPC-21-06253 - Block 1905 - Lot 54 - Zoning: R7-2

CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style rowhouse, designed by Bartlett Smith & Sons and built c. 1886-1887. Application is to construct a rear yard addition and extend a chimney.

121 Heberton Avenue - Individual Landmark

LPC-21-10070 - Block 1015 - Lot 9 - Zoning: R3A

CERTIFICATE OF APPROPRIATENESS

A Rustic style freestanding house, designed by James G. Burger and built in 1859-1861. Application is to install a parking pad and gazebo.

jy27-a10

CORRECTED NOTICE

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 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, August 3, 2021 at 9:30 A.M., a public hearing will be held at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting. **Finally, please be aware:** COVID-19 safety protocols are in effect at the location; all members of the public and applicants and their teams must wear a proper face covering.

50-02 39th Avenue, aka Phipps Playground - Sunnyside Gardens Historic District

LPC-21-00012 - Block 129 - Lot 30 - Zoning: R4
BINDING REPORT

A quarteracre fenced-in playground, with a shed and pavilion. Application is to refurbish the playground.

291 St. Paul's Avenue - St. Paul's Avenue-Stapleton Heights Historic District

LPC-21-06249 - Block 517 - Lot 49 - Zoning: R3X
CERTIFICATE OF APPROPRIATENESS

A Neo-Colonial style freestanding house, designed by Otto Loeffler and built in 1917. Application is to construct a rear deck.

49-51 Chambers Street - African Burial Ground & The Commons Historic District

LPC-21-10492 - Block 153 - Lot 7501 - Zoning: C6-4
MISCELLANEOUS - AMENDMENT

A Beaux-Arts style skyscraper and interior banking hall, designed by Raymond F. Almirall and built in 1909-12. Application is to amend a proposal approved at the Public Meeting of July 21, 2020 for alterations to the banking hall, to include the installation of partitions, desk and cabinetry.

408-410 Broadway - SoHo-Cast Iron Historic District

LPC-21-08147 - Block 196 - Lot 5 - Zoning: M1-5
CERTIFICATE OF APPROPRIATENESS

An Italianate style store and loft building, designed by Henry Engelbert and built c. 1866-1868. Application is to modify openings, replace infill and install signage.

140 West Broadway (aka 140-142 West Broadway and 82 Thomas Street) - Tribeca West Historic District

LPC-21-04082 - Block 144 - Lot 26 - Zoning: C6-2A
CERTIFICATE OF APPROPRIATENESS

An Italianate/Neo-Grec style store and loft building, designed by Carl Pfeiffer and built in 1866. Application is to remove and relocate vault lights and replace the sidewalk and loading dock.

495 Broadway - SoHo-Cast Iron Historic District

LPC-21-06057 - Block 484 - Lot 24 - Zoning:
CERTIFICATE OF APPROPRIATENESS

A Beaux-Arts style store and loft building, designed by Alfred Zucker and built in 1892-1893. Application is to construct rooftop additions.

13 Crosby Street - SoHo-Cast Iron Historic District Extension

LPC-21-10606 - Block 233 - Lot 4 - Zoning: M1-5B
CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style store and loft building, designed by Charles Abbott French and built in 1901. Application is to enlarge a rooftop bulkhead and extend a chimney.

36 Walker Street - Tribeca East Historic District

LPC-21-01775 - Block 194 - Lot 14 - Zoning: C6-2A
CERTIFICATE OF APPROPRIATENESS

An Italianate style store and loft building, built in 1859-60. Application is to construct bulkheads and a pergola, remove steps, replace storefront infill, and install a cornice.

400 West 57th Street - The Windmere

LPC-22-00009 - Block 1066 - Lot 32 - Zoning: C1-8/R8/C1-5
CERTIFICATE OF APPROPRIATENESS

An Eclectic style apartment complex, designed by Theophilus G. Smith and built in 1880-81. Application is to construct rooftop and rear yard additions, install rooftop mechanical equipment, alter the areaways and install a barrier-free access lift.

451-455 Madison Avenue, aka 29 1/2 East 50th Street - Individual Landmark

LPC-21-06662 - Block 1286 - Lot 21 - Zoning: C5-3, C5-2.5

CERTIFICATE OF APPROPRIATENESS

A complex of Italian Renaissance-style townhouses, designed by McKim, Meade, and White and built in 1882-85. Application is to establish a restoration master plan for the use of substitute materials.

118 East 62nd Street - Upper East Side Historic District LPC-21-04098 - Block 1396 - Lot 65 - Zoning: R8B

CERTIFICATE OF APPROPRIATENESS

A rowhouse, designed by Robert Mook and built in 1869-70 and altered in a late Beaux Arts style by Carrere & Hastings in 1909. Application is to replace areaway ironwork.

jy20-a3

MANAGEMENT AND BUDGET

■ PUBLIC HEARINGS

**CITY OF NEW YORK
 DEPARTMENT OF CITY PLANNING
 MAYOR'S OFFICE OF OPERATIONS
 MAYOR'S OFFICE OF MANAGEMENT AND BUDGET
 NOTICE OF AVAILABILITY TO REVIEW APPLICATIONS FOR
 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING
 FROM THE
 NEW YORK STATE OFFICE OF COMMUNITY RENEWAL
 AND
 NOTICE OF A PUBLIC HEARING**

TO ALL AGENCIES, COMMUNITY BOARDS, GROUPS, AND PERSONS:

The City of New York (the City) will hold a public hearing and comment period for the purpose of hearing comments on the City's community development needs, and to discuss the submission of several Community Development Block Grant (CDBG) applications for the 2021 program year.

The New York State Community Development Block Grant Program (NYS CDBG), is a Federally funded program administered by the NYS Office of Community Renewal (OCR). OCR has made available to eligible local governments approximately \$60 million for the 2020 program year for housing, economic development, public facilities, public infrastructure, and planning activities, with the principal purpose of benefitting low/moderate income persons and preventing, preparing for, and responding to COVID-19. Additional funds are expected to be made available in a subsequent funding round.

NYC intends to apply for \$4 million of NYS CDBG funding for three coronavirus-related projects, which are summarized at the end of this notice. Beginning Wednesday, July 28, 2021, the City's proposed applications will be available for review through the Department of City Planning's website, at www.nyc.gov/planning. Readers will be able to translate the documents into various languages including, but not limited to, Spanish, Russian, and Chinese (simplified). Due to the COVID-19 emergency, the documents will not be printed.

Additionally, the City will hold a virtual public hearing on Thursday, August 5, 2021 at 12:00 P.M. The hearing will provide information about the CDBG program and allow for interested parties to discuss the applications. Comments on the proposed projects will be received at this time. If special accommodations are needed for persons with disabilities, those with hearing impairments, or those in need of translation from English, those individuals should email Con-PlanNYC@planning.nyc.gov at least three days in advance of the hearing date to allow for necessary arrangements.

The hearing is being conducted pursuant to 24 CFR § 570.486 in compliance with the requirements of the Housing and Community Development Act of 1974, as amended and 24 CFR § 91.105(c) of the U.S. Department of Housing and Urban Development's Consolidated Plan regulations. Pursuant to waivers issued by HUD given the ongoing pandemic, the City will not hold in-person hearings and has instead created an online platform that allows the public to review the proposed submissions, provide comments, and view responses by the City to the comments received. The online platform may be accessed from the following web address: <https://www1.nyc.gov/site/planning/about/consolidated-plan.page>. You may also email comments to Con-PlanNYC@planning.nyc.gov. If you are unable to access email, please submit your comments to Lisa Rambaran, Consolidated Plan Program Manager, Department of City Planning, 120 Broadway 31st Floor, New York, NY 10271.

Comments must be received by close of business August 5, 2021.

NYC Mayors Office OPS is inviting you to a scheduled Zoom meeting.

Topic: Virtual Public Hearing for the City's Proposed Applications for NYS CDBG Funding Time: August 5, 2021, 12:00 P.M., Eastern Time (US and Canada).

Join Zoom Meeting
<https://us06web.zoom.us/j/83078813650?pwd=UndCd1hERm9uY3JzZmFNSnk2bzhaUT09>

Meeting ID: 830 7881 3650
 Passcode: 783672
 One tap mobile
 +16465588656,,83078813650# US (New York)
 +13017158592,,83078813650# US (Washington DC)

Dial by your location
 +1 646 558 8656 US (New York)
 +1 301 715 8592 US (Washington DC)
 +1 312 626 6799 US (Chicago)
 +1 720 707 2699 US (Denver)
 +1 253 215 8782 US (Tacoma)
 +1 346 248 7799 US (Houston)

Meeting ID: 830 7881 3650
 Find your local number: <https://us06web.zoom.us/j/83078813650>

Project Summaries

- 1. Furnishing Affordable Housing Units for Former Shelter Residents:** Since the onset of COVID-19, the NYC Department of Housing Preservation and Development (HPD) has significantly increased the number of households moving from shelter to permanent, HPD-assisted affordable housing in order to ensure households had safe places to isolate, maintain social distance, and take care of their health. The City proposes to use NYS CDBG funds to provide furnishings to these households, which affords stability and reduces the likelihood they return to homelessness and the dangers of COVID in the shelter system. HPD would contract with a non-profit provider to purchase and deliver furniture based on unit size and unique needs. Amount to be requested: \$1 million.
- 2. Expanding Internet Access for Housing Voucher Recipients:** The COVID-19 pandemic highlighted the critical need for universal internet access. A survey of housing voucher clients revealed that nearly half of the households do not have internet access at home. Many buildings in the low-income neighborhoods the City primarily serves are physically disconnected from necessary infrastructure. In response, HPD proposes to use NYS CDBG funds for a pilot program to expand internet access via a "mesh" WiFi network. Amount to be requested: \$1 million.
- 3. Expanding Access to Mental Health Services for Older Adults:** COVID-19 has intensified the need for accessible and culturally appropriate mental health services for older adults. Social distancing requirements and stay-at-home orders have exacerbated underlying pre-existing conditions, created new mental health needs, increased social isolation, and increased prevalence of elder abuse and elder crime. The NYC Department for the Aging (DFTA) proposes to use NYS CDBG funds to expand access to bilingual and bicultural licensed mental health clinicians for older adults living in the most impacted, vulnerable, and underserved communities. DFTA's Geriatric Mental Health program would be expanded to Older Adult Centers in these areas. Amount to be requested: \$2 million.

City of New York: Marisa Lago, Director, Department of City Planning
 Jacques Jiha, Ph.D., Director, Mayor's Office of Management and Budget

Accessibility questions: Lisa Rambaran, Con-PlanNYC@planning.nyc.gov, by: Monday, August 2, 2021, 12:00 P.M.



fy28-a4

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

The City of New York in partnership with PropertyRoom.com posts vehicle and heavy machinery auctions online every week, at: <https://www.propertyroom.com/s/nyc+fleet>

All auctions are open to the public and registration is free. Vehicles can be viewed in person, at:

Kenben Industries Ltd., 1908 Shore Parkway, Brooklyn, NY 11214
 Phone: (718) 802-0022

No previous arrangements or phone calls are needed to preview. Hours are Monday and Tuesday from 10:00 A.M. – 2:00 P.M.

fy23-a4

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

All Notices Regarding Housing Preservation and Development Dispositions of City-Owned Property appear in the Public Hearing Section.

fy24-d30

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*

"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), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York ("PPB Rules"), 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. The process removes redundancy by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding are 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.

The Client and Community Service Catalog, which lists all Prequalification service categories and the NYC Procurement Roadmap, which lists all RFPs to be managed by HHS Accelerator may be viewed, 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 Office of the Mayor, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Agencies:

Administration for Children's Services (ACS)
 Department for the Aging (DFTA)
 Department of Consumer Affairs (DCA)
 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

CITYWIDE ADMINISTRATIVE SERVICES

■ AWARD

Goods

EQUIPMENT II RENTALS OF VARIOUS - DOT - Competitive Sealed Bids - PIN#85721B0218001 - AMT: \$25,735,700.00 - TO: Gabrielli Truck Leasing, LLC, 153-20 South Conduit Avenue, Jamaica, NY 11434.

☛ jy30

NOZZLES, HIGHRISE AND COCKLOFT (BRAND SPECIFIC) - Competitive Sealed Bids - PIN#85721B0111 - AMT: \$158,997.84 - TO: Firematic Supply Co Inc., 10 Ramsay Road, East Yaphank, NY 11967.

☛ jy30

ADMINISTRATION

■ SOLICITATION

Goods

AIR COMPRESSOR, TOW BEHIND PORTABLE - Competitive Sealed Bids - PIN#85721B0143 - Due 8-31-21 at 10:30 A.M.

All bids are done on PASSPort. To review the details for this solicitation and participate, please use the following link below and use the keyword search fields to find the solicitation for AIR COMPRESSOR, TOW BEHIND PORTABLE. You can search by PIN#85721B0143 or search by keyword: https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public

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.

Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007-1602. Anne-Sherley Almonor (212) 386-0419; aalmonor@dcas.nyc.gov

☛ jy30

TAPPING SLEEVES - Competitive Sealed Bids - PIN#85721B0224 - Due 8-31-21 at 10:30 A.M.

All bids are done on PASSPort. To review the details for this solicitation and participate, please use the following link below and use the keyword search fields, to find the solicitation: https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public.

If there are any issues with PASSPort, contact: help@mocs.nyc.gov.

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

Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007. Fenglin Guo (212) 386-5024; feguo@dcas.nyc.gov

☛ jy30

TRUCK, 16 C.Y. COLLECTION - PARKS - Competitive Sealed Bids - PIN#85721B0115 - Due 9-8-21 at 10:30 A.M.

All bids are done on PASSPort. To review the details for this solicitation and participate, please use the following link below and use the keyword search fields to find solicitation for TRUCK, 16 C.Y. COLLECTION - PARKS.

You can search by PIN #: 85721B0115 or search by keyword: https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public

If there are any issues with PASSPort, contact: help@mocs.nyc.gov.

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

Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007. Peter Le (212) 386-0418; ple@dcas.nyc.gov

☛ jy30

■ INTENT TO AWARD

Goods and Services

NAE CITYWIDE AUTO AUCTION SERVICES - Negotiated Acquisition - Other. - PIN#85622N0001 - Due 8-3-21 at 10:00 A.M.

In accordance with Section 3-04(b)(2)(D) of the Procurement Policy Board Rules, the Department of Citywide Administrative Services, is seeking to use the Negotiated Acquisition Method to extend its current contract with Propertyroom.com Inc., to provide Auto Auction Services - Online auction of relinquished City Fleet vehicles and equipment. The contract term is from March 19, 2020 to December 31, 2021.

This advertisement is for informational purposes only.

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.

Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007. Lucy Nguyen (212) 386-0441; lucyngnu@dcas.nyc.gov

jy28-a3

COMPTROLLER

INFORMATION TECHNOLOGY

■ INTENT TO AWARD

Goods and Services

INTEGRATED RECONCILIATION, DATA MANAGEMENT AND OPTICAL CHARACTER RECOGNITION SOFTWARE SOLUTION - Negotiated Acquisition - Judgment required in evaluating proposals - PIN#01522BIST52294 - Due 8-10-21 at 2:00 P.M.

In accordance with Section 3-04(b)(2)(ii) of the New York City Procurement Policy Board Rules, the New York City's Comptroller's Office (the "Comptroller's Office"), is seeking to enter into negotiations with Web Services Integration Limited, dba Xceptor, to provide an integrated reconciliation, data management and optical character recognition software solution for the Comptroller's Office Bureau of Asset Management ("BAM"). The term of the contract is estimated to commence on January 3, 2022, and continues through January 2, 2027, with options to renew totaling 3 years.

The Notice of Intent, including the Agency needs and minimum requirements, will be available for download from the Comptroller's Office Website, at www.comptroller.nyc.gov, from July 27, 2021 until August 10, 2021. To download the Notice of Intent, select "RFPs and Solicitations," then click on the link to BAM OCR and Reconciliation Project.

Vendors that are interested in expressing interest in this procurement or in a similar procurement in the future, may contact Caroline Wisniewski, Manager of IT Contracts and Procurement, cwisnie@comptroller.nyc.gov. Expressions of Interest are due August 10, 2021, by 2:00 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.

Comptroller, 1 Centre Street, New York, NY 10007. Caroline Wisniewski (212) 669-7827; cwisnei@comptroller.nyc.gov

jy27-a2

CORRECTION

CENTRAL OFFICE OF PROCUREMENT

■ INTENT TO AWARD

Human Services/Client Services

PROVIDING DISCHARGE PREPARATION SKILLS TO MALE AND FEMALE INMATES IN THE BOROUGH OF THE BRONX.

- Negotiated Acquisition - Other - PIN#072 21N0011 - Due 8-10-21 at 10:00 A.M.

The Department of Correction (DOC), intends to engage The Osborne Association Inc., to provide discharge preparation skill building activities and community stabilization services to eligible pretrial and sentenced male and female inmates during incarceration in the City jail, and after release into community-based settings in the Borough of The Bronx.

Any firm that believes it can provide the required services in the future is invited to express interest via email, to Lilliana.Cano@doc.nyc.gov, by August 10, 2021. The services cannot be procured in a timely manner by competitive sealed bidding or competitive sealed proposal, therefore, the Department is utilizing the Negotiated Acquisition Extension process in order to provide continual service with The Osborne Association Inc.

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.

Correction, Bulova Corporate Center, 75-20 Astoria Boulevard, Suite 160, East Elmhurst, NY 11370. Lilliana Alvarez-Cano (718) 546-0686; lilliana.alvarez-cano@doc.nyc.gov

jy28-a3

PROVIDING DISCHARGE PREPARATION SKILLS TO MALE AND FEMALE INMATES IN THE BOROUGH OF BROOKLYN.

- Negotiated Acquisition - Other - PIN#07221N0012 - Due 8-10-21 at 10:00 A.M.

The Department of Correction (DOC), intends to engage The Osborne Association Inc., to provide discharge preparation skill building activities and community stabilization services to eligible pretrial and sentenced male and female inmates during incarceration in the City jail, and after release into community-based settings in the Borough of Brooklyn.

Any firm that believes it can provide the required services in the future is invited to express interest via email, to Lilliana.Cano@doc.nyc.gov, by August 10, 2021. The services cannot be procured in a timely manner by competitive sealed bidding or competitive sealed proposal, therefore, the Department is utilizing the Negotiated Acquisition Extension process in order to provide continual service with The Osborne Association Inc.

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.

Correction, Bulova Corporate Center, 75-20 Astoria Boulevard, Suite 160, East Elmhurst, NY 11370. Lilliana Alvarez-Cano (718) 546-0686; lilliana.alvarez-cano@doc.nyc.gov

jy28-a3

PROVIDING RE-ENTRY SERVICES TO HIGH-RISK INMATES (MANHATTAN) - Negotiated Acquisition - Available only from a single source - PIN#07221N0010001 - Due 8-19-21 at 12:00 A.M.

The Department of Correction (DOC), intends to engage The Fortune Society Inc., to provide discharge preparation skill building activities and community stabilization services to eligible pretrial and sentenced male and female inmates during incarceration in the City jail, and after release into community-based settings in the Borough of Manhattan. Any firm that believes it can provide the required services in the future is invited to express interest via email. The services cannot be procured in a timely manner by competitive sealed bidding or competitive sealed proposal, therefore, the Department is utilizing the Negotiated Acquisition Extension process in order to provide a continuation of service with The Fortune Society Inc.

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.

Correction, 75-20 Astoria Boulevard, East Elmhurst, NY 11370. Keshia Wyllie (718) 546-0791; keshia.wyllie@doc.nyc.gov

jy28-a3

PROVIDING RE-ENTRY SERVICES TO HIGH-RISK INMATES (QUEENS) - Negotiated Acquisition - Available only from a single source - PIN#07221N0009 - Due 8-19-21 at 10:00 A.M.

The Department of Correction (DOC), intends to engage The Fortune Society Inc., to provide discharge preparation skill building activities and community stabilization services to eligible pretrial and sentenced male and female inmates during incarceration in the City jail, and after release into community-based settings in the Borough of Queens. Any firm that believes it can provide the required services in the future is invited to express interest via email. The services cannot be procured

in a timely manner by competitive sealed bidding or competitive sealed proposal, therefore, the Department is utilizing the Negotiated Acquisition Extension process in order to provide a continuation of service with The Fortune Society, Inc.

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.

Correction, 75-20 Astoria Boulevard, East Elmhurst, NY 11370. Keshia Wyllie (718) 546-0791; keshia.wyllie@doc.nyc.gov

jy28-a3

ENVIRONMENTAL PROTECTION

WATER SUPPLY

■ SOLICITATION

Services (other than human services)

82621P0032-BWS - HVR-500 - NYCDEP 7TH POLICE PRECINCT DESIGN - Competitive Sealed Proposals - Other - PIN#82621P0032 - Due 9-14-21 at 2:00 P.M.

This Request for Proposal ("RFx") is being released through PASSPort, New York City's online procurement portal. Responses to this RFx should be submitted via PASSPort. To access the solicitation, vendors should visit the PASSPort Public Portal, at <https://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page> and click on the "Search Funding Opportunities in PASSPort" blue box. This will take you to the Public Portal of all procurements in the PASSPort system. To quickly locate the RFx, insert the EPIN 82621P0032 into the Keywords search field. If you need assistance submitting a response, please contact help@mocs.nyc.gov. To design and construct a new police precinct for the NYCDEP 7th Police Precinct in Yonkers, NY. Presently, the Bureau of Police and Security (BPS) occupies a trailer at the Hillview Reservoir (HVR), known as the Hillview Precinct. With significant construction projects slated to commence in the relatively near future, it is expected that BPS will be displaced from its current location. The precinct is anticipated to be 11,000 square feet. BWS - HVR-500 - NYCDEP 7th Police Precinct Design

Pre bid conference location - Virtual: find link in "Pre-Proposal Conference Link Document" Join the meeting by link Or call +1 347-921-5612, 385255874# Phone Conference ID: 385 255 874# New York, NY 00000 Mandatory: no Date/Time - 2021-08-12 10:30:00

jy30

HEALTH AND MENTAL HYGIENE

■ AWARD

Human Services/Client Services

THE BRIDGE INC RENEWAL #2 - Renewal - PIN#81617N0242001R002 - AMT: \$1,950,000.00 - TO: The Bridge Inc., 290 Lenox Avenue, 3rd Floor, New York, NY 10027.

FY22 Renewal - 18AS007401R2X00. The vendor has provided and will continue to provide during this renewal term Forensic Assertive Community Treatment (FACT) services which includes delivering comprehensive treatment to consumers with serious mental illness (SMI), justice-involvement, co-occurring substance use and homelessness by providing an integrated set of evidence-based treatment, rehabilitation, case management, and support services.

jy30

HUMAN SERVICES - Required Method (including Preferred Source) - PIN#81621M0021001 - AMT: \$3,219,849.00 - TO: Center for Urban Community Services Inc., 198 East 121st Street, 6th Floor, New York NY 10035.

PIN: 22AZ005301R0X00 The goal of PPOH is to bring comprehensive psychiatric services, on-site to community-based programs serving consumers who would not otherwise engage in psychiatric care in the community. PPOH services are intended to reduce psychiatric symptoms, improve quality of life, and prevent a return to homelessness for consumers with serious mental illness and histories of homelessness and housing instability. Psychiatric services provided include engagement, diagnostic assessment, pharmacotherapy, patient education and therapy.

jy30

Services (other than human services)

IN-PERSON INTERPRETATION IN COVID 19 POD SITES

- Emergency Purchase - PIN#81621E0128001 - AMT: \$296,150.00 - TO: Human Touch Translations Ltd, 111 Great Neck Road, Great Neck, NY 11021-5401.

☛ jy30

FPHNY NON PROFIT PARTNER - Negotiated Acquisition - Other - PIN#81621N0311001 - AMT: \$60,000,000.00 - TO: Fund for Public Health in New York Inc., 22 Cortland Street, Suite 802, New York, NY 10007-107.

Non-Profit Partner 22FB001501R0X00 The Fund for Public Health in New York ("FPHNY"), shall assist the Department of Health and Mental Hygiene ("Department" or "DOHMH"), in carrying out its mission by partnering with the Department on a wide variety of projects aimed at improving access to care; promoting health equity; improving the quality and effectiveness of existing public health initiatives; and supporting public health infrastructure.

There is a limited number of suppliers available and able to perform the work. DOHMH has determined that The Fund for Public Health in New York Inc., is the only qualified vendor to for these services.

☛ jy30

HOUSING AUTHORITY

PROCUREMENT

■ SOLICITATION

Construction Related Services

SMD SERVICES ROOFING REPAIR AT SAINT MARY'S PARK, 645 WESTCHESTER AVENUE, BRONX, NY - Competitive Sealed Bids - PIN#325900 - Due 8-19-21 at 10:00 A.M.

Roof repair work consists of removal of partial or the entire existing roof system down to the concrete structural roof slab. This procedure may consist of the following: Removal of the existing roof insulations and barriers which involves full or partial removal of allowable amounts of existing roofing down to the slab (scarify the slab, patch structural roof slab with quick curing patch, prime with asphalt primer, temporary roof/vapor barrier); Carry out repairs of cracks on the deck and application of Asphalt primer; Installation of Insulations and vapor barriers, new drains, liquid pitch pockets, installation of metal flashings; Installation of protection barriers and application of caulking; Minor alterations or maintenance which does not require a permit and will not diminish safety or the integrity of the building; Roof replacement that requires a highly reflected & emissive, waterproofing membrane, and all other ancillary waterproofing work, including but not limited to installation of insulation, vapor barriers, cover boards, coating, sealants, and metal work as specified in the contract document.

Interested vendors are invited to obtain a copy of the opportunity at NYCHA's website, by going to <http://www.nyc.gov/nychabusines>. On the left side, click on "iSupplier Vendor Registration/Login" link. (1) If you have an iSupplier account, then click on the "Login for registered vendors" link and sign into your iSupplier account. (2) If you do not have an iSupplier account you can request an account by clicking on "New suppliers register in iSupplier" to apply for log-in credentials. Once you have accessed your iSupplier account, log into your account, then choose under the Oracle Financials home page, the menu option "Sourcing Supplier", then choose "Sourcing", then choose Sourcing Homepage"; and conduct a search in the "Search Open Negotiations" box for RFQ Number(s) 325900.

Note: In response to the COVID-19 outbreak, we are accepting only electronic bids submitted online via iSupplier. Paper bids will not be accepted or considered. Please contact NYCHA Procurement, at procurement@nycha.nyc.gov, for assistance.

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. JoAnn Park (212) 306-4511; joann.park@nycha.nyc.gov

☛ jy30

SMD SERVICES ACID WASH OF CONCRETE AT VARIOUS DEVELOPMENTS LOCATED WITHIN THE BOROUGH OF MANHATTAN - Competitive Sealed Bids - PIN#324896 - Due 8-19-21 at 10:00 A.M.

The Work to be done under this Contract shall include the furnishing of all labor, materials, tools and equipment for the execution of all work pertaining to Acid Wash for concrete. Without limiting the generality of

the foregoing, acid cleaning or acid etching is recommended to produce a slightly granular surface and improves the uniformity of most standard concrete. This process may be required for the adherence of coating to concrete, especially if the concrete surface(s) in question are anticipated to be painted.

Interested vendors are invited to obtain a copy of the opportunity at NYCHA's website, by going to <http://www.nyc.gov/nychabusines>. On the left side, click on "iSupplier Vendor Registration/Login" link. (1) If you have an iSupplier account, then click on the "Login for registered vendors" link and sign into your iSupplier account. (2) If you do not have an iSupplier account you can request an account by clicking on "New suppliers register in iSupplier" to apply for log-in credentials. Once you have accessed your iSupplier account, log into your account, then choose under the Oracle Financials home page, the menu option "Sourcing Supplier", then choose "Sourcing", then choose Sourcing Homepage"; and conduct a search in the "Search Open Negotiations" box for RFQ Number(s) 324896.

Note: In response to the COVID-19 outbreak, we are accepting only electronic bids submitted online via iSupplier. Paper bids will not be accepted or considered. Please contact NYCHA Procurement, at procurement@nycha.nyc.gov, for assistance.

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. JoAnn Park (212) 306-4511; joann.park@nycha.nyc.gov

☛ jy30

Services (other than human services)

SMD SERVICES REPAIR AND REPLACEMENT OF HEATING PIPE AND MECHANICAL EQUIPMENT INSULATIONS AT VARIOUS DEVELOPMENT LOCATED WITHIN THE FIVE (5) BOROUGHES OF NYC - Competitive Sealed Bids - PIN#332913 - Due 8-19-21 at 10:00 A.M.

The scope of work for this Contract shall include all labor, materials and equipment in accordance with these specifications to repair/reinsulate where required all existing boilers, boiler make-up water, hot water generators, piping, pumps, heating hot water supply piping, heating hot water return piping, hot water storage tanks, expansion tanks, heat exchangers, fittings, valves and flanges only where existing insulation has been damaged and within the Boiler/Mechanical Equipment Rooms Only.

Interested vendors are invited to obtain a copy of the opportunity at NYCHA's website, by going to <http://www.nyc.gov/nychabusines>. On the left side, click on "iSupplier Vendor Registration/Login" link. (1) If you have an iSupplier account, then click on the "Login for registered vendors" link and sign into your iSupplier account. (2) If you do not have an iSupplier account you can request an account by clicking on "New suppliers register in iSupplier" to apply for log-in credentials. Once you have accessed your iSupplier account, log into your account, then choose under the Oracle Financials home page, the menu option "Sourcing Supplier", then choose "Sourcing", then choose Sourcing Homepage"; and conduct a search in the "Search Open Negotiations" box for RFQ Number(s) 332913.

Note: In response to the COVID-19 outbreak, we are accepting only electronic bids submitted online via iSupplier. Paper bids will not be accepted or considered. Please contact NYCHA Procurement, at procurement@nycha.nyc.gov, for assistance.

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. JoAnn Park (212) 306-4511; joann.park@nycha.nyc.gov

☛ jy30

HOUSING PRESERVATION AND DEVELOPMENT

ONS/DTR OPERATIONS

■ INTENT TO AWARD

Human Services/Client Services

80622Y0023-SOLE SOURCE NOTICE OF INTENT - DIGITAL LITERACY AND TRAINING FOR OLDER ADULTS - Request for Information - PIN#80622Y0023 - Due 8-9-21 at 2:00 P.M.

Pursuant to Section 3-05 of the City's Procurement Policy Board Rules, The New York City Department of Housing Preservation and

Development (HPD), intends to enter into a Sole Source contract with Older Adults Technology Services, Inc. The vendor will provide digital literacy and training on using the internet for low-income adults aged 55 and older.

This Sole Source procurement is being managed through PASSPort. If there are any expressions of interest, please send an email to Agency Contact.

jy26-a2

Services (other than human services)

80622Y0022-SOLE SOURCE NOTICE OF INTENT - MESH INTERNET NETWORK - Request for Information - PIN#80622Y0022 - Due 8-16-21 at 2:00 P.M.

Pursuant to Section 3-05 of the City's Procurement Policy Board Rules, The New York City Department of Housing Preservation and Development (HPD), intends to enter into a Sole Source contract with NYC Mesh, Inc. The vendor will provide mesh internet networks to connect low-income tenants to the internet for free in specific neighborhoods throughout Brooklyn, Manhattan, and the Bronx.

This Sole Source procurement is being managed through PASSPort. If there are any expressions of interest, please send an email to Agency Contact.

jy26-a2

HUMAN RESOURCES ADMINISTRATION

■ AWARD

Human Services/Client Services

RENEWAL OF EMERGENCY SHELTER FOR SURVIVORS OF DOMESTIC VIOLENCE - Renewal - PIN#06919X8009KXLR001 - AMT: \$6,398,177.84 - TO: Urban Resource Institute, 75 Broad Street, 5th Floor, New York, NY 10014.

Contract Term from 7/1/2021 to 6/30/2025.

jy30

RENEWAL OF HASA PERMANENT SUPPORTIVE CONGREGATE HOUSING - 115TH ST @ 123 WEST 115TH STREET, NEW YORK, NEW YORK 10026 - Renewal - PIN#06917P9530KXLR001 - AMT: \$3,211,412.00 - TO: Faces NY Inc., 123 West 115th Street, New York, NY 10026.

Contract Term from 7/1/2021 to 6/30/2025.

jy30

PARKS AND RECREATION

PURCHASING AND ACCOUNTING

■ SOLICITATION

Services (other than human services)

SALVAGED WOOD REMOVAL REUSE - Other - PIN#84622C000X02 - Due 8-26-21 at 5:00 P.M.

NYC Parks is soliciting Expression of Interests from vendors to implement a pilot demonstration project for wood reuse in New York City. Specifically, this pilot project applies to the subset of logs that are to be salvaged from 1,000 trees that are being removed as part of the Eastside Coastal Resiliency project (ESCR). The reuse of logs after whole tree removal from areas of parkland and streets help support the environmental, economic, and social goals of the Agency and New York City overall.

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, 24 West 61st Street, New York, NY 10023. Christopher Miao (212) 830-7983; christopher.miao@parks.nyc.gov

jy29-a4

REVENUE AND CONCESSIONS

■ SOLICITATION

Goods

REQUEST FOR BIDS: RODMAN'S NECK SNACK BAR, PELHAM BAY PARK, BRONX - Competitive Sealed Bids - PIN#X39-VM-SB - Due 8-25-21 at 11:00 A.M.

In accordance with Section 1-12 of the Concession Rules of the City of New York, the New York City Department of Parks and Recreation ("Parks"), is issuing, as of the date of this Notice, a non-significant RFB for the operation, renovation and maintenance of a Snack Bar and four (4) vending machines at the New York City Police Academy at Rodman's Neck, Pelham Bay Park, in the borough of the Bronx.

There will be a recommended remote bidder meeting on August 11, 2021, at 2:00 P.M. If you are considering responding to this RFB, please make every effort to attend this recommended remote bidder meeting.

The Cisco WebEx link for the remote Bidder meeting is as follows: <https://nycparks.webex.com/nycparks/j.php?MTID=m20a73ac38a44343a756867ee4aabaefe>

Meeting number: 179 165 6292

Password: Xh2mSJCmW36

You may also join the remote bidder meeting by phone using the following information:

+1-646-992-2010 OR +1-408-418-9388. Access code: 179 165 6292

Subject to availability and by appointment only, Parks may set up a meeting at the concession site at the Police Academy at Rodman's Neck, Pelham Bay Park, the Bronx (Block # 5650 & Lot # 1).

All bids submitted in response to this RFB must be submitted by no later than August 25, 2021, at 11:00 A.M.

Hard copies of the RFB can be obtained, at no cost, commencing, July 28, 2021, through August 25, 2021, by contacting Glenn Kaalund, Senior Project Manager, at (212) 360-3482, or via email, glenn.kaalund@parks.nyc.gov.

The RFB is also available for download, commencing July 28, 2021, through August 25, 2021, on Parks' website. To download the RFB, visit <http://www.nyc.gov/parks/businessopportunities>, click on the link for "Concessions Opportunities at Parks" and, after logging in, click on the "download" link that appears adjacent to the RFB's description.

For more information or if you cannot attend the remote bidder meeting, prospective bidders may contact Glenn Kaalund, Senior Project Manager, at (212) 360-3482, or via email: glenn.kaalund@parks.nyc.gov.

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

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

Parks and Recreation, The Arsenal, 830 Fifth Avenue, Room 407, New York, NY 10065. Glenn Kaalund (212) 360-3482; glenn.kaalund@parks.nyc.gov

Accessibility questions: glenn.kaalund@parks.nyc.gov, by: Friday, August 20, 2021, 5:00 P.M.



jy28-a10

Services (other than human services)

FOR THE RENOVATION, OPERATION AND MAINTENANCE OF AN OUTDOOR CAFÉ AT MINERAL SPRINGS, CENTRAL PARK, MANHATTAN - Competitive Sealed Proposals - PIN#M10-33-SB-2021 - Due 9-3-21 at 3:00 PM.

- Judgment required in evaluating proposals.

In accordance with Section 1-13 of the Concession Rules of the City of New York, the New York City Department of Parks and Recreation ("Parks") is issuing, as of the date of this notice a significant Request for Proposals ("RFP") proposals for the renovation, operation, and maintenance of an outdoor café at Mineral Springs, Central Park, Manhattan.

There will be a recommended remote proposer meeting on Wednesday, August 4, 2021, at 2:00 pm. If you are considering responding to this RFP, please make every effort to attend this recommended remote proposer meeting.

The Cisco WebEx link for the remote proposer meeting is as follows: <https://nycparks.webex.com/nycparks/j.php?MTID=mb39364b67f573e3248c9e533703e599f>

Meeting Number: 179 020 4930 Password: Parks123

You may also join the remote proposer meeting by phone using the following information:

+1-646-992-2010 OR +1-408-418-9388

Access code: 179 020 4930

Subject to availability and by appointment only, we may set up a meeting at the proposed concession site (Block #1111 & Lot #1), which is located between 69th and 70th Streets and between Terrace Drive and Sheep Meadow in Central Park, Manhattan.

All proposals submitted in response to this RFP must be submitted no later than Friday, September 3, 2021, at 3:00 p.m. Hard copies of the RFP can be obtained at no cost, commencing Friday, July 23, 2021 through Friday, September 3, 2021 by contacting Eric Weiss, Senior Project Manager at (212)360-3483 or at Eric.Weiss@parks.nyc.gov .

The RFP is also available for download, on Friday, July 23, 2021 through Friday, September 3, 2021, on Parks' website. To download the RFP, visit www.nyc.gov/parks/businessopportunities and click on the "Concessions Opportunities at Parks" link. Once you have logged in, click on the "download" link that appears adjacent to the RFP's description. For more information or if you cannot attend the remote proposer meeting, prospective proposers may contact Eric Weiss, Senior Project Manager at (212)360-3483 or at Eric.Weiss@parks.nyc.gov. TELECOMMUNICATION DEVICE FOR THE DEAF (TDD) 212-504-4115

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

Parks and Recreation, The Arsenal, Central Park, 830 Fifth Avenue, Room 407, New York, NY 10065. Eric Weiss (212) 360-3483; eric.weiss@parks.nyc.gov

jl23-a5

AGENCY RULES

HOUSING PRESERVATION AND DEVELOPMENT

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Housing Preservation and Development ("HPD") is proposing amendments to Chapters 10 and 53 of Title 28 of the Rules of the City of New York, concerning exceptions from the requirement for certifications of no harassment. The proposed amendments would except from that requirement certain work that (i) requires a permit from the Department of Buildings (DOB) and (ii) is required to be performed in a building in order to rescind a vacate order issued by HPD or DOB.

When and where is the hearing? HPD will hold a public hearing on the proposed rules. The public hearing will take place at 10:00 A.M. - 11:00 A.M., on September 2, 2021. To participate in the public hearing, enter the Webex URL <https://nychpd.webex.com/nychpd/j.php?MTID=mba7124178ab3b79c6627eed5a204e9>

If prompted to provide a password or number, please enter the following:

Meeting number: **179 611 9915** Password: **7zJSu8M2ddU**

You may also join via audio device or dial in via phone:
Join by video system:

Dial 1796119915@webex.com

You can also dial 173.243.2.68 and enter your meeting number.

To dial in by phone, please use the following dial-in phone number and participant access code:
+1-646-992-2010 United States Toll (New York City)
+1-408-418-9388 United States Toll
Access code: 179 611 9915
Password if requested: **7zJSu8M2ddU**

If you have low bandwidth or inconsistent internet connection, use the dial-in option for the hearing. This will reduce the possibility of dropped audio and stutters.

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

- **Website.** You can submit comments to HPD through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to rules@hpd.nyc.gov.

- **Mail.** You can mail comments to Deputy Commissioner AnnMarie Santiago, Department of Housing Preservation and Development, 100 Gold Street, Room 601, New York, NY 10038.
- **Fax.** You can fax comments to AnnMarie Santiago, at (212) 863-7010.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rules at the public hearing must sign up to speak. You can sign up before the hearing by calling (212) 863-8602 or by emailing rifenm@hpd.nyc.gov, before 5:00 P.M. on September 1, 2021. Although you can indicate during the hearing that you would like to provide comments, we prefer that you sign up in advance. You can speak for up to three minutes.

Is there a deadline to submit comments? The deadline for submission of comments is September 2, 2021.

What if I need assistance to participate in the hearing? You must tell HPD if you need a reasonable accommodation of a disability at the hearing. You can tell us by mail at the address given above or by email, at rifenm@hpd.nyc.gov. You may also tell us by telephone, at (212) 863-8602. We request advance notice so that we have sufficient time to arrange the accommodation. Please tell us by August 20, 2021. This hearing has the following accessibility options available: Simultaneous transcription for people who are deaf or hard of hearing and audio-only access.

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 <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rules will be available to the public at the Office of Legal Affairs, 100 Gold Street, Fifth Floor, New York, NY 10038.

What authorizes HPD to make these rules? Sections 1043 and 1802 of the New York City Charter ("City Charter") and sections 27-2093, 28-107.3, 27-2093.1, and 28-505.3 of the Administrative Code of the City of New York authorize HPD to make these proposed rules. These rules were not included in HPD's regulatory agenda for this Fiscal Year because they were not anticipated.

Where can I find HPD's rules? The agency's rules are in Title 28 of the Rules of the City of New York.

What laws govern the rulemaking process? HPD must comply with Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the City Charter.

Statement of Basis and Purpose of Proposed Rules

The proposed rules amend Chapters 10 and 53 of Title 28. These chapters require owners of certain buildings to apply for a certification of no harassment in order to get a permit from the Department of Buildings (DOB) for covered categories of work. In administering this requirement, the Department of Housing Preservation and Development (HPD) has concluded that under certain circumstances, property owners to whom HPD or DOB has issued a vacate order should be able to expeditiously address the conditions for which the vacate order was issued, without having to secure a certification of no harassment first. Therefore, HPD has concluded that the requirement should not apply when a property owner seeks to perform the minimum repairs, replacement, modification, or partial demolition work required to address the conditions for rescission of a vacate order issued by HPD or DOB in a building. The proposed rule amendments provide this exception.

New material is underlined.
[Deleted material is bracketed]

Section 1. Section 10-02 of title 28 of the rules of the city of New York is amended to read as follows:

§10-02 Scope of Rule.

(a) The requirements of this chapter apply to certifications, exemptions, and waivers pursuant to Administrative Code §28-107.1 et seq., Administrative Code §27-2093, Zoning Resolution §96-110, Zoning Resolution §93-90, Zoning Resolution §98-70, Zoning Resolution §23-013, and any subsequently enacted provision of the Administrative Code or Zoning Resolution which authorizes HPD to make determinations concerning certifications, exemptions, or waivers.

(b)(1) With regard to single room occupancy multiple dwellings[.]; (1) A [a] certification shall be required where mandated pursuant to Administrative Code §28-107.1 et seq. and Administrative Code §27-2093; provided, however, that a certification shall not be required pursuant to Administrative Code §28-107.3(4) for repairs, replacement, modification, or partial demolition work that is the minimum required to be performed to address conditions for rescission of a vacate order issued by HPD or DOB in a building.

(2) Except as otherwise provided in paragraph (1) of this subdivision, in [In] accordance with the authority of the Commissioner pursuant to Administrative Code §28-107.3(4) to prescribe by regulation other types of alteration work, a certification shall be required where the application and plans filed with DOB seek to:

- (i) increase or decrease the number of dwelling units;
- (ii) alter the layout, configuration or location of any portion of a dwelling unit;
- (iii) increase or decrease the number of residential kitchens or residential bathrooms;
- (iv) alter the layout, configuration or location of any portion of a residential kitchen or residential bathroom;
- (v) demolish or change the use or occupancy of any dwelling unit and/or any portion of the building serving the dwelling units.

[2)] (3) Where the application and the accompanying plans submitted to DOB do not provide for any [such] change[s,] described in paragraph (2) of this subdivision, or where the application is for work described in paragraph (1) of this subdivision, a certification shall not be required pursuant to Administrative Code §28-107.3(4), but may be required pursuant to other provisions of Administrative Code §28-107.1 et seq. or pursuant to the Zoning Resolution.

(c) With regard to properties located in the Special Clinton District defined in Article IX, Chapter 6 of the Zoning Resolution (§96-00 et seq.), a certification shall be required where mandated pursuant to the terms of such Article and Zoning Resolution §96-110; provided, however, that subject to compliance with the applicable zoning provisions, a certification shall not be required for repairs, replacement, modification or partial demolition work that is the minimum required to be performed to address conditions for rescission of a vacate order issued by HPD or DOB in a building.

(d) With regard to multiple dwellings located in the anti-harassment area defined in Zoning Resolution §93-90 (Hudson Yards/Garment Center), a certification shall be required where mandated pursuant to the terms of such section; provided, however, that subject to compliance with the applicable zoning regulations, a certification shall not be required for repairs, replacement, modification or partial demolition work that is the minimum required to be performed to address conditions for rescission of a vacate order issued by HPD or DOB in a building.

(e) With regard to multiple dwellings located in the anti-harassment area defined in Zoning Resolution §23-013 (Greenpoint-Williamsburg), a certification shall be required where mandated pursuant to the terms of such section and New York City Zoning Resolution §93-90; provided, however, that subject to compliance with the applicable zoning provisions, a certification shall not be required for repairs, replacement, modification or partial demolition work that is the minimum required to be performed to address conditions for rescission of a vacate order issued by HPD or DOB in a building.

(f) With regard to multiple dwellings located in the anti-harassment area defined in Zoning Resolution §98-70 (West Chelsea), a certification shall be required where mandated pursuant to the terms of such section and New York City Zoning Resolution §93-90; provided, however, that subject to compliance with the applicable zoning provisions, a certification shall not be required for repairs, replacement, modification or partial demolition work that is the minimum required to be performed to address conditions for rescission of a vacate order issued by HPD or DOB in a building.

§2. Section 53-01 of title 28 of the rules of the city of New York is amended by amending the definition of "Exceptions to Covered Categories of Work" to read as follows:

Exceptions to Covered Categories of Work. The term "Exceptions to Covered Categories of Work" means the following types of construction or other work that, notwithstanding the definition of Covered Categories of Work, do not require a building owner to obtain a Certification of no Harassment prior to approval of construction documents by the Department of Buildings:

- (1) Work solely for the purpose of either:
 - (a) making the public areas of a Pilot Program Building accessible to persons with disabilities without altering the configuration of any dwelling unit or rooming unit, or
 - (b) making the interior or the entrance to a dwelling unit or a rooming unit accessible to persons with disabilities.
- (2) Repairs, demolition, or any other work performed by a city agency or by a contractor pursuant to a contract with a city agency.
- (3) Repairs, demolition, or any other work performed by an owner who has entered into a regulatory agreement for such building with the Department.
- (4) Demolition of a building performed pursuant to a declaration of an immediate emergency or emergency demolition order issued by the Department of Buildings.
- (5) Work performed in a building that has an administrator currently appointed pursuant to article seven-a of the real property actions and proceedings law.

(6) Work performed in a building that has been transferred to a third party transferee or that has been transferred by such third party transferee to a subsequent transferee approved by the Department pursuant to an in rem foreclosure judgment under the Third Party Transfer program, authorized under chapter 3 of title 11 of the Administrative Code and the rules set forth in 28 RCNY chapter 8.

(7) Repairs, replacement, modification, or partial demolition work that is the minimum required to be performed to address conditions for rescission of a vacate order issued by the Department or the Department of Buildings in a building.

**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: Amendment of Rules Relating to Certification of No Harassment

REFERENCE NUMBER: 2020 RG 058

RULEMAKING AGENCY: Department of Housing Preservation and Development

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
Acting Corporation Counsel

Date: June 24, 2021

**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: Amendment of Rules Relating to Certification of No Harassment

REFERENCE NUMBER: HPD-75

RULEMAKING AGENCY: Department of Housing Preservation and Development

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/ Francisco X. Navarro
Mayor's Office of Operations

June 24, 2021
Date

Accessibility questions: rifenm@hpd.nyc.gov, by: Friday, August 20, 2021, 5:00 P.M.



SPECIAL MATERIALS

CITYWIDE ADMINISTRATIVE SERVICES

■ NOTICE

OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8796 FUEL OIL AND KEROSENE

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 7/26/2021
4087216	1.3	#2DULS	CITYWIDE BY TW	SPRAGUE	-.0704 GAL.	2.2766 GAL.
4087216	2.3	#2DULS	PICK-UP	SPRAGUE	-.0704 GAL.	2.1719 GAL.
4087216	3.3	#2DULS	WINTERIZED CITYWIDE BY TW	SPRAGUE	-.0704 GAL.	2.4749 GAL.
4087216	4.3	#2DULS	WINTERIZED PICK-UP	SPRAGUE	-.0704 GAL.	2.3701 GAL.
4087216	5.3	#1DULS	CITYWIDE BY TW	SPRAGUE	-.0704 GAL.	2.5931 GAL.
4087216	6.3	#1DULS	PICK-UP	SPRAGUE	-.0704 GAL.	2.4883 GAL.
4087216	7.3	#2DULS	>=80% CITYWIDE BY TW	SPRAGUE	-.0704 GAL.	2.3044 GAL.
4087216	8.3	#2DULS	WINTERIZED CITYWIDE BY TW	SPRAGUE	-.0704 GAL.	2.5954 GAL.
4087216	9.3	B100	B100<=20% CITYWIDE BY TW	SPRAGUE	-.0589 GAL.	4.0862 GAL.
4087216	10.3	#2DULS	>=80% PICK-UP	SPRAGUE	-.0704 GAL.	2.1996 GAL.
4087216	11.3	#2DULS	WINTERIZED PICK-UP	SPRAGUE	-.0704 GAL.	2.4906 GAL.
4087216	12.3	B100	B100 <=20% PICK-UP	SPRAGUE	-.0589 GAL.	3.9814 GAL.
4087216	13.3	#1DULS	>=80% CITYWIDE BY TW	SPRAGUE	-.0704 GAL.	2.6027 GAL.
4087216	14.3	B100	B100 <=20% CITYWIDE BY TW	SPRAGUE	-.0589 GAL.	4.0951 GAL.
4087216	15.3	#1DULS	>=80% PICK-UP	SPRAGUE	-.0704 GAL.	2.4979 GAL.
4087216	16.3	B100	B100 <=20% PICK-UP	SPRAGUE	-.0589 GAL.	3.9903 GAL.
4087216	17.3	#2DULS	BARGE MTF III & ST. WI	SPRAGUE	-.0704 GAL.	2.2372 GAL.
3687192	1.0	JET	FLOYD BENNETT	SPRAGUE	-.0739 GAL.	2.7383 GAL.
3587289	2.0	#4B5	MANHATTAN	UNITED METRO	-.0655 GAL.	2.3524 GAL.
3587289	5.0	#4B5	BRONX	UNITED METRO	-.0655 GAL.	2.3512 GAL.
3587289	8.0	#4B5	BROOKLYN	UNITED METRO	-.0655 GAL.	2.3454 GAL.
3587289	11.0	#4B5	QUEENS	UNITED METRO	-.0655 GAL.	2.3507 GAL.
3587289	14.0	#4B5	RICHMOND	UNITED METRO	-.0655 GAL.	2.4361 GAL.
4187014	1.0	#2B5	MANHATTAN	SPRAGUE	-.0698 GAL.	2.4287 GAL.
4187014	3.0	#2B5	BRONX	SPRAGUE	-.0698 GAL.	2.3807 GAL.
4187014	5.0	#2B5	BROOKLYN	SPRAGUE	-.0698 GAL.	2.3937 GAL.
4187014	7.0	#2B5	QUEENS	SPRAGUE	-.0698 GAL.	2.4017 GAL.
4187014	9.0	#2B5	STATEN ISLAND	SPRAGUE	-.0698 GAL.	2.4807 GAL.
4187014	11.0	#2B10	CITYWIDE BY TW	SPRAGUE	-.0693 GAL.	2.4888 GAL.
4187014	12.0	#2B20	CITYWIDE BY TW	SPRAGUE	-.0681 GAL.	2.6633 GAL.
4187015	2.0(H)	#2B5	MANHATTAN, (RACK PICK-UP)	APPROVED OIL COMPANY	-.0698 GAL.	2.1940 GAL.
4187015	4.0(I)	#2B5	BRONX, (RACK PICK-UP)	APPROVED OIL COMPANY	-.0698 GAL.	2.1940 GAL.
4187015	6.0(L)	#2B5	BROOKLYN, (RACK PICK-UP)	APPROVED OIL COMPANY	-.0698 GAL.	2.1940 GAL.
4187015	8.0(M)	#2B5	QUEENS, (RACK PICK-UP)	APPROVED OIL COMPANY	-.0698 GAL.	2.1940 GAL.

4187015	10.0(N)	#2B5		STATEN ISLAND, (RACK PICK-UP)	APPROVED OIL COMPANY	-0.698 GAL.	2.1940 GAL.
4087216		#2DULSB5	95% ITEM 7.3 & 5% ITEM 9.3	CITYWIDE BY TW	SPRAGUE	-0.698 GAL.	2.3935 GAL.(a)
4087216		#2DULSB10	90% ITEM 7.3 & 10% ITEM 9.3	CITYWIDE BY TW	SPRAGUE	-0.692 GAL.	2.4826 GAL.(b)
4087216		#2DULSB20	80% ITEM 7.3 & 20% ITEM 9.3	CITYWIDE BY TW	SPRAGUE	-0.681 GAL.	2.6608 GAL.(c)
4087216		#2DULSB5	95% ITEM 10.3 & 5% ITEM 12.3	PICK-UP	SPRAGUE	-0.698 GAL.	2.2887 GAL.(d)
4087216		#2DULSB10	90% ITEM 10.3 & 10% ITEM 12.3	PICK-UP	SPRAGUE	-0.693 GAL.	2.3778 GAL.(e)
4087216		#2DULSB20	80% ITEM 10.3 & 20% ITEM 12.3	PICK-UP	SPRAGUE	-0.681 GAL.	2.5560 GAL.(f)
4087216		#1DULSB20	80% ITEM 13.3 & 20% ITEM 14.3	CITYWIDE BY TW	SPRAGUE	-0.681 GAL.	2.9012 GAL.
4087216		#1DULSB20	80% ITEM 15.3 & 20% ITEM 16.3	PICK-UP	SPRAGUE	-0.681 GAL.	2.7964 GAL.

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8797
FUEL OIL, PRIME AND START**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 7/26/2021
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**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8798
FUEL OIL AND REPAIRS**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 7/26/2021
20211200451		#2B5	ALL BOROUGHES (PICKUP UNDER DELIVERY)	APPROVED OIL	-0.698 GAL.	2.6081 GAL.(J)
20211200451		#4B5	ALL BOROUGHES (PICKUP UNDER DELIVERY)	APPROVED OIL	-0.655 GAL.	2.4857 GAL.(K)

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8799
GASOLINE**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 7/26/2021
3787120	1.0	REG UL	CITYWIDE BY TW	GLOBAL MONTELLO	-0.662 GAL	2.3378 GAL.
3787120	2.0	PREM UL	CITYWIDE BY TW	GLOBAL MONTELLO	-0.694 GAL	2.4568 GAL.
3787120	3.0	REG UL	PICK-UP	GLOBAL MONTELLO	-0.662 GAL	2.2728 GAL.
3787120	4.0	PREM UL	PICK-UP	GLOBAL MONTELLO	-0.694 GAL	2.3918 GAL.
3787121	5.0	E85 (SUMMER)	CITYWIDE BY DELIVERY	UNITED METRO	-0.154 GAL	2.6435 GAL.(G)

NOTE:

- (A), (B) and (C) Contract 4087216, item 7.3 replaced item 8.3 (Winter Version) effective April 1, 2021**
- As of February 9, 2018, the Bio-Diesel Blender Tax Credit was retroactively reinstated for calendar year 2017. Should the tax credit be further extended, contractors will resume deducting the tax credit as a separate line item on invoices.
- Federal excise taxes are imposed on taxable fuels, (i.e., gasoline, kerosene, and diesel), when removed from a taxable fuel terminal. This fuel excise tax does not include Leaking Underground Storage Tank (LUST) tax. LUST tax applies to motor fuels for both diesel and gasoline invoices. Going forward, LUST Tax will appear as an additional fee at the rate of \$0.001 per gallon and will be shown as a separate line item on your invoice.
- The National Oil Heat Research Alliance (NORA) has been extended until February 6, 2029. A related assessment of \$.002 per gallon has been added to the posted weekly fuel prices and will appear as a separate line item on invoices. This fee applies to heating oil only and since 2015 has included #4 heating oil. All other terms and conditions remain unchanged.
- Contract #4087216, effective June 1, 2020, replaces former items (1.2-17.2) on Contract #3987206
- Due to RIN price adjustments Biomass-based Diesel (2020) is replaced by Biomass-based Diesel (2021) commencing 1/1/2021.
- Metro Environmental Services, LLC Requirement Contract #: 20201201516/4087084 for Fuel Site Maintenance Services, Citywide has been registered and Contract is available on DCAS / OCP's "Requirements Contract" website for Citywide use as of January 27, 2020. Link to Fuel Site Maintenance Services, Citywide contract via OCP website: <https://mspwww-dsopc.dcas.nycnet/nycprocurement/dmss/asp/RCDetails.asp?vContract=20201201516>
- (D), (E) and (F) Contract 4087216, item 10.3 replaced item 11.3 (Winter Version) effective April 1, 2021**
- (G) Contract 3787121, item 5.0 replaced item 6.0 (Winter Blend) effective April 1, 2021**
- NYC Agencies are reminded to fill their fuel tanks as the end of the fiscal year approaches (June 30th).
- (J) and (K) Effective October 1, 2020 contract #20211200451 PICKUP (ALL BOROUGHES) under DELIVERY by Approved Oil.**
- (H), (I), (L), (M) and (N) Items 2.0(Manhattan), 4.0(Bronx), 6.0(Brooklyn), 8.0(Queens) and 10.0(Staten Island) are for RACK PICKUP ONLY.**

13. NYC Agencies are reminded to begin preparing Purchase Orders for the New Fiscal Year (FY22) as the end of the current fiscal year approaches (June 30th) where need and encouraged to continue utilizing Direct Order system for your fuel ordering, where it's in place.

REMINDER FOR ALL AGENCIES:

All entities utilizing DCAS fuel contracts are reminded to pay their invoices on time to avoid interruption of service. Please send inspection copy of receiving report for all gasoline (E70, UL & PREM) delivered by tank wagon to OCP/Bureau of Quality Assurance (BQA), 1 Centre Street, 18th Floor, New York, NY 10007.

• jy30

CHANGES IN PERSONNEL

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 06/11/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for the Board of Election Poll Workers.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 06/11/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for the Board of Election Poll Workers.

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BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 06/11/21

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BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 06/11/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for the Board of Election Poll Workers.

ULLAH	MD OBAID	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
URENA	ANGELINA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
VALDEZ	NAYRELI	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
VELASQUEZ	MIGNOLIA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
VERLEY	RICHARD	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
WANG	CHAORAN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
WANG	KEKIN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
WANG	LILI	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
WANG	YUCHEN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
WILLIAMS	UBALDO	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
WU	SHUTING	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
WU	TRACY	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
WU	WENDY	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
WU	YANYING	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
WU	ZEHUI	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
WU	ZEQUAN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
WU I	LINGYING	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
YAN	CHIN-LI	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
YANG	HANNAH H	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
YANG	TONG	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
YANG	YONGQI	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
YE	LAN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
YIN	FANNY	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
YOU	XIA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
ZENG	MING FAN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
ZHANG	AIZHI	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
ZHANG	JANINE	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
ZHANG	LIZHU	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
ZHANG	REBECCA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
ZHANG	RUYAN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
ZHANG	XIAODAN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
ZHANG	XUTING	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
ZHANG	XUXING	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300

BOARD OF ELECTION POLL WORKERS
FOR PERIOD ENDING 06/11/21

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ZHEN	JINGTAO	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
ZHENG	JENNY	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
ZHENG	JOYCE	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
ZHOU	LINQI	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
ZHOU	LYNN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
ZHU	YUEN	9POLL	\$1.0000	APPOINTED	YES	06/02/21	300
ZOU	HAO	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300

BRONX COMMUNITY BOARD #1
FOR PERIOD ENDING 06/11/21

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
LOFTIN	CEDRIC	56086	\$145193.0000	RETIRED	YES	05/30/21	381

BRONX COMMUNITY BOARD #3
FOR PERIOD ENDING 06/11/21

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
DUDLEY	JOHN W	56086	\$140435.0000	RETIRED	YES	05/30/21	383

GUTTMAN COMMUNITY COLLEGE
FOR PERIOD ENDING 06/11/21

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
DAWKINS	AMARI D	10102	\$15.6100	APPOINTED	YES	05/24/21	462
JUAREZ GARCIA	ITZEL	10102	\$22.4400	RESIGNED	YES	05/19/21	462

LATE NOTICE

NYC HEALTH + HOSPITALS

CONTRACT SERVICES

SOLICITATION

Construction/Construction Services

QUEENS - DATA ROOM COOLING ESTIMATED RANGE 550K - 600K - Competitive Sealed Bids - PIN#34202106 - Due 8-25-21 at 1:30 P.M.

Queens Hospital Center, Building N (Basement) Data Room Cooling, 82-68 164th Street, Jamaica, NY 11432. H+H will no longer issue a hard copy of Section "A" Bid Forms with the Bid Submission Envelope. After the \$30 Non-Refundable Fee is paid for the Section "A" Bid Forms, it will be emailed along with the instructions for your Bid Submission Envelope. Only Bidders on record and marked paid will be allowed to bid. Vendors who are planning to bid are required to purchase the Bid Forms Section "A" at the Mandatory Pre-Bid Meetings with a Company Check or Money Order (Payable to NYCHH). Bidders are encouraged

to arrive at least 30 minutes before Mandatory Pre-Bid Meetings start time, to make purchases. Social distancing protocols must be observed, and limit your staff to one person at the meetings.

All Bids shall be in accordance with the terms of the NYC Health and Hospitals (HHC) Project Labor Agreement.

It's mandatory that all bidders be registered with the State of New York. Failure to do so will cause your bid to be declared non-responsive. Technical Questions must be submitted in writing by email, no later than five (5) calendar days after the Mandatory Pre-Bid Meetings, to Clifton.Mclaughlin@nychhc.org and Leithland.Tulloch@nychhc.org. Mandatory Meetings/site tours are scheduled for Monday, August 9, 2021, at 10:00 A.M. and Tuesday, August 19, 2021, at 10:00 A.M. In "N" Building, 1st Floor Auditorium at Queens Hospital Center

Requires Trade Licenses (Where Applicable). Under Article 15A of The State of New York, The Following M/WBE Goals Apply to This Contract, MBE 20 percent and WBE 10 percent. These Goals Apply to any Bid Submitted of \$100,000 or more. Bidders not complying with these Terms will have their bids declared Non-Responsive.

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

NYC Health + Hospitals, 55 Water Street, 25th Floor, New York, NY 10041. Clifton Mc Laughlin (212) 442-3658; Clifton.Mclaughlin@nychhc.org

• jy30

SMALL BUSINESS SERVICES

NOTICE

**NYC Small Business COVID Recovery Grant Program
Notice of Public Hearing and Opportunity to Comment
on Proposed Rule**

What are we proposing?

Pursuant to Section 1301 of the New York City Charter ("the Charter"), the New York City Department of Small Business Services ("DSBS") is proposing to create a new program to provide grants to small businesses in low to moderate income neighborhoods and for the hardest hit business sectors throughout NYC.

When and where is the hearing? DSBS will hold a public hearing on the proposed rule. The public hearing will take place on September 1, 2021, at 11:00 A.M. The hearing will be conducted by video conference and is accessible by:

- **Internet Video and Audio.** For access, use the following link and/or meeting information:
<https://nycsbs.webex.com/nycsbs/j.php?MTID=me438f36d9e8d8d62b14c0d630d60857f>
Meeting Number: 179 776 1609
Password: pZaEmYJp864
- **Video System.** For access, dial: 1797761609@webex.com. You can also dial 173.243.2.68 and enter your meeting number.
- **Phone.** For access, dial: +1-646-992-2010. When prompted, enter Meeting ID: 179 776 1609

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

- **Website.** You can submit comments to the DSBS through the NYC Rules website, at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments, to nycrules@sbs.nyc.gov.
- **Mail.** You can mail written comments to Zen Baraki, New York City Department of Small Business Services, 1 Liberty Plaza, 11th Floor, New York, NY 10006.
- **Fax.** You can fax written comments to DSBS at (212) 618-8865.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing may speak for up to three minutes. Please access the public hearing by internet video and audio or by telephone using the instructions above. It is recommended, but not required, that commenters sign up prior to the hearing by contacting DSBS by phone at (212) 513-9237 or by email at zbaraki@sbs.nyc.gov.

Is there a deadline to submit written comments? The deadline for submitting written comments is September 1, 2021, at 5:00 P.M.

What if I need assistance to participate in the hearing? You must contact DSBS's Office of Legal Affairs if you need a reasonable accommodation at the hearing because of a disability. You must tell us if you need a sign language interpreter. You can tell us by email at zbaraki@sbs.nyc.gov. You may also tell us by telephone at (212) 513-9237. Advance notice is requested to allow sufficient time to arrange the accommodation. You must tell us of an accommodation request by August 23, 2021.

Can I review the comments made on the proposed rule? You can review comments submitted online by visiting <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public upon request by email, at zbaraki@sbs.nyc.gov.

What authorizes DSBS to make this rule? Sections 1301 and 1043(a) of the New York City Charter authorize DSBS to make this proposed rule. This proposed rule was not included in DSBS's regulatory agenda for this Fiscal Year because it was not evident that such a rule would be necessary at the time.

Where can I find DSBS's rules? DSBS's rules are in Title 66 of the Rules of the City of New York.

What rules govern the rulemaking process? DSBS 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 of the City Charter.

Statement of Basis and Purpose

DSBS is proposing a grant program that will utilize federal funds to assist small businesses in New York City ("NYC" or "the City") that were especially hard-hit by the pandemic. The federal American Rescue Plan Act of 2021 makes funds available to state and local governments to address the continued impact of the COVID-19 pandemic.¹ The American Rescue Plan Act Interim Final Rule specifically cites tourism, travel, and hospitality as sectors that would be appropriate targets for loans and grants.² In addition, studies have demonstrated that the Leisure and Hospitality sectors were among the hardest hit sectors in NYC and experienced a dramatic drop in revenue of more than 90% at the start of the pandemic.³ According to a survey by the NYC Hospitality Alliance, 75% of foodservice businesses saw more than a 50% decline in sales in 2020 compared to 2019.⁴ Furthermore, half of the respondents saw more than a 90% decline in their average weekly sales in January 2021 compared to January 2020.⁵ Pandemic restrictions that made travel, dining out, and many forms of recreation difficult or impossible to undertake for over a year were bound to have a significant financial impact on businesses in these sectors. Therefore, there is a significant need for the City to provide direct financial assistance quickly, in the form of grants, to these businesses.

While the COVID-19 pandemic has affected businesses and entrepreneurs across the City, some segments of the economy have been disproportionately impacted – especially small businesses. Low to moderate income areas are dominated by small businesses, which are the predominant form of entrepreneurship in these communities.⁶ However, small businesses located in low to moderate income ("LMI") areas received a significantly lower proportion of the federal pandemic emergency relief funds via PPP than small businesses in non-LMI

- 1 H.R.1319 - American Rescue Plan Act of 2021, available at <https://www.congress.gov/bill/117th-congress/house-bill/1319>.
- 2 Department of the Treasury, Coronavirus State and Local Fiscal Recovery Funds, Interim Final Rule, p. 10, available at <https://home.treasury.gov/system/files/136/FRF-Interim-Final-Rule.pdf>. "Section 602 and section 603 also describe several types of uses that would be responsive to the impacts of the COVID-19 public health emergency, including assistance to households, small businesses, and nonprofits and aid to impacted industries, such as tourism, travel, and hospitality."
- 3 Percent Change in Small Business Revenue, New York City Metropolitan Area, Leisure & Hospitality Industry. Data accessed June, 18 2021, <https://tracktherecovery.org/> for the time period from March 2020-April 2020
- 4 NYC Hospitality Alliance, "Hospitality Sales Report During COVID-19 2020/2021", March 2021, available at https://drive.google.com/file/d/1qIH9YwBq1wziDr_ZIA3z4IHT7fOqblQc/view.
- 5 *Id.*
- 6 As per US Census data accessed July 2021 from the Federal Financial Institutions Examination Council's Geocoding tool, available at <https://geomap.ffiec.gov/FFIECGeocMap/GeocodeMap1.aspx> (showing LMI areas) and the United States Census Bureau <https://cbb.census.gov/rae/#> (showing business ownership).

income areas.⁷ Only 29% of the NYC businesses approved for PPP loans were located in LMI areas.⁸ Therefore, we are prioritizing small businesses in LMI areas for this grant program, to ensure that the City's most vulnerable communities are not left out of the City's post-pandemic economic recovery.

This grant program will be designed to reach businesses disproportionately affected by the COVID-19 pandemic -- namely those in the Leisure and Hospitality sectors,⁹ and those located in LMI areas. In order to reach a large number of businesses, the grants will be set at \$10,000 each. The grants will be available to these NYC small businesses that can also demonstrate at least a 25% decrease in revenue or gross receipts due to the pandemic. Grants will not be available to businesses that have already received a grant from the Shuttered Venues Operators Grant Program, the Restaurant Revitalization Fund, or the New York State COVID-19 Pandemic Small Business Recovery Grant Program. The purpose of the grant is to offset operational expenses in order to mitigate economic hardships as outlined above; examples of appropriate uses for a grant include supporting payroll and benefits costs, costs to retain employees, mortgage, rent, or utilities costs, and other operating costs.¹⁰

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

Section 1. Title 66 of the Rules of the City of New York is amended by adding a new chapter 17 to read as follows:

CHAPTER 17 NYC SMALL BUSINESS COVID RECOVERY GRANT PROGRAM

§ 17-01: Purpose.

The objective of the NYC Small Business COVID Recovery Grant Program ("Grant Program") is to provide immediate funding to small businesses in LMI areas, and small businesses in the Arts, Entertainment, and Recreation sector and small businesses in the Accommodation and Food Services sector.

§ 17-02: Definitions.

As used in this chapter, the following terms have the following meanings:

Applicant. "Applicant" means a commercial business that is applying for this grant.

Application. "Application" means a written request in a form satisfactory to DSBS, supplemented by all requested supporting documents, made by an applicant to DSBS to determine the eligibility of an applicant for a grant.

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

Business. "Business" means a sole proprietorship, partnership, corporation, or other legal entity involved in the sale of goods or services directly to the public from a physical location in the City.

LMI Small Business. "LMI small business" means a small business that physically operates from a census tract determined to be low-to-

- 7 Federal Reserve Bank of Cleveland, "How Well Did PPP Loans Reach Low- and Moderate-Income Communities?", May 27, 2021, available at <https://www.clevelandfed.org/en/newsroom-and-events/publications/economic-commentary/2021-economic-commentaries/ec-202113-reach-of-ppp-loans-in-lmi-communities.aspx>, "PPP... did not reach LMI communities to the same extent that it reached higher-income communities"; Raw data the federal Small Business Administration used for analysis can be accessed here: <https://data.sba.gov/dataset/ppp-foia>.
- 8 Even though 45% of the businesses in NYC are in LMI areas, only 20% of the dollars in NYC PPP and 29% of the NYC PPP awards went to businesses in LMI areas; Manhattan Chamber of Commerce, "The Impact of PPP on New York City", March 2021, available at <https://www.nycindicators.com/ppp-impact>. Data on businesses located in LMI areas is available at "ZIP Code Business Patterns by Employment Size Class for 5-digit zipcode level: 2017", <https://data.census.gov/cedsci/table?q=CB1700CBP&text=CBP%202017&g=8610000US20746&tid=ZBP2017.CB1700ZBP>.
- 9 Leisure and Hospitality includes two sectors per the North American Industry Classification System (NAICS): Arts, Entertainment, and Recreation (NAICS 71) and Accommodation and Food Services (NAICS 72), https://www.bls.gov/iag/tgs/iag_index_naics.htm.
- 10 Department of the Treasury, Coronavirus State and Local Fiscal Recovery Funds, Interim Final Rule, p. 34, available at <https://home.treasury.gov/system/files/136/FRF-Interim-Final-Rule.pdf>. "Loans or grants to mitigate financial hardship such as declines in revenues or impacts of periods of business closure, for example by supporting payroll and benefits costs, costs to retain employees, mortgage, rent, or utilities costs, and other operating costs".

moderate income by the United States Department of Housing and Urban Development (HUD).

DSBS. "DSBS" means the Department of Small Business Services or its successor.

Grant. "Grant" means one or more disbursements from the NYC Small Business COVID Recovery Grant Program to an applicant.

Small Business. "Small business" means a business concern or other organization that: (1) Has no more than 500 employees, or if applicable, the size standard in number of employees established by the federal Administrator of the Small Business Administration for the industry in which the business concern or organization operates, and (2) Is a small business concern as defined in section 3 of the Small Business Act (15 U.S.C. 632).

§ 17-03: Eligibility Requirements.

Eligible Recipients. To be eligible for a grant, an applicant must satisfy all of the following criteria:

- a) Applicant must operate a small business in which at least 50% of its revenue is generated from activities that are defined by the North American Industry Classification System (NAICS) as part of the Accommodation and Food Services sector, or the Arts, Entertainment, and Recreation sector; or operate an LMI small business.
- b) Applicant must be in operation at the time of submission of the application.
- c) Applicant must demonstrate annual revenue or gross receipts. Documentation may include, but need not be limited to: signed Federal or State tax return(s); State sales tax returns.
- d) Applicant must demonstrate at least a 25% reduction in gross receipts or revenue in either: 1) comparable quarters in 2019 and 2020; or 2) the 12-month calendar year 2019 and the 12-month calendar year 2020.
- e) Applicant must be in substantial compliance with applicable Federal, State, and local laws, rules and other legal requirements.
- f) Applicant must be current or in repayment on all Federal, State or City taxes (including delinquency repayment, prior to December 31, 2019).
- g) Applicant must not have received a grant from any of the following programs: (1) Shuttered Venues Operators Grant Program, (2) Restaurant Revitalization Fund, or (3) New York State COVID-19 Pandemic Small Business Recovery Grant Program.
- h) Applicants must follow any additional, detailed application requirements outlined in the application which will be made available online, at www.nyc.gov/sbs or by directly contacting DSBS.
- i) Applicant must use the grant to mitigate economic hardships that occurred as a result of the COVID-19 pandemic by using the grant funds to offset operational expenses for the small business that is the basis for the applicant's eligibility for the grant. Examples of appropriate uses for a grant include the following costs: payroll and benefits, mortgage, rent, utilities, and other operating costs.

§ 17-04: Selection Criteria.

- a) DSBS will use the following processes & documents to determine whether a business meets the eligibility criteria in § 17-03 of this chapter.

CATEGORY	DOCUMENTATION TYPE
Applicant is a small business and has no more than 500 employees	Most recent tax return filed and signed Form 1120 -- Line 1(a) (Gross receipts or sales); Most recent NY State Tax Form #45
Applicant operates an LMI small business	For businesses in LMI Census tract areas: business address
Operate a business with a North American Industry Classification System (NAICS) code that begins with 71 (Arts, Entertainment, and Recreation) or 72 (Accommodation and Food Services) ¹¹	Signed attestation
Applicant must demonstrate at least a 25% reduction in gross receipts or revenues	Tax forms, financial statements (P&L), bank statements

11 As per above section 17-03(a), an applicant must operate a small business in which at least 50% of its revenue is generated from activities that are defined by the North American Industry Classification System as part of the Food Service and Accommodation and Food Services sector or the Arts, Entertainment, and Recreation sector.

Applicant must be in substantial compliance with applicable Federal, State, and local laws, rules, and other legal requirements	Signed attestation
Applicant must be current or in repayment on all Federal, State or City taxes (incl. delinquency repayment, prior to December 31, 2019)	Signed attestation
Applicant did not receive a grant from any of the following programs: (1) Shuttered Venues Operator Grant Program, (2) Restaurant Revitalization Fund, or (3) New York State COVID-19 Pandemic Small Business Recovery Grant Program	Signed attestation
Applicant intends to use grant funds to cover operating costs such as payroll, rent or utilities	Signed attestation

b) **Funding Priority:**

Funding will be released in rounds, with all eligible applicants funded in order of prioritization within each round. If there is insufficient funding available for all applicants in a given round, funding will be provided according to prioritization level and on a first-come, first-served basis within each prioritization level, based on the order in which applicants have submitted a complete application.

	First priority: LMI small businesses in any sector with up to \$1M in revenue*	Second priority: LMI small businesses in any sector with between \$1M - \$3M in revenue* OR Non-LMI small businesses in the following sectors: Arts, Recreation, Entertainment, Food Service, or Accommodation with between \$1M-\$3M in revenue*	Third priority: LMI small businesses in any sector with more than \$3M+ in revenue* OR Non-LMI small businesses in the following sectors: Arts, Recreation, Entertainment, Food Service, or Accommodation with more than \$3M+ in revenue*
Round 1	1		
Round 2	1	2	
Round 3	1	2	3

* In calendar year 2019

§ 17-05: Award.

Once eligibility has been determined based on an applicant's ability to meet the requirements set forth in §17-03, DSBS will provide a fixed grant amount of \$10,000 per eligible applicant, distributed to eligible businesses on the basis of the priorities listed in in §17-04 and subject to funding appropriations thereof.

§ 17-06: Compliance.

Applicants must submit an application and comply with the terms and conditions set forth in the application. Should an applicant fail to comply with the terms and conditions set forth in the application, DSBS reserves the right to recover the full grant amount distributed to the applicant.

**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: American Rescue Plan Grants

REFERENCE NUMBER: SBS-15

RULEMAKING AGENCY: Department of Small Business Services

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/ Brady Hamed
Mayor's Office of Operations

July 26, 2021
Date

**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: American Rescue Plan Grants

REFERENCE NUMBER: 2021 RG 056

RULEMAKING AGENCY: Department of Small Business Services

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
Acting Corporation Counsel

Date: July 26, 2021

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HUMAN RESOURCES ADMINISTRATION

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rule

What are we proposing? The New York City Human Resources Administration (HRA) proposes to amend Title 68 of the Rules of the City of New York. The proposed amendments include immediately increasing the maximum rents for CityFHEPS apartments and single room occupancies by setting them at the Section 8 standard adopted by the New York City Housing Authority. HRA also proposes establishing a project-based version of CityFHEPS that will enable the City to provide long-term rental assistance to households moving into permanent housing operated by non-profits under contract with the City. The proposed amendments also include deleting obsolete chapters and subchapters governing rental assistance programs that are now defunct; amending the chapters governing the LINC VI, CityFHEPS, and Pathway Home programs; and making stylistic and technical changes to other provisions.

When and where is the hearing? The public hearing will take place remotely via Zoom on Monday, August 30, 2021, at 10:00 A.M. Those wishing to attend the hearing may join by:

Zoom (video and audio):

<https://us02web.zoom.us/j/87610815906>

Or go to www.zoom.us, click on "join a meeting" and enter Meeting ID: 876 1081 5906

Phone (audio only):

(646) 876-9923. When prompted, enter meeting ID: 876 1081 5906

One tap mobile: +16468769923, 87610815906#

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

- **Website.** You can submit comments to HRA through the NYC rules website, at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments, to NYCRules@hra.nyc.gov. Please include "Rental assistance amendments" in the subject line.
- **Mail.** You can mail comments to:
HRA Rules
c/o Office of Legal Affairs
150 Greenwich Street, 38th Floor
New York, NY 10007
Please make clear that you are commenting on the rental assistance amendments rules.
- **Fax.** You can fax comments to (917) 639-0413. Please include "Rental assistance amendments" in the subject line.
- **By speaking at the hearing.** You may sign up to speak at the hearing by calling (929) 221-7220 or emailing NYCRules@hra.nyc.gov on or before the start of the hearing on August 30, 2021. Speakers will be called in the order that they signed up and will be able to speak for up to three minutes.

Is there a deadline to submit comments? The deadline to submit comments is midnight on August 30, 2021. Comments, including those sent by mail, must be received by HRA on or before August 30, 2021.

What if I need assistance to participate in the hearing? You must tell us if you need language interpretation services or a reasonable accommodation to participate in the hearing. You can tell us by email, at NYCRules@HRA.nyc.gov. You may also tell us by telephone at 929-221-7220. Advance notice is requested to allow sufficient time to make arrangements. Please tell us by August 23, 2021.

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/>. Shortly after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public on HRA's website.

What authorizes HRA to make this rule? Sections 603 and 1043 of the City Charter and Sections 34, 56, 61, 62, 77, and 131-a of the New York Social Services Law authorize HRA to make this proposed rule.

Where can I find HRA's rules? HRA's rules are in Title 68 of the Rules of the City of New York.

Was the proposed rule included in HRA'S regulatory agenda? Yes.

What laws govern the rulemaking process? HRA 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 of the City Charter.

**New York City Human Resources Administration
Statement of Basis and Purpose of Proposed Rule**

To implement recent amendments to the City's Administrative Code, HRA proposes increasing the maximum rents for apartments and single room occupancies by providing that HRA will set the maximum rents in accordance with section 982.503 of Title 24 of the Code of Federal Regulations, at the standard adopted by the New York City Housing Authority pursuant to federal law to administer the Section 8 program in New York City. The amendments to the City's Administrative Code take effect in December 2021. HRA proposes to exercise its discretionary authority over the CityFHEPS maximum rents by increasing these maximum rents immediately.

HRA also proposes establishing a project-based version of CityFHEPS that will enable the City to provide long-term rental assistance to households moving into permanent housing operated by non-profits under contract with the City.

Background:

In 2014 and 2015, the City launched various tenant-based rental assistance programs, including the Living in Communities (LINC), City Family Eviction Prevention Supplement and City Family Exit Plan Supplement (CITYFEPS) and Special Exit and Prevention Supplement (SEPS) programs, to provide rental assistance for those in shelter or at risk of entering a City shelter.

In September 2017, a settlement in the lawsuit *Tejada v. Roberts*, Index No. 453245/2015 (Sup. Ct. N.Y. Cty.), paved the way for New York State to replace its Family Eviction Prevention Supplement (FEPS) program with an expanded program with higher rent supplement levels. That program is called the State Family Homelessness & Eviction Prevention Supplement (FHEPS) program. Many of the families in HRA's CITYFEPS program and most of the families in the LINC III program were transferred to the State FHEPS program soon after the *Tejada* settlement took effect.

In the fall of 2018, in order to more effectively and efficiently administer the City-funded rental assistance programs targeted at households in or at risk of entering shelter, HRA established the City Fighting Homelessness and Eviction Prevention Supplement (CityFHEPS), a single streamlined program that replaced the LINC I, II, IV and V programs, the SEPS program, and what remained of the LINC III and CITYFEPS programs. With the exception of households participating in LINC VI, households participating in the LINC, CITYFEPS and SEPS programs were transferred to CityFHEPS. LINC VI, a five-year program that provides assistance to households to move in with friends and family, was replaced with Pathway Home, a one-year program offering higher levels of assistance. However, households already participating in LINC VI will continue in that program for so long as they remain eligible.

Because the phase-out of the LINC 1-5, CITYFEPS and SEPS programs is now complete, HRA proposes repealing Subchapters A and B of Chapter 7 (governing LINC 1-5) and Chapter 8 (governing CITYFEPS and SEPS) and amending Chapter 10 (governing CityFHEPS) and Chapter 11 (governing Pathway Home) to remove obsolete references to those programs.

Finally, in addition to increasing the maximum rent levels and establishing a project-based version of CityFHEPS, HRA proposes making other technical changes to the CityFHEPS and Pathway Home rules, including:

- Simplifying the CityFHEPS and Pathway Home definitions of “street homeless.”
- To help prevent potential fraud: Prohibiting a close relative from being the landlord to a CityFHEPS household, and prohibiting a legally responsible relative from being the host to a Pathway Home household (while providing that these prohibitions may be waived for good cause).
- To align with State law: Removing the CityFHEPS rules’ prohibition against authorized midyear rent increases in rent-regulated units.
- To increase the effectiveness of the CityFHEPS program and protect the public fisc: Adding a rent reasonableness requirement to the CityFHEPS maximum rents.
- To align with current practice: Limiting advance rent payments in CityFHEPS “to-stay cases” (where clients are using CityFHEPS to stay in their homes) to only one month upfront and adding the option for any landlord to receive only the first full month of rent upfront.
- Clarifying that CityFHEPS Tenant-Based Rental Assistance can be applied to apartments where the rent has been frozen under SCRIE or DRIE, if the client is otherwise eligible for CityFHEPS.
- To align with current practice: Updating the evaluation conducted by ACS before Pathway Home can be provided, where either the host family or the family on whose behalf Pathway Home is to be provided includes a minor child.
- Making various other stylistic and technical amendments to the rules.

Sections 603 and 1043 of the City Charter and Sections 34, 56, 61, 62, 77, and 131-a of the New York Social Services Law authorize HRA to promulgate this rule.

New material is underlined.
Deleted material is [bracketed]

Section one. Chapter 7 of Title 68 of the Rules of the City of New York is renamed the “Living In Communities Family and Friend Reunification (LINC VI) Rental Assistance Program”.

§ 2. Subchapters A (LINC I, II, and III) and B (LINC IV and V) of Chapter 7 of Title 68 of the Rules of the City of New York are REPEALED.

§ 3. Subchapter C of Chapter 7 of Title 68 of the Rules of the City of New York is amended by deleting the subchapter heading, and the provisions that comprise Subchapter C are renumbered and amended to read as follows:

[§ 7-18] § 7-01 Definitions.

For the purposes of this [subchapter] chapter, the following terms shall have the following meanings:

[(a) The “household” means the individuals who have applied for or are in receipt of LINC VI rental assistance pursuant to this subchapter, regardless of eligibility for public assistance.]

(a) “Commissioner” means the Commissioner of DSS or the Commissioner’s designee.

(b) “DHS” means the New York City Department of Homeless Services.

(c) “DSS” means the New York City Department of Social Services, which is the entity consisting of HRA and DHS.

[(b) (d) [The “host” “Host family” means all individuals, other than the household, who are residing or who intend to reside in the residence towards which the LINC VI rental assistance payments will be applied. [A host] “Host family” shall include the primary occupant and may consist of a single individual.

(e) “Household” means the individuals who are in receipt of LINC VI rental assistance pursuant to this chapter, regardless of eligibility for public assistance.

(f) “HRA” means the New York City Human Resources Administration.

[(c) (g) [The] “Living in Communities Family and Friend Reunification Rental Assistance Program” or “LINC VI Rental Assistance Program” means the rental assistance program [established pursuant to this subchapter] described in this chapter.

[(d) A “program participant” means a household member who has entered into an agreement for housing to which LINC VI rental assistance payments have been or are being applied.]

[(e) A “primary” (h) “Primary occupant” [is] means the person who has the primary responsibility for payment of the monthly rent for the residence towards which the LINC VI rental assistance payments will be applied or the owner of such residence. The primary occupant must reside in such residence.

(i) “Program participant” means a household member who has entered into an agreement for housing to which LINC VI rental assistance payments have been or are being applied.

[§ 7-19] § 7-02 Administration of the LINC VI Rental Assistance Program.

HRA shall administer the LINC VI Rental Assistance Program, except that HRA shall make in consultation with DHS initial eligibility determinations pursuant to paragraph (1) of subdivision (a) of section 7-20 of this chapter for households residing in a DHS Shelter].

[§ 7-20 Initial Eligibility and] § 7-03 Renewals.

[(a) Initial Eligibility for the LINC VI Rental Assistance Program.

(1) To be eligible for an initial year of LINC VI rental assistance, a household must meet the following eligibility requirements:

(A) The household must include at least one member who receives Public Assistance, and all household members who are eligible for Public Assistance must receive such benefits.

(B) The household must include:
(i) a child who meets the criteria set forth in Section 369.2(c) of Title 18 of the New York Codes, Rules and Regulations or a pregnant woman and at least one member who:

(I) is eligible for shelter as determined by DHS pursuant to Parts 351 and 352 of Title 18 of the New York Codes, Rules and Regulations or as determined by HRA pursuant to Sections 452.2(g) and 452.9 of Title 18 of the New York Codes, Rules and Regulations;

(II) currently resides in the City shelter system; and
(III) resided in the City shelter system for at least ninety consecutive days, excluding gaps of up to three calendar days;

(ii) a member who meets the description set forth in paragraph (1) of subdivision (b) of section 7-10 of this chapter and resided in a shelter operated by or on behalf of DHS for any period of time between May 1, 2015 and July 31, 2015; or

(iii) a member who meets the description set forth in paragraph (2), (3), or (4) of subdivision (b) of section 7-10 of this chapter.

(C) The household must have identified a host family, consisting of relatives or friends of the household who live in the City of New York, that has agreed to permit the household to reside in its residence and to receive a monthly rent payment from the household that does not exceed the applicable maximum rent set forth in the table in subdivision (a) of section 7-21 of this chapter.

(D) The host family and the host family’s residence must meet the requirements of subdivision (j) of section 7-24 of this chapter.

(E) The household must have total gross income that does not exceed 200 percent of the federal poverty level as established annually by the U.S. Department of Health and Human Services.

(2) HRA may waive the requirement, as applicable, for the inclusion of a household member who meets the requirements set forth in items (I)-(III) of clause (i) of subparagraph (8) of paragraph (1) of this subdivision if the household includes at least one member who:

(i) exited the City shelter system no more than ten days before the household member’s most recent application for shelter; and

(ii) on the date of the household member’s most recent exit from the City shelter system, would have met the requirements set forth in items (I)-(III) of clause (i) of subparagraph (8) of paragraph (1) of this subdivision.

(3) The number of eligible households that can be approved to receive LINC VI rental assistance will be limited by the amount of available funding. Applications must be submitted on a form and in a format established by HRA in consultation with DHS.

(b) Renewals after the First Year.]

[(1)] (a) Subject to the availability of funding, a household in receipt of LINC VI rental assistance will receive four one-year renewals of such assistance if it meets the following continued eligibility requirements:

- [(A)] (1) The household's total gross income does not exceed 200 percent of the federal poverty level as established annually by the U.S. Department of Health and Human Services;
- [(B)] (2) Where such activities are made available to the household, at least one member of the household must be continually engaged in ongoing case management activities designed to assist the household member in obtaining, maintaining and/or enhancing employment or to secure any benefits for which such member or household is eligible; and
- [(C)] (3) All members of the household eligible for Public Assistance must receive Public Assistance.

[(2)] (b) HRA will determine a household's eligibility for renewal of LINC VI rental assistance at the end of each year of the household's participation in the program, subject to the availability of funding. Before the start of each one-year renewal, HRA will recalculate the household's monthly rental assistance amount, pursuant to section [7-21] 7-04 [of this chapter]. Except as provided in section [7-22] 7-05 [of this chapter], the monthly rental assistance amount will not change during the one-year renewal period.

[(3)] (c) HRA in its discretion may waive any of the requirements set forth in [paragraph (1) of this subdivision] section 7-03(a) on a case-by-case basis if the household's failure to meet the requirement was due to circumstances beyond the household's control, or where non-renewal is likely to result in the household's entry into shelter.

[§ 7-21] § 7-04 Maximum Monthly Rent Obligations and Calculation of Rental Assistance Amounts.

(a) Maximum Monthly Rent.

(1) The household's monthly rent shall not exceed the amounts set forth in the table below:

Household Size	1 - 2	3 - 4	5 or more
Maximum Rent	\$650	\$750	\$1,000

(2) Where the primary occupant receives Public Assistance, the household's monthly rent cannot exceed the difference between the primary occupant's payment obligation for the residence and the primary occupant's shelter allowance under Section 352.3 of Title 18 of the New York Codes, Rules and Regulations at the time of the effective date of the household's lease or rental agreement.

(3) In no event shall the household's monthly rent exceed the household's proportionate share of the rent for the residence. The determination of what constitutes the household's proportionate share of the rent shall be based on the formula set forth in Section 2525.7 of Title 9 of the [New York Code of Rules and Regulations] New York Codes, Rules and Regulations or a comparable measure.

(b) Rental Assistance Amount.

- (1) The monthly rental assistance amount shall be equal to the household's monthly rent.
- (2) HRA shall pay the monthly rental assistance amount directly to the primary occupant of the residence, each month for so long as the household remains eligible, the household continues to reside in the residence, and funding for the program remains available.

[§ 7-22] § 7-05 Moves.

(a) A household receiving LINC VI rental assistance may not move to a new residence and maintain eligibility for LINC VI rental assistance except with the approval of HRA and provided that the move must be to a residence within the City of New York. The LINC VI program participant must obtain such approval prior to moving to a new residence, provided that HRA may consider a request for approval made after the move if a program participant is unable to obtain such approval prior to the move due to circumstances beyond the program participant's control. If the household is moving with its current host family to a new residence, HRA shall grant approval for the move. In all other situations, HRA shall grant approval for a move from one residence to another residence only if the program participant shows that there is good cause for the move. If the requested move would result in an increase in the household's monthly rent, approval will also be subject to the availability of funding.

(b) If HRA has approved a move to a new residence, HRA shall recalculate the monthly rental assistance amount and that amount shall not change for one year from the effective date of the lease or rental agreement for the new residence. If the effective date of the lease or rental agreement for the new residence is not more than ten months after the start of the household's current year of participation in the program, then the household's current year of LINC VI rental assistance shall begin anew on the effective date of such lease or rental agreement. If the effective date of the lease or rental agreement for the new residence is more than ten months after the start of the household's current year of participation in the program and the household is eligible for renewal of LINC VI assistance, then the

household's renewal period shall begin on the effective date of such lease or rental agreement.

[§ 7-23] § 7-06 Agency Review Conference and [HRA] DSS Administrative Appeal Process.

(a) Right to [HRA] DSS Administrative Review. [An applicant or] A LINC VI program participant may request an agency review conference and/or [an HRA] DSS administrative hearing to seek review of any determinations or actions made by DHS and/or HRA under this [subchapter] chapter, as well as any failures to act, or failures to act with reasonable promptness, by [DHS and/or] HRA in implementing the provisions of this [subchapter] chapter.

(b) Agency Review Conference.

- (1) If [an applicant or] a LINC VI program participant requests an agency review conference, HRA shall informally review and attempt to resolve the issues raised.
- (2) [An applicant or] A LINC VI program participant may request an agency review conference without also requesting [an HRA] a DSS administrative hearing. Requesting an agency review conference will not prevent [an applicant or] a program participant from later requesting [an HRA] a DSS administrative hearing.
- (3) An agency review conference must be requested within sixty days after the challenged determination or action, provided that if [an HRA] a DSS administrative hearing is scheduled, an agency review conference must be requested reasonably in advance of the scheduled hearing date.
- (4) A request for an agency review conference will extend the time period to request [an HRA] a DSS administrative hearing as set forth in [paragraph (2) of subdivision (c) of this] section 7-06(c)(2) to sixty days after the date of the agency review conference.

(c) Request for [an HRA] a DSS Administrative Hearing.

- (1) An administrative hearing must be requested in writing. Such written request must be submitted by mail, electronic means or facsimile, or other means as [HRA] DSS may set forth in an appeals notice.
- (2) Except as provided in [paragraph (4) of subdivision (b) of this] section 7-06(b)(4), a request for an administrative hearing must be made within sixty days after the challenged determination or action.

(d) Authorized Representative.

- (1) Except where impracticable to execute a written authorization, a person or organization seeking to represent [an applicant or] a LINC VI program participant must have the [applicant's or] program participant's written authorization to represent [him or her] them at an agency review conference or administrative hearing and to review [his or her] their case record, provided that such written authorization is not required from an attorney retained by such [applicant or] program participant. An employee of such attorney will be considered an authorized representative if such employee presents written authorization from the attorney or if such attorney advises [HRA] DSS by telephone of such employee's authorization.
- (2) Once [HRA] DSS has been notified that a person or organization has been authorized to represent [an applicant or] a LINC VI program participant at an agency review conference or administrative hearing, such representative will receive copies of all correspondence sent by [HRA] DSS to the [applicant or] program participant relating to the conference and hearing.

(e) Continued Assistance.

- (1) If a LINC VI program participant requests an administrative appeal of a determination by [HRA] DSS that rental assistance payments issued under section [7-21] 7-04 [of this chapter] are to be reduced, restricted, suspended or discontinued, or that the program participant's household is not eligible for renewal pursuant to [subdivision (b) of section 7-20] 7-03(b), [of this chapter,] such program participant shall have the right to continued receipt of LINC VI rental assistance payments at the rental assistance amount in effect at the time of the determination until the hearing decision is issued pursuant to [subdivision (I) of this] section 7-06(l), provided that:
 - (A) The program participant requests the administrative appeal within ten days of the mailing of the notice of such determination; and
 - (B) The appeal is based on a claim of incorrect computation or an incorrect factual determination.
- (2) There is no right to continued rental assistance payments pursuant to this subdivision where the sole issue on appeal is one of local, State or Federal law or policy, or change in local, State or Federal law.
- (3) Rental assistance payments will not continue pending the issuance of a hearing decision when:

(A) The LINC VI program participant has voluntarily waived [his or her] their right to the continuation of such assistance in writing; or

(B) The LINC VI program participant does not appear at the administrative hearing and does not have a good cause reason for not appearing.

(4) If a LINC VI program participant requests an additional appeal pursuant to [subdivision (m) of this] section 7-06(m), rental assistance payments will continue uninterrupted after issuance of the hearing decision until a written decision is issued pursuant to such [subdivision] section 7-06(m).

(f) Notice. [HRA] DSS shall provide the [applicant or] LINC VI program participant with notice of the date, time, and location of the administrative hearing no fewer than seven calendar days prior to the scheduled date of the administrative hearing, unless the issue underlying the request for an administrative hearing has been resolved and the [applicant or] program participant has withdrawn [his or her] their hearing request.

(g) Examination of Case Record. The [applicant or] LINC VI program participant or [his or her] their authorized representative has the right to examine the contents of [his or her] their LINC VI program case file and all documents and records that HRA intends to use at the administrative hearing. Upon request by telephone or in writing, HRA shall provide such [applicant or] program participant with copies of all such documents, and copies of any additional documents in the possession of HRA and/or DHS that the [applicant or] program participant identifies and requests for purposes of preparing for the administrative hearing. HRA shall provide such documents at no charge reasonably in advance of the administrative hearing. If the request for such documents is made less than five business days before the administrative hearing, HRA must provide the [applicant or] program participant with copies of such documents no later than at the time of the administrative hearing.

(h) Adjournment. The administrative hearing may be adjourned for good cause by the administrative hearing officer on [his or her] their own motion or at the request of the [applicant or] LINC VI program participant[,], or HRA[,], or DHS[.].

(i) Conduct of Administrative Hearing.

(1) The administrative hearing shall be conducted by an impartial hearing officer appointed by [HRA] DSS who shall have the power to administer oaths and issue subpoenas and who shall have no prior personal knowledge of the facts concerning the challenged determination or action.

(2) The administrative hearing shall be informal, all relevant and material evidence shall be admissible and the legal rules of evidence shall not apply. The administrative hearing shall be confined to the factual and legal issues raised regarding the specific determination(s) for which the administrative hearing was requested.

(3) The [applicant or] LINC VI program participant shall have a right to be represented by counsel or other representative, to testify, to produce witnesses to testify, to offer documentary evidence, to offer evidence in opposition to the evidence presented by HRA [and DHS], to request that the hearing officer issue subpoenas, and to examine any documents offered by HRA [and DHS].

(4) An audio recording, an audio visual recording or written transcript of the administrative hearing shall be made.

(j) Abandonment of Request for Administrative Hearing.

[(1) HRA will consider an administrative hearing request abandoned if neither the applicant or LINC VI program participant nor his or her authorized representative appears at the administrative hearing, unless either the applicant or program participant or his or her authorized representative has:

(A) contacted HRA prior to the administrative hearing to request rescheduling of the administrative hearing; or

(B) within fifteen calendar days of the scheduled administrative hearing date, contacted HRA and provided a good cause reason for failing to appear at the administrative hearing on the scheduled date.

(2) HRA will restore the case to the calendar if the applicant or LINC VI program participant or his or her authorized representative has met the requirements of paragraph (1) of this subdivision.]

Absent a request to reschedule an administrative hearing made prior to the hearing date, DSS will consider an administrative hearing request abandoned if neither the LINC VI program participant nor their authorized representative appears at the hearing. However, DSS will restore the case to the calendar if, within fifteen calendar days of the scheduled hearing date, the LINC VI program participant or their authorized representative contacts DSS and provides a good cause reason for failing to appear at the hearing.

(k) Hearing Record. The recording or written transcript of the hearing, all papers and requests filed in connection with the hearing, and the

hearing decision collectively constitute the complete and exclusive record of the administrative hearing.

(l) Hearing Decision.

(1) The hearing officer shall render a decision based exclusively on the hearing record. The decision must be in writing and must set forth the administrative hearing issues, the relevant facts, and the applicable law, regulations and approved policy, if any, upon which the decision is based. The decision must identify the issues to be determined, make findings of fact, state the reasons for the determinations, and when appropriate, direct HRA to take specific action.

(2) A copy of the decision, accompanied by written notice to the [applicant or] LINC VI program participant of the right to further appeal and the procedures for requesting such appeal, will be sent to each of the parties and to their authorized representatives, if any.

(m) Additional Appeal.

(1) An appeal from a decision of a hearing officer may be made in writing to the Commissioner [of HRA or his or her designee] provided [it is received by HRA] the Commissioner receives it through the procedures described in the notice accompanying the hearing decision no later than fifteen business days after [HRA] DSS sends the hearing officer's decision. The record before the Commissioner shall consist of the hearing record, the hearing officer's decision and any affidavits, documentary evidence, or written arguments that the [applicant or] LINC VI program participant may wish to submit.

(2) The Commissioner [or his or her designee] shall render a written decision based on the hearing record and any additional documents submitted by the [applicant or] LINC VI program participant [and] or HRA [or DHS].

(3) A copy of the Commissioner's decision, accompanied by written notice to the [applicant or] LINC VI program participant of the right to judicial review, will be sent to each of the parties and to their authorized representatives, if any.

(4) Upon issuance, the decision of the Commissioner [or his or her designee] made pursuant to an appeal under this section is final and binding upon HRA and must be complied with by HRA.

[§ 7-24] § 7-07 Additional Provisions.

(a) Households in the LINC VI Rental Assistance Program will be referred to service providers who will assist them with connecting to appropriate services in their communities.

[(b) HRA shall provide a household moving from shelter moving expenses and a security deposit voucher equal to one month's rent to the extent available under Section 352.6 of Title 18 of the New York Codes, Rules and Regulations.]

[(c)] (b) Rental assistance provided under the LINC VI Rental Assistance Program cannot be combined with any other rent subsidies, except on a case-by-case basis.

[(d) Waitlists will not be maintained for the LINC VI Rental Assistance Program.]

[(e) Shelter residents are responsible for identifying potential host families.]

[(f)] (c) A primary occupant who has entered into a lease or rental agreement with a household receiving LINC VI rental assistance is prohibited from demanding, requesting, or receiving any monies, goods or services above the agreed-upon monthly rental amount. A primary occupant who demands, requests or receives any monies, goods or services above the agreed-upon monthly rental amount will be barred from further participation in any HRA rental assistance programs and may be barred from other rental assistance programs administered by the City of New York. Before placing a primary occupant on a disqualification list, HRA will provide notice to the primary occupant and opportunity for the primary occupant to object in writing.

[(g)] (d) As a condition of participating in the LINC VI [Family and Friend Reunification] Rental Assistance Program, a primary occupant who has entered into a lease or rental agreement with a household receiving LINC VI rental assistance is prohibited from raising the household's monthly rent for one year from the effective date of the lease or rental agreement.

[(h)] (e) The program participant must promptly inform HRA if any new person moves into the residence towards which LINC VI rental assistance payments are being applied.

[(i)] (f) If a program participant is evicted or moves from the residence to which LINC VI rental assistance payments have been or are being applied, the primary occupant must return any over-payment to HRA.

[(j)] (g) Any residence to which LINC VI rental assistance shall be applied must pass a safety and habitability inspection. Additionally, if the household includes a member who is under eighteen years of age, the host family must pass a clearance that shall include, at a minimum, an evaluation of [any information contained in

the Statewide Central Register of Child Abuse and Maltreatment concerning any family member and] whether any host family member has an indicated child protective history in New York City or is registered as a sex offender pursuant to Article 6-C of the New York Correction Law.

§ 4. Chapter 7 of Title 68 of the Rules of the City of New York is amended by adding a new section 7-08 to read as follows:

§ 7-08 LINC VI Rental Assistance Program Expiration and Repeal

The provisions of this chapter shall expire and this chapter shall be deemed repealed in its entirety on December 31, 2024.

§ 5. Chapter 8 (the CITYFEPS and SEPS Programs) of Title 68 of the Rules of the City of New York is REPEALED.

§ 6. Sections 10-01 through 10-04 of Chapter 10 of Title 68 of the Rules of the City of New York are amended to read as follows:

§ 10-01 Definitions.

For the purposes of this chapter, the following terms shall have the following meanings:

(a) "ACS" means the New York City Administration for Children's Services.

(b) [An "apartment"] "Apartment" means a private residence other than an SRO.

(c) "Case management services" means services including, but not limited to, assistance obtaining (1) medical treatment; (2) federal, state and local government documents such as birth certificates, marriage licenses and housing records; and (3) food, medicine and other necessary supplies. Such services shall also include assistance with issues such as domestic violence, child abuse and mental illness, as applicable.

[(c)] (d) "CITYFEPS" means the City Family Eviction Prevention Supplement rental assistance programs [established, pursuant to] previously described in Subchapter A of Chapter 8 of this title.

[(d)] (e) "CityFHEPS" [means the CityFHEPS Program described in this chapter.] or "the CityFHEPS Program," when used in Subchapter A of this chapter, means the program described in Subchapter A, unless otherwise specified. When used in Subchapter B of this chapter, "CityFHEPS" or "the CityFHEPS Program" means the program described in Subchapter B, unless otherwise specified.

[(e)] (f) [A] "CityFHEPS qualifying program" [is] means a City program that the Commissioner has designated as a program from which HRA will accept referrals for [CityFHEPS] the program described in Subchapter A of this chapter, to avert entry to or abbreviate a stay in an HRA or DHS shelter [or abbreviate a stay in an HRA or DHS shelter]. "CityFHEPS qualifying [programs] program" includes the following, in addition to other programs that the Commissioner may designate in the future: (1) referrals from ACS to facilitate an ACS plan for family reunification, preservation or independent living; (2) referrals from the three-quarter housing task force; (3) referrals from DYCD; or (4) referrals from the New York City Department of Correction.

[(f)] (g) "CityFHEPS rental assistance payments" means rent payments made[,] pursuant to this chapter.

[(g)] (h) [A] "CityFHEPS unit" [is] means a residential unit to which CityFHEPS rental assistance payments are being applied[,] pursuant to this chapter.

[(h)] (i) [The] "Commissioner" means the Commissioner of DSS or the Commissioner's designee.

[(i)] (j) "DHS" means the New York City Department of Homeless Services.

[(j)] (k) [A] "DHS family shelter" [is] means a shelter for families with children or adult families operated by or on behalf of [the] DHS.

[(k)] (l) [A] "DHS single adult shelter" means a shelter for single adults operated by or on behalf of DHS.

[(l)] (m) "DSS" means the New York City Department of Social Services, which is the entity consisting of HRA and DHS.

[(l)] (n) "DYCD" means the New York City Department of Youth and Community Development.

[(m)] (o) "Federal disability benefits" means social security disability insurance benefits under Title II of the federal Social Security Act, supplemental security income under Title XVI of the federal Social Security Act, compensation for a disability resulting from a line-of-duty injury or disease[,] pursuant to Subchapter II or Subchapter IV of Chapter 11 of Part II of Title 38 of the United States Code, or a non-service-connected disability pension[,] pursuant to Subchapter II of Chapter 15 of Part II of Title 38 of the United States Code.

[(n)] (p) "FHEPS" means the New York State Family Homelessness and Eviction Prevention Supplement program.

[(o)] (q) "FPL" means the federal poverty level as established annually by the United States Department of Health and Human Services.

[(p)] (r) "Gross income" means the sum of: (1) earned income, as defined in Section 352.17(a) of Title 18 of the New York Codes, Rules and Regulations, except that it shall exclude income earned through SYEP; and (2) unearned income, as defined in Section 387.10(b)(3) of such title, except that it shall exclude PA and shall only include income that is regularly recurring. Third party contributions to the rent will not be counted as income. All other income deductions or exclusions, including those set forth in Sections 387.11 and 387.12 of Title 18 of the New York Codes, Rules and Regulations, shall not be applied when calculating a household's gross income.

[(r)] (s) "HDC" means the New York City Housing Development Corporation.

[(q)] The "household" (t) "Household" means the individual or individuals residing or intending to reside together in the CityFHEPS unit.

(u) "HPD" means the New York City Department of Housing Preservation and Development.

[(r)] (v) "HRA" means the New York City Human Resources Administration.

[(s)] An (w) "HRA shelter" means a domestic violence shelter operated by or on behalf of HRA[,] pursuant to Part 452 of Title 18 of the New York Codes, Rules and Regulations.

[(t)] (x) "LINC VI" means the rental assistance program [established, pursuant to] described in [Subchapter C of] Chapter 7 of this title.

[(w)] The "maximum" (y) "Maximum monthly rent" means an amount determined[,] pursuant to section 10-05 of this chapter that the rent for a CityFHEPS unit can generally not exceed during the first year of CityFHEPS rental assistance, and from which the CityFHEPS rental assistance payment amount is calculated.

[(x)] The "maximum" (z) "Maximum PA shelter allowance" means the maximum monthly shelter allowance for each PA family size in accordance with the schedules set forth at Section 352.3(a)(1) of Title 18 of the New York Codes, Rules and Regulations.

[(y)] An (aa) "NPA member" [refers to] means an individual who is a member of the CityFHEPS household but is not a member of the PA household for reasons other than[,] pursuant to Section 349.3 of Title 18 of the New York Codes, Rules and Regulations.

[(aa)] (bb) "PA" means public assistance benefits, including monthly grants and shelter allowances, issued under the Family Assistance program[,] pursuant to New York Social Services Law § 349, and/or the Safety Net Assistance program[,] pursuant to New York Social Services Law § 159, and regulations promulgated thereunder.

[(bb)] The (cc) "PA household" [refers to] means the members of the household who apply and are accepted for PA benefits.

[(cc)] (dd) "Pathway Home" means the rental assistance program [established by] described in Chapter 11 of this title.

[(dd)] A "primary" (ee) "Primary tenant" [is] means the person whose name is on the lease or who has the primary responsibility for payment of the monthly rent for a residence.

[(ee)] A "program" (ff) "Program participant" means an individual who has entered into a lease for a CityFHEPS unit and has not been terminated from the program.

[(ff)] (gg) A "qualifying city rental assistance program" means the LINC, SEPS, or CITYFEPS rental assistance program.]

[(gg)] A "qualifying" (gg) "Qualifying subsidized employment program" means any subsidized employment program established by HRA[,] pursuant to Sections 385.9(f) or (g) of Title 18 of the New York Codes, Rules and Regulations, or such other subsidized employment program that the Commissioner may designate as a qualifying program in the future.

[(hh)] A "rent-controlled" (hh) "Rent-controlled apartment" means a housing accommodation for which the maximum rent is established[,] pursuant to Chapter 3 of Title 26 of the Administrative Code of the City of New York.

[(ii)] A "room" (ii) "Room" means an individual room within an apartment.

(jj) "SCRIE or DRIE Program" means the Senior Citizen Rent Increase Exemption ("SCRIE") or Disability Rent Increase Exemption ("DRIE") Program authorized by sections 467-b and 467-c of the New York Real Property Tax Law and established by Chapters 3, 4 and 7 of Title 26 of the Administrative Code of the City of New York.

[(jj) (kk) “SEPS” means the Special Exit and Prevention Supplement rental assistance program [established, pursuant to] previously described in Subchapter B of Chapter 8 of this title.

[(kk) A “shopping] (ll) “Shopping letter” [is] means a letter provided to a household to assist it in its housing search that identifies the household as potentially eligible for CityFHEPS and lists the maximum rent.

[(ll) An] (mm) “SRO” [is] means a single room occupancy unit as defined in subdivision 16 of Section 4 of Article 1 of the New York Multiple Dwelling Law.

[(mm)] (nn) “Street homeless” means individuals who: (1) are living on the street or in a place not meant for human habitation and have received] are receiving case management services [for at least 90 days] from a DHS contracted outreach provider [provider; (2) have received case management services for at least 90 days from a DHS contracted provider at a drop in center or transitional housing setting; or (3) received case management services from a DHS contracted outreach provider, while living on the street or in a place not meant for human habitation, or at a drop in center or transitional housing setting, were placed in permanent housing and currently receive aftercare services.]

(oo) “Subchapter B provider” means a not-for-profit provider that has entered into a contract with the City to operate units designated as Subchapter B units pursuant to section 10-16.

(pp) “Subchapter B unit” means a unit designated by HRA as a unit towards which CityFHEPS payments may be applied pursuant to Subchapter B of this chapter.

[(nn)] (qq) “Subsidized employment” means subsidized private sector employment or subsidized public sector employment as those terms are used in New York Social Services Law § 336(1)(b)-(c).

[(oo) The] (rr) “SYEP Program” means the Summer Youth Employment Program administered by DYCD to provide New York City residents between the ages of fourteen and twenty-four with opportunities for paid summer employment.

[(pp) The term “three-quarter] (ss) “Three-quarter housing task force” shall have the same meaning as [that term is used] in Section 1(a) of Local Law 13 of 2017.

[(qq)] (tt) “Turning the Tide on Homelessness in New York City” [is] means a publication issued in February 2017 by Mayor de Blasio, Deputy Mayor for Health and Human Services Herminia Palacio and Commissioner Steven Banks. The publication sets forth a comprehensive borough based plan to reduce the footprint of New York City’s homeless shelters, transform the City’s approach to providing shelter, and drive down the population of homeless New Yorkers relying on shelter through prevention, street homelessness, and permanent housing programs.

[(rr)] (uu) “Unsubsidized employment” [means unsubsidized employment as that term is used] shall have the same meaning as in New York Social Services Law § 336(1)(a).

[(ss) A “veteran” is] (vv) “Veteran” means a person who has served in the armed forces of the United States.

§ 10-02 Administration of the CityFHEPS [Program] Programs.

HRA will administer the CityFHEPS [Program] Programs and will make eligibility determinations in accordance with this [subchapter] chapter. The CityFHEPS Programs will consist of two programs: the tenant-based rental assistance program described in Subchapter A, and the project-based rental assistance program described in Subchapter B. The tenant-based program provides rental assistance for eligible households to use in any unit of their choosing that meets program requirements. The project-based program provides rental assistance to eligible households that is tied to specific units designated by HRA as Subchapter B units.

SUBCHAPTER A

CITYFHEPS: TENANT-BASED RENTAL ASSISTANCE

§ 10-03: Initial Eligibility, Application and Approval for City Residents Who Are Not in an HRA or DHS Shelter or Street Homeless.

(a) A household that is not street homeless or in an HRA or DHS shelter must meet the following requirements to be eligible for an initial year of CityFHEPS rental assistance under this subchapter:

- (1) [The] Except as provided in section 10-03(a)(6)(D), the household must have total gross income that does not exceed 200 percent of the FPL.
- (2) If the household is not currently in receipt of PA, the household must apply for any assistance available under Part 352 of Title 18 of the New York Codes, Rules and Regulations.
- (3) All members of the household who are eligible for PA must be in receipt of PA and in compliance with PA requirements.

(4) If a household is potentially eligible for any federal or State housing benefits, including Section 8 or the HRA HOME TBRA[,] Program described in [pursuant to] Chapter 9 of this title, at HRA’s request, the household [must] may be required to apply for such benefits and accept them if offered.

(5) The household must not be eligible for FHEPS and, unless it meets the requirements of [Section] section 10-08(d) [of this chapter], must not have previously received CityFHEPS rental assistance.

(6) The household must satisfy any of the criteria below:

(A) The household has been determined by the Commissioner to be at risk of homelessness and includes a veteran.

(B) Within the last twelve months, the household was evicted from or lived in a residence within the City of New York that was or is the subject of an eviction proceeding or that the household was or is required to vacate as a result of an order issued by a City agency or a foreclosure action, or for health and safety reasons as determined by a City agency other than reasons that would make the household eligible for shelter under Section 452.9 of Title 18 of the New York Codes, Rules and Regulations; and [either]

(i) is in receipt of Adult Protective Services under Section 473 of the New York Social Services Law or a community guardianship program under Section 473-d of the New York Social Services Law;

(ii) will be using CityFHEPS to preserve a rent-controlled apartment; or

(iii) has previously resided in a DHS shelter.

(C) The household includes an individual who has been referred by a City agency through a CityFHEPS qualifying program and the Commissioner has determined that due to the particular circumstances of the household, CityFHEPS rental assistance is needed to avert entry to a DHS shelter.

(D) The household [is in receipt of an unexpired LINC certification letter or a SEPS or CITYFHEPS shopping letter and would still be eligible for assistance under Chapter 7 or 8 of Title 68 of the Rules of the City of New York. A household may not qualify for CityFHEPS rental assistance under this subparagraph if: (1) more than 120 days have passed after the effective date of this rule or (2) the household is eligible for FHEPS.] has total gross income that does not exceed 250 percent of the FPL and has been referred for a shopping letter, pursuant to section 10-21.

(E) The household is currently in receipt of LINC VI or Pathway Home and meets the criteria set forth in [Section] section 10-04(a)(8)(A) or 10-04(a)(8)(B)(i) [of this chapter].

(7) The household must have a lease, other agreement, or regulatory right to rent, for at least one year, a residence in New York City that has passed a safety and habitability assessment. The rent for the unit must be reasonable in comparison to other comparable units in the area where the unit is located and must not exceed the maximum monthly rent, and the household must be protected from rent increases for at least a year, except that[,] if the unit is [an apartment where the household resided immediately prior to receiving CityFHEPS rental assistance and the unit is] subject to government regulations with respect to allowable rents, rent increases authorized under the applicable government regulations will be permitted midyear. If a household includes a person younger than eighteen years of age, the lease or other rental agreement must be for an apartment.

(b) Applications must be submitted on a form and in a format established by HRA.

(c) At the time of approval, HRA will calculate the household’s CityFHEPS rental assistance payments[,] pursuant to [Section] section 10-06 or 10-07 [of this chapter], as applicable. Except as provided in [Section] section 10-09 [of this chapter], the CityFHEPS rental assistance payments will not change [during the household’s first year the program] until renewal, regardless of changes in household composition, income, the maximum monthly rents, or the actual rent for the CityFHEPS unit.

§ 10-04: Initial Eligibility and Approval for Shelter Residents and Persons Who Are Street Homeless.

(a) A household who is in an HRA or DHS shelter or is street homeless must meet the following requirements to be eligible to

receive a shopping letter for CityFHEPS rental assistance under this subchapter:

- (1) The household must have total gross income that does not exceed 200 percent of the FPL.
- (2) If the household is not currently in receipt of PA, [the household must] HRA may require the household to apply for any assistance available under Part 352 of Title 18 of the New York Codes, Rules and Regulations.
- (3) [All members of the household who are eligible for PA must be in receipt of PA and all members in receipt of PA must be in compliance with PA requirements.] Reserved.
- (4) If a household is potentially eligible for any federal or State housing benefits, including Section 8 or the HRA HOME TBRA program described in Chapter 9 of this title, at HRA's request, the household [must] may be required to apply for such benefits and accept them if offered.
- (5) The household must not be eligible for FHEPS.
- (6) If any member of the household has been determined to be eligible for HRA shelter under Section 452.9 of Title 18 of the New York Codes, Rules and Regulations, the household must not include the perpetrator of the domestic violence that resulted in such determination.
- (7) If the household is currently in a DHS [Family Shelter] family shelter, the household must be eligible for shelter as determined by DHS[,] pursuant to Parts 351 and 352 of Title 18 of the New York Codes, Rules and Regulations.
- (8) The household must be street homeless, reside in a DHS shelter that has been identified for imminent closure, or belong to Group A or B below:

(A) **Group A:** A household will belong to Group A if it satisfies any of the criteria set forth below and either:
(1) currently resides in a DHS shelter and either has a qualifying shelter stay pursuant to section 10-04(b) or is eligible for HRA shelter; or (2) currently resides in an HRA shelter:

(i) The household: (AA) includes a member who is under 18 years of age and (BB) is collectively working at least 30 hours per week in unsubsidized employment or in a qualifying subsidized employment program and can demonstrate income from such employment for the last 30 days. However, the Commissioner may waive the requirement that the household collectively work at least 30 hours per week for good cause where the household has a demonstrated, consistent work history and has experienced a recent loss in number of hours worked due to circumstances that are likely to be temporary[.];

(ii) The household consists exclusively of members 18 years of age or older and can demonstrate income from unsubsidized employment or a qualifying subsidized employment program for the last 30 days[.];

(iii) The household includes a member 18 years of age or older who receives federal disability benefits or receives a recurring monthly PA grant and has been determined by HRA to be potentially eligible for federal disability benefits based on their own documented disability;

(iv) The household includes a member who is 60 years of age or older; or

(v) The household includes a member 18 years of age or older who is exempt from PA work activities, pursuant to Section 385.2(b)(5) of Title 18 of the New York Codes, Rules and Regulations.

(B) **Group B:** A household will belong to Group B if it currently resides in an HRA or DHS shelter and satisfies any of the criteria set forth below:

(i) The household includes a veteran[.]; or

(ii) The household is in receipt of an unexpired LINC certification letter or a SEPS or CITYFEPS shopping letter and would still be eligible for assistance under Chapter 7 or 8 of Title 68 of the Rules of the City of New York. A household may not qualify for CityFHEPS rental assistance under this subparagraph if: (1) more than 120 days have passed after the effective date of this rule or (2) the household is eligible for FHEPS.]

[(iii)] (ii) The household includes an individual who has been referred by a City agency through a CityFHEPS qualifying program and the Commissioner has determined that due to the particular circumstances of the household, CityFHEPS rental assistance is needed to abbreviate the household's stay in an HRA or DHS shelter.

(b) Qualifying Shelter Stay and Limitations:

(1) Qualifying Shelter Stay: A household in a DHS family shelter will have a qualifying shelter stay for purposes of [Section] section 10-04(a)(8)(A) if the household has resided in a DHS shelter for at least 90 days prior to certification, excluding gaps of up to ten calendar days. An individual in a DHS single adult shelter will have a qualifying shelter stay for purposes of [Section] section 10-04(a)(8)(A) if the individual has resided in a DHS shelter for at least 90 of the last 365 days. Once a household has a qualifying shelter stay, it will not lose its eligibility for a shopping letter[,] pursuant to [subdivision (c) of this] section 10-04(c) by moving from one type of shelter to another. Similarly, a household who has been street homeless will not lose its eligibility for a shopping letter by entering an HRA or DHS shelter.

(2) Qualifying Shelter Stay Limitations: The Commissioner may set a date by which qualifying shelter stays must commence, for purposes of [Section] section 10-04(a)(8)(A), upon [on] an evaluation of:] housing market conditions, shelter utilization rates, and the availability of funding, when the Commissioner determines that a limiting date is necessary to maintain the program's viability. The Commissioner may remove such a limiting date upon further review of housing market conditions, shelter utilization rates, and the availability of funding.

(c) When a household has met the eligibility requirements set forth in [subdivision (a) of this] section 10-04(a), the Commissioner shall issue such household a shopping letter. The letter will include an expiration date and will be conditioned on the household continuing to meet the requirements of [paragraph (a) of this subdivision] section 10-04(a) until the time of approval.

(d) Once a household has received a CityFHEPS shopping letter, the [household must have a lease, or other agreement to rent, for at least one year, a residence in New York City that has passed a safety and habitability assessment. The rent for the unit must not exceed the maximum monthly rent and must be protected from rent increases for at least a year. If a household includes a person younger than eighteen years of age, the lease or other rental agreement must be for an apartment.] household must meet the following additional conditions to be approved for CityFHEPS rental assistance:

(1) The household must have a lease for at least one year for a residence in New York City that has passed a safety and habitability assessment.

(2) If the household includes a person younger than 18 years of age, the lease or other rental agreement must be for an apartment.

(3) The rent for the unit must be reasonable in comparison to other comparable units in the area where the unit is located and must not exceed the maximum monthly rent, or in the case of a unit towards which an additional payment pursuant to section 10-15(h) will be applied, must not exceed the regulatory rent.

(4) The household must be protected from rent increases for at least one year, except that if the unit is subject to government regulations with respect to allowable rents, rent increases authorized under such regulations will be permitted midyear.

(5) If the household is not currently in receipt of PA, the household must apply for any assistance available under Part 352 of Title 18 of the New York Codes, Rules and Regulations.

(6) All members of the household who are eligible for PA must be in receipt of PA and all members in receipt of PA must be in compliance with PA requirements.

(e) At the time of approval, HRA will calculate the household's monthly rental assistance amount[,] pursuant to [Section] section 10-06 or 10-07 [of this chapter], as applicable. Except as provided in [Section] section 10-09 [of this chapter], the monthly rental assistance amount will not change [during the first year of the program] until renewal, regardless of changes in household composition, income, the maximum monthly rents or the actual rent for the CityFHEPS unit.

§7. Section 10-05 of Chapter 10 of Title 68 of the Rules of the City of New York is REPEALED and a new section 10-05 is added to read as follows:

§ 10-05 Maximum Monthly Rents.

(a) Except as otherwise provided in section 10-15(h), the maximum monthly rent for an SRO or apartment towards which CityFHEPS rental assistance under this subchapter may be applied will be set by HRA in accordance with section 982.503 of Title 24 of the Code of Federal Regulations, at the standard adopted by the New York City Housing Authority pursuant to such section. HRA will publish current CityFHEPS maximum monthly rents on HRA's website.

(b) The maximum monthly rent for a room towards which CityFHEPS rental assistance under this subchapter may be applied during the first year of the rental agreement is \$800. For room rentals, it is further provided that:

(1) Where the rental agreement is with a primary tenant who receives PA, the household's monthly rent cannot exceed the difference between the primary tenant's rent obligation to the landlord and the primary tenant's PA shelter allowance under Section 352.3 of Title 18 of the New York Codes, Rules and Regulations at the time of the effective date of the rental agreement.

(2) No separate room within a rent-stabilized or rent-controlled apartment may be rented directly from the landlord. If a room in a rent-stabilized apartment is rented from a primary tenant, the household's monthly rent cannot exceed the household's proportionate share of the rent under Section 2525.7(b) of Title 9 of the New York Codes, Rules and Regulations. If a room in a rent-controlled apartment is rented from a primary tenant, the household's rent cannot exceed the amount the primary tenant is being charged by the landlord.

(3) The rent for the room must include heat, hot water, electricity and, if the stove is not electric, cooking gas.

§ 8. Sections 10-06 through 10-10 of Chapter 10 of Title 68 of the Rules of the City of New York are amended to read as follows:

§ 10-06: Calculation of CityFHEPS Rental Assistance Payment Amount – Apartments and SROs.

(a) Where the CityFHEPS unit is an apartment or SRO, the monthly CityFHEPS rental assistance payment amount will equal the actual monthly rent for the CityFHEPS unit, up to the maximum monthly rent, minus the base program participant contribution[,] as calculated[,] pursuant to [subdivisions (b) and (c) of this] section 10-06(b). [For purposes of this subdivision and calculating the CityFHEPS rental assistance payment amount, a household of one who has transferred from LINC IV to CityFHEPS will be treated as a household of two.]

(b) The base program participant contribution is calculated as follows:

(1) Where no members of the household receive PA, the base program participant contribution is 30 percent of the household's total monthly gross income at the time of approval or renewal. However, if at renewal, or at the time of a recalculation of the [supplement] CityFHEPS rental assistance amount[,] pursuant to [paragraphs (a) or (b) of [Section] section 10-09(a) or 10-09(b) [of this chapter], the household reports no income, the base program participant contribution will equal the maximum PA shelter allowance for the household size.

(2) Where the household includes one or more members receiving PA, the base program participant contribution is the sum of the following: (A) 30 percent of the PA household's total monthly gross income at the time of approval or renewal, or the maximum monthly PA shelter allowance for the total number of PA household members, whichever is greater; and (B) 30 percent of the monthly gross income of any NPA members.

(c) Except as provided in [Section] section 10-09, the CityFHEPS rental assistance payments will not change until renewal, regardless of changes in household composition, income, the maximum monthly rent, or the actual rent for the CityFHEPS unit.

(d) Upon approval of a [CityFHEPS unit, HRA shall pay to the landlord the first month's rent in full and the CityFHEPS rental assistance payments for the next three months.] household for CityFHEPS rental assistance under this subchapter to be applied to an apartment or SRO. HRA will make the following payments to the landlord:

(1) Where the household is remaining in their residence, HRA will pay in the usual course the first month's rent minus any PA shelter allowance.

(2) Where the household is moving to a new residence, HRA will pay the first month's rent in full plus the CityFHEPS

rental assistance payments for the next three months. Notwithstanding the foregoing, HRA will accommodate any request by the landlord to receive only the first month's rent upfront.

(e) [Thereafter,] After making the payments described in section 10-06(d), HRA [shall] will pay the CityFHEPS rental assistance payments directly to the landlord each month as long as the household remains eligible and funding for the program remains available, except that HRA may in its discretion pay additional months of CityFHEPS rental assistance payments in advance where needed to address the goals set forth in the plan entitled Turning the Tide on Homelessness in New York City.

§ 10-07: Calculation of CityFHEPS Rental Assistance Payment Amount – Rooms.

(a) Where the CityFHEPS unit is a room, the household's base program participant contribution shall be the greater of the household's actual PA shelter allowance at the time of approval or \$50 and, except as provided in [subdivision (c) of this] section 10-07(c) with respect to the household's first four months in the CityFHEPS rental assistance program, the monthly CityFHEPS rental assistance payment amount will equal the actual monthly rent for the CityFHEPS unit, up to \$800, minus such base program participant contribution.

(b) Except as provided in [Section] section 10-09 [of this chapter], the CityFHEPS rental assistance payments will not change until renewal, regardless of changes in household composition, income, the maximum monthly rents, or the actual rent for the CityFHEPS unit.

(c) Upon approval of a [CityFHEPS unit, HRA shall pay to the landlord the first four months' rent in full, except that if the household is receiving a shelter allowance, HRA shall pay the first month's rent in full and the CityFHEPS rental assistance payments for the next three months.] household for CityFHEPS rental assistance to be applied to a room, HRA will make the following payments to the landlord:

(1) Where the household is remaining in their residence, HRA will pay in the usual course the first month's rent minus any PA shelter allowance.

(2) Where the household is moving to a new residence, HRA will pay the first four months' rent in full, unless the household is receiving a PA shelter allowance, in which case HRA will pay the first month's rent in full plus the CityFHEPS rental assistance payments for the next three months. Notwithstanding the foregoing, HRA will accommodate any request by the landlord to receive only the first month's rent upfront.

(d) [Thereafter,] After making the payments described in section 10-07(c), HRA shall pay the CityFHEPS rental assistance payments directly to the landlord each month as long as the household remains eligible and funding for the program remains available.

§ 10-08: Renewals and Restorations.

(a) Subject to the availability of funding, except as provided in section 10-11, a household receiving CityFHEPS rental assistance under this subchapter will receive four annual renewals of such assistance if it meets the following continued eligibility requirements:

(1) The household's total gross income does not exceed 250 percent of the FPL;

(2) The household is in substantial compliance with program requirements; and

(3) The household continues to reside in the CityFHEPS unit for which [they were] it was initially approved, or the Commissioner has approved a move to a new unit[,] pursuant to [Section] section 10-10 [of this chapter].

(b) Where a household is not in substantial compliance with program requirements, the Commissioner in the exercise of discretion may renew the household's participation in the CityFHEPS [program] Program if the household establishes good cause for failure to comply with program requirements, consistent with Section 351.26 of Title 18 of the New York Codes, Rules and Regulations.

(c) Subject to the availability of funding, households receiving CityFHEPS rental assistance will continue to receive additional annual renewals after their fifth year in the CityFHEPS rental assistance program if they continue to meet the requirements of [subdivision (a) of this] section 10-08(a) and if, at the time of renewal, one of the following criteria is met:

(1) The household includes a member who is 60 years of age or older.

(2) The household includes a member who:

(A) receives federal disability benefits; or

(B) receives a recurring monthly PA grant and has been determined by the Commissioner to be potentially

eligible for federal disability benefits based on their own documented disability.

(3) There is good cause for renewal as long as the household maintains eligibility. Absent extraordinary circumstances, renewals will not be available under this paragraph to households who have not complied with their obligations[,] pursuant to [Section] section 10-12(e) [of this chapter]. The Commissioner will consider the following factors in determining extraordinary circumstances: health and mental health challenges, [department of social services] DSS errors, effort to cure the error, or other circumstances beyond the control of the household.

(d) Subject to the availability of funding, if a household is not renewed for CityFHEPS under this subchapter, it may be restored within one year of termination if the household meets CityFHEPS renewal requirements under this subchapter at the time it applies for restoration. If more than one year has passed since termination, or if the household has been terminated from CityFHEPS under this subchapter after receiving CityFHEPS rental assistance for at least five years, the household may have its CityFHEPS under this subchapter restored only for good cause.

[(e) If a household has transferred to CityFHEPS, pursuant to Section 10-11 of this chapter or has transferred from the LINC VI or Pathway Home programs, the time the household participated in the LINC, LINC VI, CITYFEPS, SEPS or Pathway Home programs shall count towards the five year limit set forth in subdivision (a) of this section, except that, for households transferring from CITYFEPS, LINC VI or Pathway Home less than ten months after the start of the household's current year of participation in such programs, the household's current year in such programs shall be disregarded. However, if the CityFHEPS rental assistance payments begin ten months or more after the start of the household's current year of participation in CITYFEPS, LINC VI or Pathway Home, then the household's current year of participation in such programs shall be counted as a full year.]

[(f) (e) The Commissioner will determine a household's eligibility for renewal at the end of each year of the household's participation in the program under this subchapter, subject to the availability of funding. Prior to annual renewal, the Commissioner will recalculate the household's CityFHEPS rental assistance payments[,] pursuant to [Section] section 10-06 or 10-07 [of this chapter], as applicable. Except as provided in [Section] section 10-09 [of this chapter], the CityFHEPS rental assistance payments will not change during the one-year renewal period, regardless of changes in household composition, income, the maximum monthly rents, or the actual rent for the CityFHEPS unit.

§ 10-09 Adjustments to CityFHEPS Rental Assistance Payment Amount, Discontinuance of Rental Assistance Payments, or Program Termination Prior to Renewal.

(a) At the household's request, when the household's income has changed in such a manner that would decrease the household's base client contribution, the Commissioner will recalculate the CityFHEPS rental assistance payment amount in accordance with [Section] section 10-06 or 10-07 [of this chapter], as applicable.

(b) In the event that the household's PA shelter allowance increases prior to renewal, such that the sum of the CityFHEPS rental assistance payment and the PA shelter allowance exceeds the household's actual or maximum rent, whichever is less, HRA shall reduce the CityFHEPS rental assistance amount so that it equals the difference between the household's PA shelter allowance and the lesser of the actual or maximum rent.

(c) The Commissioner may discontinue CityFHEPS rental assistance payments if:

- (1) the household leaves the CityFHEPS unit;
- (2) the landlord fails to comply with requirements set forth [at Section] in section 10-14 [of this chapter], whereupon the household may be granted approval to move[,] pursuant to [Section] section 10-10 [of this chapter]; or
- (3) the household's participation in CityFHEPS is terminated, and payments are not continued[,] pursuant to [Section] section 10-13(e).

(d) A household's participation in the CityFHEPS Program may be terminated prior to renewal where the Commissioner determines that the household has failed or refused without good cause to comply with requirements set forth in [Section] section 10-12 [of this chapter].

§ 10-10 Moves.

(a) A household participating in the CityFHEPS Program under this subchapter may not move to a new residence and maintain eligibility for the CityFHEPS Program except with the approval of the Commissioner. The household must obtain such approval prior to moving to a new residence, provided that the Commissioner may

consider a request for approval made after the move if a household is unable to obtain such approval prior to the move due to circumstances beyond the household's control.

(b) The Commissioner shall grant approval for a move if the household is moving from a room to an apartment, unless the household is breaking a lease for the room, in which case the household must establish either good cause for the move or that the landlord is willing to release the program participant from the lease. In all other situations, the Commissioner shall grant approval for a move from one residence to another residence only upon a showing by the household that there is good cause for the move. If the requested move is to a residence with a higher rent than the rent for the current residence, approval will also be subject to the availability of funding.

(c) If the Commissioner has approved a move to a new CityFHEPS unit, the Commissioner shall recalculate the monthly CityFHEPS rental assistance payment amount, and that amount shall not change for one year from the effective date of the rental agreement for the new CityFHEPS unit, except as provided in [Section] section 10-09 [of this chapter]. If the effective date of the rental agreement for the new CityFHEPS unit is not more than ten months after the start of the household's current year of participation in the program, then the household's current year in the CityFHEPS Program shall begin anew on the effective date of such rental agreement. If the effective date of the rental agreement for the new residence is more than ten months after the start of the household's current year in the program and the household is eligible for renewal in the CityFHEPS Program, then the household's renewal period shall begin on the effective date of such rental agreement.

§ 9. Section 10-11 of Chapter 10 of Title 68 of the Rules of the City of New York is REPEALED and a new section 10-11 is added to read as follows:

§ 10-11 Households Previously in Receipt of LINC, SEPS, CITYFEPS, CityFHEPS Subchapter B or Pathway Home.

If a household has transferred into the CityFHEPS Program described in this subchapter from the LINC, SEPS, CITYFEPS or Pathway Home programs, or from the CityFHEPS Program described in subchapter B of this chapter, the time the household participated in such programs shall count towards the five-year limit set forth in section 10-08(a) as follows:

(a) For households who transferred from CITYFEPS, CityFHEPS Subchapter B, LINC VI or Pathway Home less than ten months after the start of the household's current year of participation in such programs, the household's current year of participation in such programs at the time of transfer shall be disregarded.

(b) For households who transferred from CITYFEPS, CityFHEPS Subchapter B, LINC VI or Pathway Home ten months or more after the start of the household's current year of participation in such programs, the household's current year of participation in such programs at the time of transfer shall count as a full year.

§ 10. Sections 10-12 through 10-15 of Chapter 10 of Title 68 of the Rules of the City of New York are amended to read as follows:

§ 10-12 Household Requirements.

(a) The household must:

- (1) provide accurate, complete and current information on income and household composition; and
- (2) provide supporting documentation as necessary to verify eligibility and the information needed to determine the CityFHEPS rent supplement amount, maximum monthly rent, and any required contributions by household members.

(b) The household must agree to have its CityFHEPS rent supplement paid directly to the landlord.

(c) All members of the household who are eligible for PA must be in receipt of PA.

(d) If a household is potentially eligible for any federal or State housing benefit, including Section 8 or FHEPS, at HRA's request, the household [must] may be required to apply for such benefits and accept them if offered.

(e) The household must pay to the landlord each month the difference between the CityFHEPS rental assistance amount and the household's rent, minus any PA shelter allowance and any third party contributions actually paid to the landlord and, if the household falls behind in the rent, must promptly report any arrears to the Commissioner.

(f) The household must promptly notify the Commissioner if the household moves out of the CityFHEPS unit.

(g) The household must promptly notify the Commissioner if the program participant is served with eviction papers.

[(h) Reserved.]

(i) (h) The household must file for all work supports for which the household is entitled. These may include public benefits and tax credits, such as the Earned Income Tax Credit (EITC), the Child Tax Credit (CTC) and the Child Care Tax Credit (CCTC).

(j) (i) The household must take all reasonable and appropriate actions and seek all appropriate services as necessary to preserve the program participant's tenancy and work towards self-sufficiency, including, but not limited to, such services as job placement, landlord-tenant mediation, financial counseling and anti-eviction services. Households can receive assistance or referrals for these services from their designated service provider or local HomeBase office.

(k) (j) A program participant renting a room or an SRO must promptly notify the Commissioner if [it intends] they intend to add a person younger than [eighteen] 18 years of age to the household and must request approval to move to an apartment[,] pursuant to [Section] section 10-10.

(l) (k) If any member of the household has been determined to be eligible for HRA shelter under Section 452.9 of Title 18 of the New York Codes, Rules and Regulations, the household must not include the perpetrator of the domestic violence that resulted in such determination.

(m) (l) The household must otherwise cooperate fully with the City in its administration of the CityFHEPS Program.

§ 10-13 Agency Review Conference and DSS Administrative Appeal Process.

(a) Right to DSS Administrative Review. An applicant, shelter resident, current or former program participant, or household member may request an agency review conference and/or a DSS administrative hearing to seek review of any determinations or actions made under this [subchapter] chapter, as well as any failures to act, or failures to act with reasonable promptness, in implementing the provisions of this [subchapter] chapter.

(b) Agency Review Conference.

(1) If an individual requests an agency review conference[,] pursuant to [subdivision (a) of this] section 10-13(a), HRA shall informally review and attempt to resolve the issues raised.

(2) An individual may request an agency review conference without also requesting a DSS administrative hearing. Requesting an agency review conference will not prevent an individual from later requesting a DSS administrative hearing.

(3) An agency review conference must be requested within sixty days after the challenged determination or action, provided further that if a DSS administrative hearing is scheduled, an agency review conference must be requested reasonably in advance of the scheduled hearing date.

(4) A request for an agency review conference will extend the time period to request a DSS administrative hearing as set forth in [paragraph (2) of subdivision (c) of this] section 10-13(c)(2) to sixty days after the date of the agency review conference.

(c) Request for a DSS Administrative Hearing.

(1) An administrative hearing must be requested in writing. Such written request must be submitted by mail, electronic means or fax, or other means as DSS may set forth in an appeals notice.

(2) Except as provided in [paragraph (4) of subdivision (b) of this] section 10-13(b)(4), a request for an administrative hearing must be made within sixty days after the challenged determination or action.

(d) Authorized Representative.

(1) Except where impracticable to execute a written authorization, a person or organization seeking to represent an individual who has requested a conference or hearing under this section must have the individual's written authorization to represent [him or her] them at an agency review conference or administrative hearing and to review their case record, provided that such written authorization is not required from an attorney retained by such individual. An employee of such attorney will be considered an authorized representative if such employee presents written authorization from the attorney or if such attorney advises DSS by telephone of such employee's authorization.

(2) Once DSS has been notified that a person or organization has been authorized to represent an individual at an agency review conference or administrative hearing, such representative will receive copies of all correspondence sent by DSS to the individual relating to the conference and hearing.

(e) [Aid Continuing] Continued Assistance.

(1) If a program participant requests an administrative appeal of a determination that CityFHEPS rental assistance payments are to be reduced, restricted, suspended or discontinued, such program participant shall have the right to continued receipt of CityFHEPS rental assistance payments in the amount in effect at the time of the determination until the hearing decision is issued[,] pursuant to [subdivision (l) of this] section 10-13(l), provided that:

(A) The program participant requests the administrative appeal within ten days of the mailing of the notice of such determination; and

(B) The appeal is based on a claim of incorrect computation or an incorrect factual determination.

(2) There is no right to continued CityFHEPS rental assistance payments[,] pursuant to this subdivision where the sole issue on appeal is one of local, State or Federal law or policy, or change in local, State or Federal law.

(3) CityFHEPS rental assistance payments will not continue pending the issuance of a hearing decision when:

(A) The program participant has voluntarily waived their right to the continuation of such assistance in writing; or

(B) The program participant does not appear at the administrative hearing and does not have a good cause reason for not appearing.

(4) If a program participant requests an additional appeal[,] pursuant to [subdivision (m) of this] section 10-13(m), CityFHEPS rental assistance payments will continue uninterrupted after issuance of the hearing decision until a written decision is issued[,] pursuant to [subdivision (l) of this] section 10-13(m).

(f) Notice. DSS shall provide the individual who has requested a hearing under this section with notice of the date, time, and location of the administrative hearing no fewer than seven calendar days prior to the scheduled date of the administrative hearing, unless the issue underlying the request for an administrative hearing has been resolved and the individual has withdrawn their hearing request.

(g) Examination of Case Record. The individual who has requested a conference or hearing under this section or their authorized representative has the right to examine the contents of their CityFHEPS [program] Program case file, if one exists, and all documents and records that HRA intends to use at the administrative hearing. Upon request by telephone or in writing, HRA shall provide such individual with copies of all such documents, and copies of any additional documents in the possession of HRA that the individual identifies and requests for purposes of preparing for the administrative hearing. HRA shall provide such documents at no charge reasonably in advance of the administrative hearing. If the request for such documents is made less than five business days before the administrative hearing, HRA must provide the individual with copies of such documents no later than at the time of the administrative hearing.

(h) Adjournment. The administrative hearing may be adjourned for good cause by the administrative hearing officer on their own motion or at the request of the individual who requested the hearing or their authorized representative, or HRA.

(i) Conduct of Administrative Hearing.

(1) The administrative hearing shall be conducted by an impartial hearing officer appointed by DSS who shall have the power to administer oaths and issue subpoenas and who shall have no prior personal knowledge of the facts concerning the challenged determination or action.

(2) The administrative hearing shall be informal, all relevant and material evidence shall be admissible and the legal rules of evidence shall not apply. The administrative hearing shall be confined to the factual and legal issues raised regarding the specific determination(s) for which the administrative hearing was requested.

(3) The individual who requested the hearing shall have a right to be represented by counsel or other representative, to testify, to produce witnesses to testify, to offer documentary evidence, to offer evidence in opposition to the evidence presented by HRA, to request that the hearing officer issue subpoenas, and to examine any documents offered by HRA.

(4) An audio recording, an audio visual recording or written transcript of the administrative hearing shall be made.

(j) Abandonment of Request for Administrative Hearing.

(1) DSS will consider an administrative hearing request abandoned if neither the individual who requested the hearing nor their authorized representative appears at the administrative hearing, unless either the individual or their authorized representative has:

- (A) contacted DSS prior to the administrative hearing to request rescheduling of the administrative hearing; or
- (B) within fifteen calendar days of the scheduled administrative hearing date, contacted DSS and provided a good cause reason for failing to appear at the administrative hearing on the scheduled date.

(2) DSS will restore the case to the calendar if the individual who requested the hearing or their authorized representative has met the requirements of paragraph (1) of this subdivision.]

Absent a request to reschedule an administrative hearing made prior to the hearing date, DSS will consider an administrative hearing request abandoned if neither the program participant nor their authorized representative appears at the hearing. However, DSS will restore the case to the calendar if, within fifteen calendar days of the scheduled hearing date, the program participant or their authorized representative contacts DSS and provides a good cause reason for failing to appear at the hearing.

(k) Hearing Record. The recording or written transcript of the hearing, all papers and requests filed in connection with the hearing, and the hearing decision collectively constitute the complete and exclusive record of the administrative hearing.

(l) Hearing Decision. The hearing officer shall render a decision based exclusively on the hearing record. The decision must be in writing and must set forth the administrative hearing issues, the relevant facts, and the applicable law, regulations and approved policy, if any, upon which the decision is based. The decision must identify the issues to be determined, make findings of fact, state the reasons for the determinations, and when appropriate, direct HRA to take specific action.

(1) A copy of the decision will be sent to each of the parties and to their authorized representatives, if any. The decision shall include written notice to the individual who had requested the hearing of the right to further appeal and the procedures for requesting such appeal.

(2) HRA is not bound by a hearing decision that exceeds the authority of the hearing officer or that is contrary to federal, State, or local law or these rules. If the Commissioner determines that HRA is not bound by a hearing decision, the Commissioner shall promptly notify the individual who had requested the hearing of such determination, and of the reasons for the determination. Such notification shall be in writing and shall also inform the individual of the right to judicial review.

(m) Additional appeal.

(1) An appeal from a decision of a hearing officer may be made in writing to the Commissioner provided [it is received by DSS] the Commissioner receives it through the procedures described in the notice accompanying the hearing decision no later than fifteen business days after DSS sends the hearing officer's decision. The record before the Commissioner shall consist of the hearing record, the hearing officer's decision and any affidavits, documentary evidence, or written arguments that the applicant or program participant may wish to submit.

(2) The Commissioner shall render a written decision based on the hearing record and any additional documents submitted by the applicant or program participant [and] or HRA.

(3) A copy of the Commissioner's decision, including written notice to the applicant or program participant of the right to judicial review, will be sent to each of the parties and to their authorized representatives, if any.

(4) Upon issuance, the decision of the Commissioner made[,] pursuant to an appeal under this section is final and binding upon HRA and must be complied with by HRA.

§ 10-14 Landlord Requirements.

- (a) A landlord who signs a lease or other rental agreement with a household in receipt of CityFHEPS rental assistance is prohibited from demanding, requesting, or receiving any amount above the rent or reasonable fees as stipulated in the lease or rental agreement regardless of any changes in household composition.
- (b) When HRA issues monthly CityFHEPS rental assistance payments and monthly PA shelter allowance payments (if any) in full by the final day of the month, these payments will be deemed timely paid towards the CityFHEPS unit's rent for that month, regardless of any provisions in the CityFHEPS unit lease to the contrary.

(c) Landlords [are required to] must accept the HRA security voucher in lieu of a cash security deposit and may not request any additional security from the client.

(d) Landlords must not move a household from one unit to another without the prior written approval of both HRA and the household.

(e) Landlords must notify HRA within 5 business days of learning that the household no longer resides in the unit towards which CityFHEPS rental assistance is being applied.

(f) Landlords must notify HRA within 5 business days if any legal proceeding affecting the program participant's tenancy is commenced.

(g) Landlords must notify HRA promptly if the landlord, the owner of the subject premises, or the management company of the subject premises changes.

(h) If the household no longer resides in a CityFHEPS unit, the landlord must return any payments from HRA for any period of time the household was not residing in the unit.

(i) Landlords must promptly return to the City any overpayments, including but not limited to monies paid in error or made as a result of inaccurate, misleading or incomplete information submitted by the landlord in connection with the CityFHEPS Program.

(j) Landlords may be banned from participation in City rental assistance programs for violations of any of the landlord requirements. Before placing a landlord on a disqualification list, HRA will provide notice to the landlord and an opportunity for the landlord to object in writing.

§ 10-15 Additional Provisions.

(a) CityFHEPS rental assistance cannot be combined with any other rent subsidies except with the prior approval of the Commissioner where combining the subsidies is practicable and not contrary to law, [but] except that CityFHEPS rental assistance may be used with a PA shelter allowance provided[,] pursuant to Section 352.3 of Title 18 of the New York Codes, Rules and Regulations and can be applied towards a rent that has been frozen pursuant to the SCRIE or DRIE Program where the household is otherwise eligible for the CityFHEPS Program.

(b) Applicants and shelter residents are responsible for identifying potential housing. However, shelter staff will provide assistance to HRA and DHS shelter residents in their housing search. Additionally, shelter residents and others [whi] who have been found to be potentially eligible for CityFHEPS rental assistance will be provided with a CityFHEPS shopping letter.

(c) HRA shall not maintain a waitlist for the CityFHEPS [program] Program.

(d) The number of eligible households that can be approved for CityFHEPS rental assistance [under this section] will be limited by the amount of available funding.

(e) A LINC VI program participant holding a lease for a unit that is subject to government regulations with respect to allowable rents as of the effective date of this rule will be permitted to accept a renewal of their lease at the rate authorized by any government entity authorized by local, state or federal law to set rents without prejudice to their eligibility for CityFHEPS.

(f) Households in the CityFHEPS [program] Program will be referred to service providers who will help connect them to appropriate services in their communities.

(g) If HRA offers incentives to landlords to participate in the CityFHEPS [program] Program, such incentives shall not be available for the rental of a unit where the previous tenant was receiving CityFHEPS[, FHEPS or rental assistance under Chapter 7 or 8 of this title,] unless the landlord can show good cause for not renewing such tenant, such as serious or repeated violations of the lease. Good cause will generally not be found unless the landlord has provided the tenant with 30 days written notice of the intent to not renew, including the reasons for non-renewal.

(h) Notwithstanding any provisions in this chapter to the contrary, HRA in its discretion may offer payments to landlords of units that are subject to the [New York City Department of Housing Preservation and Development ("HPD")/New York City Housing Development Corporation ("HDC")] HPD/HDC Marketing Handbook pursuant to a regulatory agreement or similar instrument, for which HPD or HDC is requiring or approving such units to be filled by homeless individuals or families instead of or subsequent to a lottery, where such payments are needed to make up the difference between the CityFHEPS maximum rent under section 10-05 and the regulatory rent. In such instances, the rent for the unit may exceed the maximum rent levels set forth in section 10-05, including at the time of initial approval of the CityFHEPS application, but may not exceed the regulatory rent.

(i) A landlord may not be the spouse, domestic partner, parent, child, step-parent, step-child, grandparent, grandchild, sibling or step-sibling of any member of the household. This requirement may be waived for good cause.

§ 11. Chapter 10 of Title 68 of the Rules of the City of New York is amended by adding a new Subchapter B to read as follows:

SUBCHAPTER B**CITYFHEPS: PROJECT-BASED RENTAL ASSISTANCE****§ 10-16 Subchapter B Units.**

(a) HRA will designate certain housing units in New York City as Subchapter B units towards which rental assistance under this subchapter may be applied. Subchapter B units will be operated by not-for-profit providers pursuant to contracts with the City and will be targeted to specific populations within DHS shelters who meet the requirements set forth in section 10-03(a)(1)-(6) or section 10-04(a). Subchapter B units may consist of an entire building or a substantial number of units within a building. HRA will designate Subchapter B units based on factors including the provider's capacity, geographic location and demonstrated level of organizational capability, and the best interests of the City.

(b) Tenants of Subchapter B units must have either an occupancy agreement or a rent-stabilized lease with a Subchapter B provider. The rents shall be set by contract and be equal to the lesser of the legal rent for the unit or the maximum rent set by HRA pursuant to section 10-05.

(c) Subchapter B providers must make case management services available to tenants of Subchapter B units.

§ 10-17 Initial Eligibility.

To be eligible for an initial year of CityFHEPS rental assistance under this subchapter, a household must meet the requirements of section 10-03(a)(1)-(6) or section 10-04(a) and, after receiving a referral from HRA, have applied for and been accepted into a Subchapter B unit.

§ 10-18 Calculation of the CityFHEPS Rental Assistance Payment Amount.

(a) The monthly CityFHEPS rental assistance payment amount on behalf of a household under this subchapter will be calculated pursuant to section 10-06(a) and (b), using the maximum rents set forth in section 10-05.

(b) Except as provided in section 10-20, a household's CityFHEPS rental assistance payments will not change until renewal, regardless of changes in household composition, income, the maximum monthly rent, or the actual rent for the Subchapter B unit.

(c) Payment of the monthly CityFHEPS rental assistance amount will be made pursuant to contract between the City and the not-for-profit provider operating the Subchapter B unit. When a household leaves a Subchapter B unit, HRA will make all reasonable efforts to assist the provider in assigning the unit to another eligible household to minimize or eliminate any gap in rent payments to the provider.

§ 10-19 Renewals and Restorations.

(a) Subject to the availability of funding, a household receiving CityFHEPS rental assistance under this subchapter will receive annual renewals of such assistance for as long as it continues to meet the following eligibility requirements:

- (1) The household is in substantial compliance with program requirements; and
- (2) The household continues to reside in the unit for which it was approved to receive CityFHEPS rental assistance payments, and the unit continues to be designated as a Subchapter B unit.

(b) Where a household is not in substantial compliance with program requirements, the Commissioner in the exercise of discretion may renew the household's participation in the CityFHEPS Program if the household establishes good cause for failure to comply with program requirements, consistent with Section 351.26 of Title 18 of the New York Codes, Rules and Regulations.

(c) Subject to the availability of funding, if a household is not renewed for CityFHEPS under this subchapter, the household may be restored within one year of termination if it meets the renewal requirements under this subchapter at the time it applies for restoration, except that a household that has been terminated pursuant to section 10-20(e) may be restored at any time if it meets the renewal requirements under this subchapter at the time it applies for restoration and its CityFHEPS rental assistance amount is calculated to be above zero. If more than one year has passed since termination, the household may have its CityFHEPS under this subchapter restored only for good cause.

(d) The Commissioner will determine a household's eligibility for renewal at the end of each year of the household's participation in the program under this subchapter, subject to the availability of funding. Prior to annual renewal, the Commissioner will recalculate the household's CityFHEPS rental assistance payments pursuant to section 10-18. Except as provided in section 10-20, the household's CityFHEPS rental assistance payments will not change during the one-year renewal period, regardless of changes in household composition or income.

§ 10-20 Adjustments to CityFHEPS Rental Assistance Payment Amount, Discontinuance of Rental Assistance Payments, and Program Termination Prior to Renewal.

(a) At the household's request, when the household's income has changed in such a manner that would decrease the household's base client contribution, the Commissioner will recalculate the CityFHEPS rental assistance payment amount in accordance with section 10-18.

(b) If a household's PA shelter allowance increases prior to renewal such that the sum of the CityFHEPS rental assistance payment and the PA shelter allowance exceeds the household's rent, HRA shall reduce the CityFHEPS rental assistance amount so that it equals the difference between the household's PA shelter allowance and the rent.

(c) The Commissioner will discontinue CityFHEPS rental assistance payments on behalf of a household under this subchapter if:

- (1) The household leaves the Subchapter B unit;
- (2) The unit loses its designation as a Subchapter B unit; or
- (3) The household's participation in CityFHEPS is terminated and the household is not receiving continued assistance pursuant to section 10-13(e), as incorporated into this subchapter pursuant to section 10-23.

(d) The Commissioner may terminate a household's participation in the CityFHEPS Program prior to renewal if the Commissioner determines that the household has failed or refused without good cause to comply with the requirements set forth in section 10-22.

(e) The Commissioner will terminate a household's participation in the CityFHEPS Program prior to renewal if the household's rental assistance amount has been zero for more than one year.

§ 10-21 Moves and Referrals to CityFHEPS Subchapter A.

For good cause, HRA may grant approval for a move from one Subchapter B unit to another or a referral for a Subchapter A shopping letter. For purposes of this section, good cause includes when a Subchapter B unit has lost or will lose its designation as a Subchapter B unit, or when the household's size has decreased resulting in a difference between the rent and the CityFHEPS rental assistance amount that is greater than 40 percent of the household's total monthly gross income.

§ 10-22 Household Requirements.

(a) The household must:

- (1) Provide accurate, complete and current information on income and household composition;
- (2) Provide supporting documentation as necessary to verify eligibility and the information needed to determine the CityFHEPS rental assistance payment amount, maximum monthly rent, and any required contributions by household members; and
- (3) Agree to have its CityFHEPS rental assistance payments paid directly to the landlord.

(b) The household must pay to the landlord each month the difference between the CityFHEPS rental assistance payment amount and the household's rent, minus any PA shelter allowance and any third party contributions paid to the landlord.

(c) The household must promptly notify the landlord if its total monthly gross income decreases or its household size changes. If the household resides in an SRO and plans to add to the household a person under the age of 18, it must inform the landlord immediately so that the household can be given the opportunity to seek approval to move to an appropriate unit pursuant to section 10-21.

(d) If any member of the household has been determined to be eligible for HRA shelter under Section 452.9 of Title 18 of the New York Codes, Rules and Regulations, the household must not include the perpetrator of the domestic violence that resulted in such determination.

(e) The household must otherwise cooperate fully with the City in its administration of the CityFHEPS Program.

§ 10-23 Agency Review Conference and DSS Administrative Appeal Process.

Section 10-13 is incorporated by reference into this subchapter. For purposes of this subchapter, any reference in section 10-13 to "CityFHEPS" or "the CityFHEPS Program" shall be deemed a reference to the program described in this subchapter. An applicant, shelter resident, current or former program participant, or household member may request an agency review conference and/or a DSS administrative hearing to seek review of any determinations or actions made under this subchapter, as well as any failures to act, or failures to act with reasonable promptness, in implementing the provisions of this subchapter, as set forth in section 10-13. However, the agency review conference and administrative appeal process may not be used to challenge HRA's decision to designate a unit as a Subchapter B unit or to remove a unit's designation as a Subchapter B unit.

§ 12. Subdivision (p) of Section 11-01 of Chapter 11 of Title 68 of the Rules of the City of New York is amended to read as follows:

(p) "Street homeless" means individuals who; (1) are living on the street or in a place not meant for human habitation and have received] are receiving case management services [for at least 90 days] from a DHS contracted outreach provider]; (2) have received case management services for at least 90 days from a DHS contracted outreach provider at a drop in center or transitional housing setting; or (3) received case management services from a DHS contracted outreach provider while living on the street or in a place not meant for human habitation, or at a drop in center or transitional housing setting, were placed in permanent housing and currently receive aftercare services].

§ 13. Subdivisions (a) and (b) of Section 11-03 of Chapter 11 of Title 68 of the Rules of the City of New York are amended to read as follows:

(a) To be eligible for Pathway Home, a household must meet the following eligibility requirements:

(1) The household must meet one of the following conditions:

- (A) The household resides in DHS shelter and
 - (i) has a qualifying shelter stay as defined in subdivision (b) of this section; or
 - (ii) has a CityFHEPS shopping letter pursuant to [Section] section 10-04(c) of this [chapter] title;
- (B) The household is street homeless; or
- (C) The household includes an individual with a significant prior stay in DHS shelter who was discharged from the custody of the New York City Department of Correction, and the Commissioner has determined that Pathway Home is needed to avert the individual's re-entry to a DHS shelter.

(2) The household must have total gross income that does not exceed 200 percent of the federal poverty level as established annually by the United States Department of Health and Human Services.

(3) If the household is not currently in receipt of PA, the household must apply for any assistance available under Part 352 of Title 18 of the [New York Code of Rules and Regulations] New York Codes, Rules and Regulations that HRA has determined the household may be eligible for.

(4) All members of the household who are eligible for PA must be in receipt of PA.

(5) If the household is currently in a DHS family shelter, the household must be eligible for shelter as determined by DHS pursuant to Parts 351 and 352 of Title 18 of the New York Codes, Rules and Regulations.

(6) HRA must not have previously made Pathway Home payments on the household's behalf.

(7) The household must have identified a host family, consisting of relatives or friends of the household who live in the City of New York, that has agreed to permit the household to reside in its residence and to receive a monthly payment from HRA on the household's behalf that does not exceed the amounts set forth in the table in [Section] section 11-04 [of this chapter].

(8) The host family and the host family's residence must meet the requirements of [Section] section 11-07(h) [of this chapter].

(b) Qualifying Shelter Stay and Limitations.

(1) Qualifying Shelter Stay. A resident of a DHS family shelter will have a qualifying shelter stay for purposes of section 11-03(a)(1)(A)(i) if the household has resided in an HRA or DHS shelter for at least 90 days prior to approval, excluding gaps of up to ten calendar days. A resident of a DHS single adult shelter will have a qualifying shelter stay for purposes of section 11-03(a)(1)(A)(i) if the individual has resided in an HRA or DHS shelter for at least 90 of the 365 days prior to approval.

(2) Qualifying Shelter Stay Limitations. The Commissioner may set a date by which qualifying shelter stays must commence, for purposes of [Section 11-03(a)(1)(A)(i),] section 11-03(b)(1), upon an evaluation of: housing market conditions, shelter utilization rates, and the availability of funding, when the Commissioner determines that a limiting date in necessary to maintain the program's viability. The Commissioner may remove such a limiting date upon further review of housing market conditions, shelter utilization rates, and the availability of funding.

§ 14. Subdivision (h) of Section 11-07 of Chapter 11 of Title 68 of the Rules of the City of New York are amended to read as follows:

(h) Any host family residence must pass a safety and habitability inspection. Additionally:

(1) If the household includes a member who is under eighteen years of age, the host family must pass a clearance that shall include, at a minimum, an evaluation of [any information contained in the Statewide Central Register of Child Abuse and Maltreatment concerning any family member and] whether any host family member has an indicated child protective history in New York City or is registered as a sex offender, pursuant to Article 6-C of the New York Correction Law.

(2) If the host family includes a member who is under eighteen years of age, the household must pass a clearance that shall include, at a minimum, an evaluation of [any information contained in the Statewide Central Register of Child Abuse and Maltreatment concerning any household member and] whether any household member has an indicated child protective history in New York City or is registered as a sex offender pursuant to Article 6-C of the New York Correction Law.

§ 15. Section 11-07 of Chapter 11 of Title 68 of the Rules of the City of New York is amended by adding a new subdivision (k) to read as follows:

(k) The host family may not include the spouse or domestic partner of any member of the household, or the parent or step-parent of any member of the household who is under twenty-one years of age. This restriction may be waived for good cause.

**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: Amendment of Rental Assistance Program Rules

REFERENCE NUMBER: HRA-30

RULEMAKING AGENCY: Human Resources Administration

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/ Francisco X. Navarro
Mayor's Office of Operations

July 28, 2021
Date

**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: Amendment of Rental Assistance Program Rules

REFERENCE NUMBER: 2021 RG 024

RULEMAKING AGENCY: Human Resources Administration

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
Acting Corporation Counsel

Date: July 27, 2021

READER'S GUIDE

The City Record (CR) is published each business day. The Procurement section of the City Record is comprised of notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Notice of solicitations and other notices for most procurement methods valued at or above \$100,000 for goods, services, and construction must be published once in the City Record, among other requirements. Other procurement methods authorized by law, such as sole source procurements, require notice in the City Record for five consecutive editions. Unless otherwise specified, the agencies and offices listed are open for business Monday through Friday from 9:00 A.M. to 5:00 P.M., except on legal holidays.

NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION-RELATED SERVICES

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

VENDOR ENROLLMENT APPLICATION

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

SELLING TO GOVERNMENT TRAINING WORKSHOP

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

PRE-QUALIFIED LISTS

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

NON-MAYORAL ENTITIES

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

entities directly at the addresses given in the Vendor Information Manual.

PUBLIC ACCESS CENTER

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

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

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

PROMPT PAYMENT

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

PROCUREMENT POLICY BOARD RULES

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

COMMON ABBREVIATIONS USED IN THE CR

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

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

KEY TO METHODS OF SOURCE SELECTION

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

CSB	Competitive Sealed Bidding including multi-step Special Case Solicitations/Summary of Circumstances:
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	CSB or CSP from Pre-qualified Vendor List/Advance qualification screening needed
CP/PQ/4	Demonstration Project
DP	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 (Client Services/CSB or CSP only)
WA1	Preventing 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 Award to Other Than Lowest Responsible & Responsive Bidder or Proposer/Reason (award only) anti-apartheid preference
OLB/a	local vendor preference
OLB/b	recycled preference
OLB/c	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 A.M.	Bid submission due 4-21-03 by 11:00 A.M.; bid opening date/time is the same.
Use the following address unless otherwise specified or submit bid/proposal documents; etc.	Paragraph at the end of Agency Division listing providing Agency
◀	Indicates New Ad
m27-30	Date that notice appears in The City Record

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Email: _____
Signature: _____

Note: This item is not taxable and non-refundable. The City Record is published five days a week, except legal holidays. For more information call: 212-386-0055, fax: 212-669-3211 or email csubscriptions@dcas.nyc.gov

