



# THE CITY RECORD

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## THE CITY RECORD

**BILL DE BLASIO**  
Mayor

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Administrative Services

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Editor, The City Record

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version of The Daily City Record.

## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### CITY PLANNING COMMISSION

#### ■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that resolutions have been adopted by the City Planning Commission, scheduling public hearings on the following matters to be held at 22 Reade Street, New York, NY, on Wednesday, July 1, 2015 at 10:00 A.M.



### BOROUGH OF THE BRONX

No. 1

#### CITY ISLAND WATER SUPPLY & DRAINAGE EASEMENT

**CD 10** **C 150205 PQX**  
**IN THE MATTER OF** an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of easements located at land under the waters of Eastchester Bay in the vicinity of Kilroe Street (Block 5636, p/o Lot 100); and both land under the waters of Eastchester Bay and upland in the vicinity of Minnieford Avenue (Block 5636, p/o Lot 177) to facilitate the construction of a water main and outfalls.

### BOROUGH OF BROOKLYN

No. 2

#### NYPD EVIDENCE STORAGE AND CENTRAL RECORDS

**CD 7** **C 150188 PCK**  
**IN THE MATTER OF** an application submitted by the New York City Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located 4312 2<sup>nd</sup> Avenue (Block 726, Lot 1) for use as a central records and evidence storage facility.

No. 3

#### NY COUNTY DISTRICT ATTORNEY STORAGE

**CD 7** **C 150305 PCK**  
**IN THE MATTER OF** an application submitted by the New York County District Attorney and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located 4312 2<sup>nd</sup> Avenue (Block 726, Lot 1) for use as a records storage facility.

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

**COMMUNITY BOARDS**

**■ PUBLIC HEARINGS**

**PUBLIC NOTICE IS HEREBY GIVEN** that the following matters have been scheduled for public hearing by Community Board:

**BOROUGH OF BROOKLYN**

COMMUNITY BOARD NO. 05 - Wednesday, June 24, 2015 at 6:30 P.M., Genesis Homes Community Center, 330 Hinsdale Street c/o Blake Avenue, Brooklyn, NY

#C150380 HAK

115 Williams Avenue

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD), UDAAP designation, project approval and disposition of city-owned property to facilitate the enlargement of an accessory open parking lot for an existing poultry distribution facility.

**j18-24**

**HOUSING AUTHORITY**

**■ MEETING**

The next Board Meeting of the New York City Housing Authority is scheduled for Wednesday, June 24, 2015 at 10:00 A.M. in the Board Room on the 12th Floor of 250 Broadway, New York, NY (unless otherwise noted). Copies of the Calendar are available on NYCHA's Website or can be picked up at the Office of the Corporate Secretary at 250 Broadway, 12th Floor, New York, NY, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes are also available on NYCHA's Website or can be picked up at the Office of the Corporate Secretary no earlier than 3:00 P.M. on the Thursday after the Board Meeting.

Any changes to the schedule will be posted here and on NYCHA's Website at <http://www1.nyc.gov/site/nycha/about/board-calendar.page> to the extent practicable at a reasonable time before the meeting.

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

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

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

**j11-24**

**INDEPENDENT BUDGET OFFICE**

**■ NOTICE**

The New York City Independent Budget Office Advisory Board will hold a meeting on Monday, June 29, beginning at 8:30 A.M., at the IBO office, 110 William Street, 14<sup>th</sup> Floor. There will be an opportunity for the public to address the advisory board during the public portion of the meeting.

**j22-24**

**INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS**

**■ PUBLIC HEARINGS**

**NOTICE OF A FRANCHISE AND CONCESSION REVIEW COMMITTEE ("FCRC") PUBLIC HEARING** to be held on Monday, July 6, 2015 commencing at 2:30 P.M. at 22 Reade Street, Borough of Manhattan in the matter of a proposed franchise agreement between the City of New York and ZenFi Networks Inc. ("ZenFi"). The proposed

franchise agreement will grant ZenFi the non-exclusive right to install, operate and maintain telecommunications equipment and facilities on City owned and managed street light poles, traffic light poles, highway sign support poles and certain utility poles ("utility" being defined as it is defined in 47 U.S.C. Section 224). The proposed franchise will run until November 14, 2019 and is limited to the use of 3,000 poles city-wide during the term of the contract.

Copies of the proposed franchise agreement may be viewed at the Department of Information Technology and Telecommunications, 2 Metrotech Center, 4<sup>th</sup> Floor, Brooklyn, NY 11201, from June 22, 2015 through July 6, 2015, between the hours of 9:30 A.M. and 3:30 P.M., excluding Saturdays, Sundays and holidays. Hard copies of the proposed franchise agreement may be obtained, by appointment, at a cost of \$.25 per page. All payments shall be made at the time of pickup by check or money order made payable to the New York City Department of Finance. The proposed franchise agreement may also be obtained in PDF form at no cost, by email request. Interested parties should contact Brett Sikoff at (718) 403-6722 or by email at [BSikoff@doitt.nyc.gov](mailto:BSikoff@doitt.nyc.gov).

**NOTE:** Individuals requesting sign language interpreters at the public hearing should contact the Mayor's Office of Contract Services, Public Hearing Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay service.

The Hearing may be cablecast on NYC Media Group channels.

**j12-jy6**

**MAYOR'S FUND TO ADVANCE NEW YORK CITY**

**■ MEETING**

**NOTICE IS HEREBY GIVEN** that the Mayor's Fund Board of Directors will hold a meeting on Monday, June 29, 2015 at 1:45 P.M. The meeting will be held at City Hall.

**j17-29**

**NOTICE IS HEREBY GIVEN** that the Audit and Finance Committee of the Mayor's Fund Board of Directors will hold a meeting on Tuesday, June 23, 2015 at 1:00 P.M. The meeting will be held at City Hall.

**j18-23**

**BOARD OF STANDARDS AND APPEALS**

**■ PUBLIC HEARINGS**

**JULY 21, 2015, 10:00 A.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, Tuesday morning, July 21, 2015, 10:00 A.M., in Spector Hall, 22 Reade Street, New York, N.Y. 10007, on the following matters:

**SPECIAL ORDER CALENDAR**

**340-41-BZ**

**APPLICANT** – Nasir J. Khanzada, PE, for Paul Sinanis, owner; S & J Service Station, Incorporated, lessee.

**SUBJECT** – Application June 27, 2014 – Extension of Term (§11-411) of a previously approved variance permitting the operation of an Automotive Service Station (UG 16B), with accessory uses, which expired on May 1, 2012; Amendment to permit the enlargement of an existing canopy, the addition of a fuel dispenser and small convenience sales area; Waiver of the Rules. C1-2/R4 zoning district.

**PREMISES AFFECTED** – 72-09 Main Street, Block 06660, Lot 1, Borough of Queens.

**COMMUNITY BOARD #4Q**

**110-99-BZ**

**APPLICANT** – Law Office of Jay Goldstein, for Lessiz Realty, LLC., owner; 14-18 Fulton servicing, lessee.

**SUBJECT** – Application March 2, 2015 – Extension of Term of a previously approved Variance (§72-21) to permit the legalization of an existing garage and automotive repair shop (Use Group l6B), which expired on June 27, 2010; Amendment to permit minor modifications to the interior layout; Waiver of the Rules. R6B zoning district.

**PREMISES AFFECTED** – 56-58 Kosciuszko Street, south side of Kosciuszko Street between Nostrand and Bedford Avenues, Block 01783, Lot 0034, Borough of Brooklyn.

**COMMUNITY BOARD #3BK**

JULY 21, 2015, 1:00 P.M.

**NOTICE IS HEREBY GIVEN** of a public hearing, Tuesday afternoon, July 21, 2015, 1:00 P.M., in Spector Hall, 22 Reade Street, New York, N.Y. 10007, on the following matters:

**ZONING CALENDAR**

**219-14-BZ**

**APPLICANT** – Slater & Beckerman, P.C., for People 4 Parks LLC., owner.  
**SUBJECT** – Application September 4, 2014 – Variance (§72-21) to permit the construction of a three-story, single-family residence with one parking space. M1-1 zoning district.  
**PREMISES AFFECTED** – 64 DeGraw Street, south side of DeGraw Street between Columbia and Van Brunt Streets, Block 00329, Lot 6, Borough of Brooklyn.

**COMMUNITY BOARD #6BK**

**220/221-14-BZ**

**APPLICANT** – Slater & Beckerman, P.C., for Post Industrial Thinking, LLC, owner.  
**SUBJECT** – Application September 4, 2014 – Variance (§72-21) to permit the construction of a three-story single family residence. M1-1 zoning district.  
**PREMISES AFFECTED** – 8 & 10 Underhill Avenue, west side of Underhill Avenue between Atlantic Avenue and Pacific Street, Block 01122, Lot 37, Borough of Brooklyn.

**COMMUNITY BOARD #8K**

**236-14-BZ**

**APPLICANT** – Law Office of Stuart Klein, for The 5th Street Dorchester, Inc c/o Brown Harris, owner; BLT Steak, LLC, lessee.  
**SUBJECT** – Application October 1, 2014 – Special Permit (§73-241) to legalize the operation of an eating and drinking establishment (UG 6C) with entertainment, but not dancing with a capacity of 200 persons or fewer. C5-3 (MID) zoning district.  
**PREMISES AFFECTED** – 106 East 57th Street aka 104-114 East 57th Street, south side of East 57th Street, 90 feet from Park Avenue, Block 01311, Lot 0065, Borough of Manhattan.

**COMMUNITY BOARD #5M**

*Margery Perlmutter, Chair/Commissioner*

**j22-23**

**TRANSPORTATION**

■ **PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN**, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9<sup>th</sup> Floor, Room 945 commencing at 2:00 P.M. on Wednesday, July 8, 2015. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9<sup>th</sup> Floor South West, New York, NY 10041, or by calling (212) 839-6550.

**#1 IN THE MATTER OF** a proposed revocable consent authorizing 4 Third Avenue Fee LLC. to continue to maintain and use the lampposts, together with underground electrical conduits, on the east sidewalk of Third Avenue, between East 46<sup>th</sup> Street and East 47<sup>th</sup> Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2015 to June 30, 2025 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period from July 1, 2015 to June 30, 2025 - \$600/per annum.

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

**#2 IN THE MATTER OF** a proposed revocable consent authorizing 201 East 69<sup>th</sup> LLC to continue to maintain and use six planters on the north sidewalk of East 69<sup>th</sup> Street, east of Third Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2014 to June 30, 2024 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period from July 1, 2014 to June 30, 2024 - \$150/annum.

the maintenance of a security deposit in the sum of \$3,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate

**#3 IN THE MATTER OF** a proposed revocable consent authorizing Dorchester Heights Condominium Association to continue to maintain and use a fenced-in area on the south sidewalk of Dorchester Road between Flatbush Avenue and East 21<sup>st</sup> Street, in the Borough of

Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2015 to June 30, 2025 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

- For the period July 1, 2015 to June 30, 2016 - \$2,665
- For the period July 1, 2016 to June 30, 2017 - \$2,738
- For the period July 1, 2017 to June 30, 2018 - \$2,811
- For the period July 1, 2018 to June 30, 2019 - \$2,884
- For the period July 1, 2019 to June 30, 2020 - \$2,957
- For the period July 1, 2020 to June 30, 2021 - \$3,030
- For the period July 1, 2021 to June 30, 2022 - \$3,103
- For the period July 1, 2022 to June 30, 2023 - \$3,176
- For the period July 1, 2023 to June 30, 2024 - \$3,249
- For the period July 1, 2024 to June 30, 2025 - \$3,322

the maintenance of a security deposit in the sum of \$13,000 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#4 IN THE MATTER OF** a proposed revocable consent authorizing Ice House Condominium Association to continue to maintain and use planters on the north sidewalk of Broome Street, east of Elizabeth Street, and on the east sidewalk of Elizabeth Street, north of Broome Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2014 to June 30, 2024 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2014 to June 30, 2024 - \$175/annum

the maintenance of a security deposit in the sum of \$700 and the insurance shall be the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#5 IN THE MATTER OF** a proposed revocable consent authorizing the American Jewish Committee to continue to maintain and use planters on the north sidewalk of East 56<sup>th</sup> Street, west of Third Avenue, and on the west sidewalk of Third Avenue, north of East 56<sup>th</sup> Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2014 to June 30, 2024 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2014 to June 30, 2024 - \$444/annum

the maintenance of a security deposit in the sum of \$3,200 and the insurance shall be the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#6 IN THE MATTER OF** a proposed revocable consent authorizing Weylin Seymour LLC to construct, maintain and use a sidewalk hatch, under the walkway, west of Driggs Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the date of Approval by the Mayor to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the Date of Approval by the Mayor to June 30, 2016 - \$562/annum

- For the period July 1, 2016 to June 30, 2017 - \$577
- For the period July 1, 2017 to June 30, 2018 - \$592
- For the period July 1, 2018 to June 30, 2019 - \$607
- For the period July 1, 2019 to June 30, 2020 - \$622
- For the period July 1, 2020 to June 30, 2021 - \$637
- For the period July 1, 2021 to June 30, 2022 - \$652
- For the period July 1, 2022 to June 30, 2023 - \$667
- For the period July 1, 2023 to June 30, 2024 - \$682
- For the period July 1, 2024 to June 30, 2025 - \$697
- For the period July 1, 2025 to June 30, 2026 - \$712

the maintenance of a security deposit in the sum of \$3,000 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#7 IN THE MATTER OF** a proposed revocable consent authorizing Morgan Stanley 1585 Broadway LLC to construct, maintain and use the bollards on, the north sidewalk of West 47<sup>th</sup> Street between Broadway and 8<sup>th</sup> Avenue, the west sidewalk of Broadway between West 47<sup>th</sup> and West 48<sup>th</sup> Street, on the south sidewalk of West 48<sup>th</sup> Street between Broadway and 8<sup>th</sup> Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to the expiration date and provides among other terms and conditions for compensation payable to the City according to the following schedule:

There shall be no compensation required for this Permit.

the maintenance of a security deposit in the sum of \$248,525 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

# 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: <http://www.propertyroom.com/s/dcas>

All auctions are open to the general public, and registration is free.

Vehicles can be viewed in person by appointment at: KenBen Industries, 364 Maspeth Avenue, Brooklyn, NY 11211. Phone: (718) 802-0022

a28-o6

## OFFICE OF CITYWIDE PROCUREMENT

### ■ NOTICE

The Department of Citywide Administrative Services, Office of Citywide Procurement is currently selling surplus assets on the internet. Visit <http://www.publicsurplus.com/sms/nycdcas.ny/browse/home>.

To begin bidding, simply click on 'Register' on the home page.

There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more.

Public access to computer workstations and assistance with placing bids is available at the following locations:

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

j2-d31

## POLICE

### ■ NOTICE

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

The following listed property is in the custody, of the Property Clerk Division without claimants. Recovered, lost, abandoned property, obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.

Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

### INQUIRIES

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

### FOR MOTOR VEHICLES (All Boroughs):

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

### FOR ALL OTHER PROPERTY

- Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906
- Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675

- Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806
- Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678
- Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484

j2-d31

# PROCUREMENT

### "Compete To Win" More Contracts!

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

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

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

### HHS ACCELERATOR

To respond to human services Requests for Proposals (RFPs), 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](http://www.nyc.gov/hhsaccelerator)

## CHIEF MEDICAL EXAMINER

### ■ INTENT TO AWARD

*Goods*

**ILLUMINA NEXTSEQ500 AND ILLUMINA BASESPACE ON-SITE DATA ANALYSIS** - Sole Source - Available only from a single source - PIN#81616ME0031 - Due 6-25-15 at 11:00 A.M.

New York City Office of Chief Medical Examiner (OCME) intends to enter into a sole source contract with Illumina Inc., located at 5200 Illumina Way, San Diego, CA 92122, for the provision of Illumina NextSeq 500 DNA sequencer and Illumina BaseSpace On-site data analysis workstation.

Any other vendor who is capable of providing these goods to OCME may express their interest in doing so in writing.

*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.*

*Chief Medical Examiner, 421 East 26th Street, 10th Floor, New York, NY 10016. John Bernabe (212) 323-1730; jbernabe@ocme.nyc.gov*

j18-24

## CITYWIDE ADMINISTRATIVE SERVICES

### OFFICE OF CITYWIDE PROCUREMENT

#### ■ VENDOR LIST

*Goods*

### EQUIPMENT FOR DEPARTMENT OF SANITATION

In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:

- A. Collection Truck Bodies
- B. Collection Truck Cab Chassis
- C. Major Component Parts (Engine, Transmission, etc.)

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

j2-d31

#### ■ SOLICITATION

*Goods*

**TRUCK, ASPHALT CEMENT DISTRIBUTION - DOT** - Competitive Sealed Bids - PIN#8571500314 - Due 7-27-15 at 10:30 A.M.

● **MACHINE, TRUCK FRAME STRAIGHTENING - DSNY** - Competitive Sealed Bids - PIN#8571500377 - Due 7-27-15 at 10:30 A.M.

A copy of the bids can be downloaded from the City Record Online site at <http://a856-internet.nyc.gov/nycvendronline/home.asp>. Enrollment is free. Vendors may also request the bid by contacting Vendor Relations via email at [dcasdmssbids@dcas.nyc.gov](mailto:dcasdmssbids@dcas.nyc.gov), by telephone at (212) 386-0044 or by fax at (212) 669-7603.

*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. Rashad Le Monier (212) 386-0412; rlemonier@dcas.nyc.gov*

◀ j23

#### ■ AWARD

*Goods*

**TELECOMMUNICATIONS SYSTEMS - DOI - Other** - PIN#8571500575 - AMT: \$260,148.58 - TO: Maureen Data Systems, Inc., 307 West 38th Street, Suite 1801, New York, NY 10018. NYS OGS PT # 64525

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

◀ j23

**PORTABLE FREEZER SHELTER SYSTEM** - Competitive Sealed Bids - PIN#8571500265 - AMT: \$188,540.06 - TO: Elite Aluminum Corporation, 4650 Lyons Technology Parkway, Coconut Creek, FL 33073.

◀ j23

**OIL, LUBRICANTS, INDUSTRIAL** - Competitive Sealed Bids - PIN#8571400409 - AMT: \$861,840.00 - TO: NCH Corporation-Certified Laboratories Division, 2727 Chemsearch Boulevard, Irving, TX 75062.

◀ j23

## DESIGN AND CONSTRUCTION

### ■ AWARD

*Construction/Construction Services*

**CONSTRUCTION OF SANITARY SEWERS, CATCH BASINS AND WATER MAINS IN TWOMBLY AVENUE BETWEEN HOPKINS AVENUE AND BUFFALO AVENUE, ETC. - BOROUGH OF STATEN ISLAND** - Competitive Sealed Bids -

PIN#85015B0075001 - AMT: \$2,219,480.00 - TO: Safeco Construction Corp., 40 Englewood Avenue, Staten Island, NY 10309.

● **STAPLETON BRANCH LIBRARY CARNEGIE ROOF RESTORATION- BOROUGH OF STATEN ISLAND** - Competitive Sealed Bids - PIN#85015B0042001 - AMT: \$180,134.00 - TO: PCV, Inc., 164-30 84th Street, Howard Beach, NY 11414.

◀ j23

## FINANCE

### ■ INTENT TO AWARD

*Services (other than human services)*

**ELECTRONIC BILL PRESENTMENT AND PAYMENT SERVICES** - Negotiated Acquisition - Available only from a single source - PIN#83611D0001001N001 - Due 7-8-15 at 5:00 P.M.

An extension of services is required to continue electronic bill presentment and payment services for an additional two (2) year period.

This notice is required as per the Procurement Policy Board Rules of the City of New York. This is not a solicitation for work.

*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.*

*Finance, 1 Centre Street, Room 1040, New York, NY 10007. Robert Aboulafia (212) 602-7002; Fax: (212) 669-4294; aboulafia@finance.nyc.gov*

j22-26

## HEALTH AND HOSPITALS CORPORATION

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

j2-d31

HEALTH AND MENTAL HYGIENE

AWARD

Human Services/Client Services

MENTAL HYGIENE SERVICES - Request for Proposals - PIN# 08PO076348R1X00 - AMT: \$596,088.00 - TO: The Bridge, Inc., 248 West 108th Street, New York, NY 10025.
MENTAL HYGIENE SERVICES - Required Method (including Preferred Source) - PIN# 13AZ064901R1X00 - AMT: \$361,665.00 - TO: The Bridge Inc., 248 West 108th Street, New York, NY 10025.
MENTAL HYGIENE SERVICES - Required Method (including Preferred Source) - PIN# 16AZ004901R0X00 - AMT: \$1,279,866.00 - TO: Weston United Community Renewal, Inc., 290 Lenox Avenue - 3rd Floor, New York, NY 10027.
MENTAL HYGIENE SERVICES - Required Method (including Preferred Source) - PIN# 16AZ004301R0X00 - AMT: \$810,000.00 - TO: Geel Community Services, Inc., 2516 Grand Avenue, Bronx, NY 10468.
MENTAL HYGIENE SERVICES - Required Method (including Preferred Source) - PIN# 13AZ005701R1X00 - AMT: \$892,104.00 - TO: Geel Community Services, 2516 Grand Avenue, Bronx, NY 10468.
MENTAL HYGIENE SERVICES - Required Method (including Preferred Source) - PIN# 13AZ002101R1X00 - AMT: \$2,535,879.00 - TO: Greenwich House, Inc., 224 West 30th Street, New York, NY 10001.
MENTAL HYGIENE SERVICES - Required Method (including Preferred Source) - PIN# 13AZ004601R1X00 - AMT: \$1,998,948.00 - TO: Institute for Community Living, Inc., 125 Broad Street, 3rd Floor, New York, NY 10004.
MENTAL HYGIENE SERVICES - BP/City Council Discretionary - PIN# 15A0032401R0X00 - AMT: \$100,000.00 - TO: Jewish Child Care Association of New York, 120 Wall Street - 12th Floor, New York, NY 10005.
MENTAL HYGIENE SERVICES - Request for Proposals - PIN# 08PO076342R1X00 - AMT: \$1,859,988.00 - TO: Lantern Community Services, Inc., 494 8th Avenue, 20th Floor, New York, NY 10001.
MENTAL HYGIENE SERVICES - Required Method (including Preferred Source) - PIN# 14AZ015601R1X00 - AMT: \$1,159,521.00 - TO: The Mental Health Association of New York City, Inc., 50 Broadway, 19th Floor, New York, NY 10004.
MENTAL HYGIENE SERVICES - Request for Proposals - PIN# 05MH00702R2X00 - AMT: \$1,560,522.00 - TO: Postgraduate Center for Mental Health, 158 East 35th Street, New York, NY 10016.
MENTAL HYGIENE SERVICES - Required Method (including Preferred Source) - PIN# 10AZ018801R2X00 - AMT: \$176,614.00 - TO: Bronx Works, Inc., 60 East Tremont Avenue, Bronx, NY 10453.
MENTAL HYGIENE SERVICES - Required Method (including Preferred Source) - PIN# 16AZ003601R0X00 - AMT: \$661,665.00 - TO: Center for Alternative Sentencing and Employment Services, Inc., 151 Lawrence Street-3rd Floor, Brooklyn, NY 11201.
MENTAL HYGIENE SERVICES - Required Method (including Preferred Source) - PIN# 10AZ066601R2X00 - AMT: \$640,872.00 - TO: Center for Urban Community Services, Inc., 198 East 121st Street, New York, NY 10035.
MENTAL HYGIENE SERVICES - Request for Proposals - PIN# 05MH007017R2X00 - AMT: \$832,275.00 - TO: Center for Urban Community Services, Inc., 198 East 121 Street, New York, NY 10035.
PRIMARY CARE TO UNINSURED AND UNDER INSURED PATIENTS - BP/City Council Discretionary - PIN# 15SD035301R0X00 - AMT: \$155,000.00 - TO: Community Health Project, Inc. d/b/a Callen-Lorde Community Health Center, 198 East 121 Street, New York, NY 10035.
CHLAMYDIA SCREENING PROGRAM - Request for Proposals - PIN# 15SD001203R0X00 - AMT: \$249,544.23 - TO: The Door - A Center of Alternatives Inc., 121 Avenue of Americas, New York, NY 10013.
CHS DISCHARGE PLANNING SERVICES - Required Method (including Preferred Source) - PIN# 15PR049801R0X00 - AMT: \$183,863.00 - TO: Education and Assistance Corp., 50 Clinton Street, Suite 107, Hempstead, NY 11550.
ALCOHOL AND DRUG USE PREVENTION CARE AND TREATMENT - Required Method (including Preferred Source) - PIN# 13SA004101R1X00 - AMT: \$5,580,108.00 - TO: Faith Mission Alcohol Crisis Center, Inc., 114-40 Van Wyck Expressway, South Ozone Park, NY 11420.
MENTAL HYGIENE SERVICES - Required Method (including Preferred Source) - PIN# 10AZ046001R2X00 - AMT: \$2,108,649.00 - TO: Center for Urban Community Services, 198 East 121 Street, New York, NY 10035.

Services (other than human services)

ADMINISTRATOR FOR COMMUNITY BASED HUMAN SERVICES - Request for Proposals - PIN# 15AC024001R0X00 - AMT: \$80,000,000.00 - TO: Public Health Solutions, 40 Worth Street, 5th Floor, New York, NY 10013.
PROVIDE CARE OF LOST, MISTREATED AND NEGLECTED ANIMALS - BP/City Council Discretionary - PIN# 15AA027001R0X00 - AMT: \$115,500.00 - TO: Animal Care and Control of New York City,

Inc., 11 Park Place, Suite 805, New York, NY 10007.
PROVIDE CARE OF LOST MISTREATED OR NEGLECTED ANIMALS - Renewal - PIN# 10AA024001R1X00 - AMT: \$38,359,953.00 - TO: Animal Care and Control of New York City, Inc., 11 Park Place, Suite 805, New York, NY 10007.

j23

HOUSING AUTHORITY

SUPPLY MANAGEMENT

SOLICITATION

Goods and Services

SMD- CONTROLLED SUBSTANCE TESTING - Request for Proposals - PIN# 62457 - Due 7-23-15 at 2:00 P.M.

New York City Housing Authority (NYCHA) by issuing this RFP, seeks proposals from drug testing service providers such as drug testing companies, hospitals, clinics, and physicians offices to provide NYCHA with (i) controlled substance testing of individuals whom NYCHA has offered employment, NYCHA employees holding a commercial driver's license, and other various NYCHA employees, and (ii) assistance with litigation concerning the controlled substance testing.

All questions pertaining to this RFP must be submitted to the RFP Coordinator, sarah.barish@nycha.nyc.gov no later than July 2, 2015 by 2:00 P.M. All questions and responses will be provided to all firms that received a copy of this RFP and will be posted on NYCHA's online system iSupplier.

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the RFP number; vendors are instructed to open the link: http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page. Once on that page, please make a selection from the first three links highlighted in red: New suppliers for those who have never registered with iSupplier, Current NYCHA suppliers and vendors for those who have supplied goods or services to NYCHA in the past but never requested a login ID for iSupplier, and Login for registered suppliers if you already have an iSupplier ID and password. Once you are logged into iSupplier, select "Sourcing Supplier," then "Sourcing" followed by "Sourcing Homepage" and then reference the applicable RFP PIN/solicitation number.

Suppliers electing to obtain a non-electronic paper document will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-money order/certified check only for each set of RFP documents requested. Remit payment to NYCHA Finance Department at 90 Church Street, 6th Floor; obtain receipt and present it to the Supply Management Procurement Group; RFP package will be generated at time of request.

Each Proposer is required to submit one (1) signed original and six (6) copies of its Proposal package. In addition to the paper copies of the Proposal, Proposers shall submit one (1) complete and exact copy of the Proposal on CD-ROM or Flash drive in Microsoft Office (2010 version or later) or Adobe pdf format. The original signed hard-copy must be clearly labeled as such. If there are any differences between the original and any of the copies (or the electronic copy of the Proposal), the material in the hard copy original will prevail.

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. Sarah Barish (212) 306-4620; Fax: (212) 306-5108; sarah.barish@nycha.nyc.gov

j23

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

INTENT TO AWARD

Services (other than human services)

EXTEND FRANCHISE FIBER - Sole Source - Available only from a single source - PIN# 855815S0018 - Due 7-8-15 at 2:00 P.M.

DoITT intends to award a contract under the franchise agreement (between the City and Cablevision) through the i-Net provision where the Franchisee gives us rights to a percentage of their backbone. Cablevision will build fiber into a City facility.

Any firm which believes it can provide the required service in the future is invited to express interest via email.

This award was procured through the Sole Source Procurement method pursuant to Section 3-05 of the Procurement Policy Board Rules.

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.

Information Technology and Telecommunications, 255 Greenwich Street, 9th Floor, New York, NY 10007. Latanya Ferguson (212) 788-6691; Fax: (646) 500-5086; acco@doitt.nyc.gov

j22-26

## PARKS AND RECREATION

### ■ VENDOR LIST

Construction/Construction Services

#### PREQUALIFIED VENDOR LIST: GENERAL CONSTRUCTION - NON-COMPLEX GENERAL CONSTRUCTION SITE WORK ASSOCIATED WITH NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION ("DPR" AND/OR "PARKS") PARKS AND PLAYGROUNDS CONSTRUCTION AND RECONSTRUCTION PROJECTS

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

By establishing contractor's qualification and experience in advance, DPR will have a pool of competent contractors from which it can draw to promptly and effectively reconstruct and construction its parks, playgrounds, beaches, gardens and green-streets. DPR will select contractors from the General Construction PQL for non-complex general construction site work of up to \$3,000,000.00 per contract, through the use of a Competitive Sealed Bid solicited from the PQL generated from this RFQ.

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

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

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

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

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

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

Parks and Recreation, Olmsted Center, Annex, Flushing Meadows-Corona Park, Flushing, NY 11368. Charlette Hamamgian (718) 760-6789; Fax: (718) 760-6781; charlette.hamamgian@parks.nyc.gov

j2-d31

### ■ SOLICITATION

Goods and Services

#### NYCDPR RFB FOR THE SALE OF CHRISTMAS TREES AT PARKS CITYWIDE - Public Bid - PIN#TR-2015 - Due 7-13-15 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 ("NYCDPR") is issuing, as of the date of this notice, a Request for Bids ("RFB") for the operation and maintenance of concessions for the sale

of Christmas trees and holiday-related merchandise at various parks citywide.

Hard copies of the RFB can be obtained, at no cost, through Monday, July 13, 2015 between the hours of 9:00 A.M. and 5:00 P.M., excluding weekends and holidays, at the Revenue Division of NYCDPR, which is located at 830 Fifth Avenue, Room 407, New York, NY 10065.

The RFB is also available for download on Parks' website. To download the RFB, visit [www.nyc.gov/parks/businessopportunities](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.

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) 360-1397; Fax: (212) 360-3434; [glenn.kaalund@parks.nyc.gov](mailto:glenn.kaalund@parks.nyc.gov)

j15-26

## TRANSPORTATION

### FRANCHISES

#### ■ SOLICITATION

Goods and Services

#### MANAGEMENT AND OPERATION OF TIMES SQUARE MARKETS - Request for Proposals - PIN#84115MBAD923 - Due 7-7-15 at 5:00 P.M.

The Times Square Alliance (the Alliance) is a Business Improvement District with a District Management Agreement with the City of New York (the City) via which it is responsible for the overall well-being and continual rejuvenation of the Times Square Area. The Times Square Alliance has worked for over two decades to promote a clean, safe and vibrant place through supplemental security and sanitation services, tourism promotion, constituent support, production and management of special events and advocacy on behalf of neighborhood policy, planning and design issues.

The Times Square Alliance is seeking proposals (Proposals) from qualified outdoor programming operators (Proposers) by issuing a Request for Proposals (RFP) to manage and oversee a food, beverage, and/or merchandise market, as well as information offerings, in one or more of the five Broadway pedestrian plazas.

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.

Transportation, 1560 Broadway, Suite 805; New York, NY 10036. Ellen Goldstein (212) 452-5208; [egoldstein@timessquarenyc.org](mailto:egoldstein@timessquarenyc.org)

j22-jy6

## AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

**NOTE: INDIVIDUALS REQUESTING SIGN LANGUAGE INTERPRETERS SHOULD CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES, PUBLIC HEARINGS UNIT, 253 BROADWAY, 9TH FLOOR, NEW YORK, N.Y. 10007, (212) 788-7490, NO LATER THAN SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD USERS SHOULD CALL VERIZON RELAY SERVICES.**

## HUMAN RESOURCES ADMINISTRATION

### ■ PUBLIC HEARINGS

**NOTICE IS HERBY GIVEN** that a Contract Public Hearing will be held on Monday, July 6, 2015 at 150 Greenwich Street, 37<sup>th</sup> Floor,

Conference Room C, Borough of Manhattan, commencing at 10:00 A.M. on the following:

**IN THE MATTER OF** two (2) proposed contracts between the Human Resources Administration of the City of New York and the vendors listed below for the Provision of Transitional Congregate Housing and Support Services for Persons Living with AIDS (PLWA's). The term of these contracts will be for six (6) months from July 1<sup>st</sup>, 2015 to December 31<sup>st</sup>, 2015.

<u>Contractor/Address</u>	<u>E-PIN</u>	<u>Amount</u>	<u>Service Area</u>
Heritage Health and Housing 416 West 127 <sup>th</sup> Street New York, NY 10027	06909X0047CNVN001	\$203,462.00	Manhattan
Tolentine Zeiser Community Life Center Inc. 2345 University Avenue Bronx, NY 10468	06909X0049CNVN001	\$982,444.00	Bronx

The proposed contractors have been selected through the Negotiated Acquisition Extension method, pursuant to Section 3-04(b)(2)(iii) of the Procurement Policy Board (PPB) Rules.

**IN THE MATTER OF** three (3) proposed contracts between the Human Resources Administration of the City of New York and the contractors listed below, for the Provision of School Based Teen Relationship Abuse Prevention Program (Teen-RAPP). The term of these contracts will be from July 1, 2015 to August 30, 2015.

<u>Contractor/Address</u>	<u>PIN</u>	<u>Amount</u>	<u>Service Area</u>
Camba, Inc. 1720 Church Avenue Brooklyn, NY 11226	15EHEEI07201	\$130,758.00	Citywide
Center for the Elimination of Violence in the Family, Inc. 25 Chapel Street Brooklyn, NY 11201	15EHEEI07203	\$207,818.00	Citywide
Edwin Gould Services for Children and Families 151 Lawrence Street Brooklyn, NY 11201	15EHEEI07202	\$207,728.03	Citywide

The proposed contractors have been selected through the Negotiation Acquisition Extension procurement method pursuant to Section 3-04 (b)(2)(iii) of the Procurement Policy Board (PPB) Rules.

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration of the City of New York, 150 Greenwich Street, 37<sup>th</sup> Floor, New York, NY 10038 on business days, from June 23, 2015 through July 6, 2015, between the hours of 10:00 A.M. and 5:00 P.M., excluding, Saturdays, Sundays and holidays.

If you need to schedule an inspection appointment and/or need additional information, please contact Dory Mount at (929) 221-6351 or Sarathi Ramadas at (929) 221-6354.

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# AGENCY RULES

## HEALTH AND MENTAL HYGIENE

### ■ NOTICE

#### Notice of Public Hearing and Opportunity to Comment on Proposed Amendments to the New York City Health Code

**What are we proposing?** The Department of Health and Mental Hygiene is proposing that the Board of Health amend Article 181 of the New York City Health Code by repealing §181.21. This proposal was not included in the Department's Regulatory Agenda for FY 2014 because the Department did not anticipate the amendment at that time.

**When and where is the hearing?** The Department will hold a public hearing on the proposed Health Code amendments from 2:00 P.M. to 4:00 P.M. on July 28, 2015 in Room 3-32

New York City Department of Health and Mental Hygiene  
Gotham Center, 42-09 28<sup>th</sup> Street, 14th Floor  
Long Island City, NY 11101-4132

**How do I comment on the proposed amendments to the Health Code?** Anyone can comment on the proposed amendments by:

- **Website.** You can submit comments to the Department through the NYC rules Website at <http://rules.cityofnewyork.us/>
- **Email.** You can email comments to [resolutioncomments@health.nyc.gov](mailto:resolutioncomments@health.nyc.gov)
- **Mail.** You can mail comments to New York City Department of Health and Mental Hygiene Gotham Center, 42-09 28th Street, CN 31 Long Island City, NY 11101-4132
- **Fax.** You can fax comments to New York City Department of Health and Mental Hygiene at (347) 396-6087

**Speaking at the hearing.** Anyone who wants to comment on the proposed amendments at the public hearing must sign up to speak. You can sign up before the hearing by calling Svetlana Burdeynik at (347) 396-6078/6116. You can also sign up in the hearing room before or during the hearing on July 28, 2015. You can speak for up to five minutes.

**Is there a deadline to submit written comments?** Written comments must be received on or before 5:00 P.M. on July 28, 2015.

**Do you need assistance to participate in the hearing?** You must tell us if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (347) 396-6078. You must tell us by July 14, 2015.

**Can I review the comments made on the proposed amendments?** You may review the comments made online at <http://rules.cityofnewyork.us/> on the proposed amendments by going to the website at <http://rules.cityofnewyork.us/>. All written comments and a summary of the oral comments received by the Department will be made available to the public within a reasonable period of time by the Department's Office of the General Counsel.

**What authorizes the Board of Health to make these amendments?** Section 558 of the City Charter authorizes the Board of Health to adopt and amend the Health Code and to include in the Health Code all matters to which the authority of the Department extends.

**Where can I find the Health Code and the Department's rules?** The Health Code and the rules of the Department of Health and Mental Hygiene are in Title 24 of the Rules of the City of New York.

**What rules govern the rulemaking process?** The Board of Health must meet the requirements of §1043 of the City Charter when creating or changing the Health Code. This notice is made according to the requirements of City Charter §1043.

#### Statement of Basis and Purpose

##### Background

The Charter provides the Department of Health and Mental Hygiene (the "Department" or "DOHMH") with broad jurisdiction to protect and promote the health of all New Yorkers. The control of communicable disease is a core public health function. At its meeting on September 13, 2012, the Board of Health voted to amend Article 181 by adding a requirement that, prior to a circumcision involving direct oral suction (DOS) of infants less than 60 days of age, the person performing the circumcision obtain the written consent of a parent. In the consent, the parent acknowledges that he or she is aware that the Department recommends DOS, also known as *metzitzah b'peh*, not be performed because of the risk of brain damage and death.

Circumcisions that include DOS involve direct contact between the mouth of the practitioner designated by the religious community to perform a circumcision, known as a *mohel*, and the infant's circumcision wound. The consent requirement has generated opposition in the Orthodox Jewish community by persons who practice DOS. This opposition has made it difficult to enforce the consent requirement. Since the provision went into effect, there have been six cases of herpes simplex-1 (HSV-1) infection reported in infants following DOS in New York City, including four in 2014. In two of these six cases, the *mohel* who was associated with the case was identified in the course of the Department's case investigation. A signed consent form was provided by the *mohel* in only one of the two cases where the *mohel* was identified. There have also been reports in news media of *mohels* who overtly ignored the signed consent reform requirement and pledge to continue to do so.

The consent requirement was passed with the goal of educating parents about the risks associated with the practice of DOS. The opposition that the rule has generated has impeded and frustrated the



Department's goal of educating parents about the risks associated with DOS. The Department hopes that it can educate more parents about DOS by distributing materials in certain hospitals and pediatric and OB/GYN practices. This educational initiative will be more effective if the Department can restore a strong relationship with this community. Repealing the consent requirement will serve as an important step in restoring this relationship. Accordingly, the Department is asking the Board to repeal section 181.21 of the Health Code.

#### Statutory Authority

These proposed amendments to the Health Code are promulgated pursuant to §558 and §1043 of the Charter. Sections 558(b) and (c) of the Charter empower the Board of Health to amend the Health Code and to include in the Health Code all matters to which the authority of the Department extends. Section 556 of the Charter provides the Department with broad jurisdiction over all matters affecting health in the City. Section 1043 grants the Department rule-making authority. The amendment is also proposed pursuant to the Department's historic power to supervise the control of communicable disease in New York City.

The proposal is as follows:

Note- matter in [ ] brackets to be deleted;

Matter underlined is new.

RESOLVED, that section 181.21 of the New York City Health Code, found in Title 24 of the Rules of the City of New York, regarding consent for direct oral suction as part of a circumcision, is hereby REPEALED, and explanatory notes be printed to read as follows:

**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:** Repeal of Rules Governing Consent for Certain Circumcision Practices (Health Code Article 181)

**REFERENCE NUMBER:** DOHMH -57

**RULEMAKING AGENCY:** DOHMH

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 4, 2015  
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:** Repeal of Rules Governing Consent for Certain Circumcision Practices (Health Code Article 181)

**REFERENCE NUMBER:** 2015 RG 020

**RULEMAKING AGENCY:** Department of Health and Mental Hygiene

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 4, 2015

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**Notice of Public Hearing and Opportunity to Comment on Proposed Amendments to Article 81 of the New York City Health Code**

**What are we proposing?** The Department of Health and Mental Hygiene is proposing that the Board of Health repeal and reenact §81.50 (posting of calorie information) of Article 81 of the Health Code to make its requirements for posting such information consistent with recently enacted federal rules (21 CFR 101.11).

**When and where is the hearing?** The Department will hold a public hearing on the proposed Health Code amendments from 10:00 A.M. to 12:00 P.M. on July 24, 2015 in Room 14-43

New York City Department of Health and Mental Hygiene  
Gotham Center, 42-09 28<sup>th</sup> Street, 14th Floor  
Long Island City, NY 11101-4132

**How do I comment on the proposed amendments to the Health Code?** Anyone can comment on the proposed amendments by:

- **Website.** You can submit comments to the Department through the NYC rules Website at <http://rules.cityofnewyork.us>
- **Email.** You can email written comments to [resolutioncomments@health.nyc.gov](mailto:resolutioncomments@health.nyc.gov)
- **Mail.** You can mail written comments to New York City Department of Health and Mental Hygiene Gotham Center – 42-09 28th Street – CN 31 Long Island City, NY 11101-4132
- **Fax.** You can fax written comments to New York City Department of Health and Mental Hygiene at (347) 396-6087

**Speaking at the hearing.** Anyone who wants to comment on the proposed amendments at the public hearing must sign up to speak. You can sign up before the hearing by calling Svetlana Burdeynik at (347) 396-6078. You can also sign up in the hearing room before or during the hearing on July 24, 2015. You can speak for up to five minutes.

**Is there a deadline to submit written comments?** Written comments must be received on or before 5:00 P.M. on July 24, 2015.

**Do you need assistance to participate in the hearing?** You must tell us if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (347) 396-6078. You must tell us by July 10, 2015.

**Can I review the comments made on the proposed amendments?** You may review the comments made online at <http://rules.cityofnewyork.us/> on the proposed amendments by going to the website at <http://rules.cityofnewyork.us/>. All written comments and a summary of the oral comments received by the Department will be made available to the public within a reasonable period of time by the Department's Office of the General Counsel.

**What authorizes the Board of Health to make these amendments?** Section 558 of the New York City Charter authorizes the Board of Health to adopt and amend the Health Code and to include in the Health Code all matters to which the authority of the Department extends. Section 556 of the Charter authorizes the Department to supervise and regulate the City's food supply. This proposal was not included in the agency's Regulatory Agenda for Fiscal Year 2015 because the FDA had not yet issued its rules when the agenda was prepared.

**Where can I find the Health Code and the Department's rules?** The Health Code and the rules of the Department of Health and Mental Hygiene are in Title 24 of the Rules of the City of New York.

**What rules govern the rulemaking process?** The Board of Health must meet the requirements of §1043 of the City Charter when creating or changing the Health Code. This notice is made according to the requirements of City Charter §1043.

#### Statement of Basis and Purpose

#### Statutory Authority

These amendments to the New York City Health Code (the Health Code) are promulgated pursuant to sections 558 and 1043 of the New York City Charter (the Charter). Sections 558(b) and (c) of the Charter empower the Board of Health (the Board) to amend the Health Code and to include in the Health Code all matters to which the authority of the New York City Department of Health and Mental Hygiene

(the Department) extends. Section 556 of the Charter authorizes the Department to supervise and regulate the City's food supply. Section 1043 grants the Department rule-making authority.

### Background

The Commissioner of the Department is the "permit issuing official" designated in the State Sanitary Code (10 NYCRR Chapter 1) Subpart 14-1 to enforce provisions of that Code applicable to the operation of food service establishments in the City of New York (the City). In the City, food service establishments are also subject to provisions of the New York City Health Code and to Chapter 23 of Title 24 of the Rules of the City of New York. The Department's Division of Environmental Health enforces the provisions of the State Sanitary Code and the City's Health Code, as well as the Department's rules applicable to such establishments.

In 2006, the Board adopted a Health Code provision requiring certain restaurants to post calorie information in an effort to combat the emerging epidemic of obesity and associated diseases, including, type 2 diabetes. After a legal challenge, the Board repealed that provision and adopted the current version of section 81.50 on January 22, 2008. The authority of the Board to require that chain restaurants provide this information was upheld by the courts (*N.Y. State Rest. Ass'n v. N.Y. City Bd. of Health*, 556 F.3d 114 (2d Cir. N.Y. 2009)) and, in 2008, the City became the first jurisdiction in the United States to require chain restaurants to post calorie information on menus and menu boards.

Other jurisdictions around the country soon followed by enacting similar provisions and, in 2010, Congress included language in the Patient Protection and Affordable Care Act (the ACA) (Pub.L. No. 111-148 §4205 (2010)), which mandated nationally that chain restaurants post calorie information and have other nutrition information available on premises for their customers. The ACA directed the FDA to adopt regulations implementing nutrition labeling for restaurants that include calorie information. Those regulations were published in December, 2014 and will take effect on December 1, 2015. (21 CFR 101.11). Restaurants in the City that are covered by these federal regulations are required to comply with them.

Although the federal requirements for menu labeling are largely similar to the requirements in the Health Code, there are some differences. For example, restaurants with 20 or more locations nationally will be subject to the federal regulations, while the current Health Code requirements apply to restaurants with 15 or more locations nationally. Restaurants covered by the new federal regulations will have to include a statement on their menus advising patrons about the number of calories that should be consumed daily. These restaurants also will have to advise patrons that additional nutrition information is available on premises for anyone who wishes to see it. While the Department does not have the authority to enforce the federal requirements, it can enforce identical posting requirements in the Health Code. Where the Health Code currently requires a posting that the federal law will not, the Department will be preempted from enforcing the Health Code requirements in restaurants subject to the federal regulations.

Accordingly, the Department is proposing that the Board repeal and reenact Health Code section 81.50 so that its requirements are identical to the federal requirements that will go into effect on December 1, 2015. While the new federal requirements only apply to restaurants that are part of chains with 20 locations or more nationally, the Department is proposing that, in New York City, restaurants that are part of chains with 15 to 19 locations nationally continue to provide calorie information.

"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.

New material is underlined. [Deleted material is in brackets.]

RESOLVED, that:

Section 1. Section 81.50 of Article 81 of the New York City Health Code, found in Title 24 of the Rules of the City of New York, requiring the posting of calorie information, is REPEALED and reenacted, to be printed together with introductory notes, to read as follows:

### **§81.50 Posting of calorie information.**

(a) Definitions. When used in this section the following words and terms have the following meanings:

- (1) Combination meal means a standard menu item that consists of more than one food item. A combination meal may be represented on the menu or menu board in narrative form, numerically, or pictorially. Some combination meals may be a variable menu item where the components may vary and the customer selects which components will be included in the meal. Some combination meals may include a variable menu item as a part of the meal. A combination meal shall not mean a special price offer to a customer to combine standard

menu items for which calorie information is already posted on the menu or menu board.

- (2) Covered establishment means a food service establishment or similar retail food establishment that is part of a chain with 15 or more locations nationally doing business under the same name and offering for sale substantially the same menu items, or a food service establishment or similar establishment that is not part of such a chain that voluntarily registers with the United States Food and Drug Administration to be subject to the federal requirements for nutrition labeling of standard menu items pursuant to 21 CFR 101.11(d), or successor regulation.
- (3) Custom order means a food order prepared in a specific manner in response to an individual customer's request, which requires the covered establishment to deviate from its usual preparation of a standard menu item.
- (4) Daily special means a food item prepared and offered for sale on a particular day that is not routinely listed on a menu or menu board, or other offer and that is promoted by the covered establishment as a special item for that day.
- (5) Food on display means restaurant-type food that is visible to the customer before the customer makes a selection, so long as there is not an expectation of further preparation by the customer before consumption.
- (6) Food that is part of a customary market test means food that appears on a menu or menu board for less than 90 consecutive days to test customer acceptance of the food.
- (7) Menu or menu board means a printed list of the names or images of a food item or items and the prices of such items, that is the primary writing of a covered establishment from which a customer makes an order selection. Menus include breakfast, lunch, and dinner menus; dessert menus; beverage menus; children's menus; other specialty menus; electronic menus; and menus on the internet, and may be in various forms, including booklets, pamphlets, single sheets of paper, or electronic screens. Determining whether a writing is or is part of the primary writing of a covered establishment depends on a number of factors, including whether the writing lists the name of a standard menu item (or an image depicting the standard menu item) and the price of the standard menu item, and whether the writing can be used by a customer to make an order selection at the time the customer is viewing the writing. Menu boards include menu boards inside the establishment as well as drive-through menu boards outside the establishment.
- (8) Offering for sale substantially the same menu items means offering for sale a significant proportion of menu items that use the same general recipe and are prepared in substantially the same way with substantially the same food components.
- (9) Similar retail food establishment means a food service establishment such as a convenience store, grocery or supermarket that serves restaurant-type food.
- (10) Restaurant-type food means food that is (i) usually eaten on the premises of or while walking away from a food service establishment, or soon after arriving at another location, or (ii) processed and prepared primarily in a similar retail establishment and offered for sale to customers for either immediate or later consumption in or outside such establishment.
- (11) Self-service food means restaurant-type food that is available at a salad bar, buffet line, cafeteria or similar self-service facility that is served by customers themselves and includes self-service beverages.
- (12) Standard beverage fill means the fixed amount of a beverage that is less than the full volume of the cup holding the beverage per cup size.
- (13) Standard ice fill means the fixed amount of ice in a cup of a beverage per cup size.
- (14) Standard menu item means any individual food item or combination of food items listed or displayed on a menu or menu board that is sold by a covered establishment.
- (15) Temporary menu item means a food item that appears on a menu or menu board for less than a total of 60 consecutive and non-consecutive days during a calendar year.
- (16) Variable menu item means a standard menu item that comes in different flavors, varieties or combinations and is listed as a single menu item.

- (b) *Scope and applicability.* This section applies to standard menu items offered for sale in covered establishments and does not apply to condiments, daily specials, temporary menu items, custom orders, foods that are part of a customary market test or temporary menu items, or to any menu or menu board in a school that is for students in grades 12 or under.
- (c) *Posting calorie information.*
- (1) *Number of calories.* Menus and menu boards must provide the number of calories contained in each standard menu item. Information must be posted for each item as it is usually prepared and offered for sale. For multiple-serving standard menu items, calorie information must be posted either (i) for the standard menu item as listed, or (ii) for a discrete serving unit provided that the total number of discrete serving units contained in such item is also posted.
- (2) *Position, size and color of calorie information.* The number of calories must be listed adjacent to the name or price of the associated standard menu item in a type size that is no smaller than the smaller of either the name or price of the standard menu item. Calorie information must appear in a color that is the same or at least as conspicuous as that used to list the name of the associated standard menu item and against the same contrasting background, or a background at least as contrasting, as that against which the name of the associated standard menu item is listed.
- (3) *“Calories” or “Cal”* The term “Calories” or “Cal” must appear either adjacent to the number of calories for each menu item or as a heading above a column listing the number of calories for each standard menu item. Such term appearing adjacent to calorie information for a standard menu item must meet the same font requirements as such calorie information. Such term appearing as a heading above a column must be listed in a type size that is no smaller than the smallest type size used to list the name or price of any menu item on that menu or menu board and in the same color, or as conspicuous a color, and against the same contrasting background, or a background at least as contrasting, as that used for that name or price.
- (4) *Basis for calorie information.* Posted calorie values must have a reasonable basis, which may be derived from the use of nutrient databases, laboratory testing, or other reliable methods of analysis, and be rounded to the nearest ten (10) calories for calorie content values above 50 calories and to the nearest five (5) calories for calorie values 50 calories and below. Zero calories may be declared for any item containing fewer than five (5) calories.
- (5) *Self-service food and food on display.* Calorie information must be declared for self-service food and food on display. The calorie information must be declared either (i) for each food item or (ii) if the food item is not offered for sale in a discrete unit, per serving measured by a standard scoop or cup size. The declaration must identify the serving or discrete unit used to determine the calorie content. The calorie information must be posted either on a sign adjacent to and clearly associated with the corresponding food, or on a sign attached to a sneeze guard above the food item. The sign must identify the food item for which it is declaring calorie information if it is not otherwise clear to which food item the declaration belongs, or, if calorie information is being declared for more than one food item, on a sign or placard located where the customer can view both the food items listed on the sign and their calorie declarations. For self-service beverages, calorie declarations must be accompanied by the total number of fluid ounces in the cup indicated by the term “fluid ounces” and, if applicable, a description of cup size, e.g., small, medium, etc. as applicable.
- (6) *Different sizes, flavors and varieties; toppings; combinations.*
- (A) *Different sizes, flavors and varieties.* For standard menu items offered in different flavors and varieties, calories must be posted for each listed size, flavor or variety. If all of the listed sizes, flavors or varieties of a standard menu item have the same calorie amount, menus and menu boards must list a single calorie declaration for the standard menu item. If there are only two calorie amounts for all sizes, flavors and varieties of a standard menu item, both calorie amounts must be posted on menus and menu boards for the menu item with a slash between the two calorie amounts. For sizes, flavors and varieties of a standard menu item having more than two calorie amounts, the range of calorie amounts must be posted on menus and menu boards for each such size, flavor and variety.
- (B) *Toppings.* When toppings can be added to a standard menu item and such toppings are listed on menus and menu boards, the calories for the standard menu item must be listed as well as the calories for each such topping.
- (C) *Combinations.* When a menu or menu board lists two options for standard menu items in a combination meal, the calories must be declared for each option with a slash between the calorie declarations. If three or more options for standard menu items in a combination meal are listed, the range of calorie content values showing the minimum to maximum numbers of calories for all combinations of that standard menu item shall be listed on menus and menu boards. If there is only one possible total calorie amount for the combination, then that total must be listed on menus and menu boards.
- (7) *Beverages that are not self-service.* Calories declared for non-self-service beverages must be based on the full volume of the cup or other container served without ice. If the establishment usually dispenses and offers for sale a standard beverage fill or a standard ice fill, the calories declared must be based on such standard beverage fill or standard ice fill.
- (d) *Required nutritional information statements.*
- (1) *General requirement.* Menu boards and each page of a menu for a covered establishment must prominently state in a clear and conspicuous manner: “2,000 calories a day is used for general nutrition advice, but calorie needs vary.”
- (2) *Children’s menus.* Instead of the requirement of subparagraph 1 of this paragraph, menus and menu boards, and pages of menus, targeted for children may state either: “1,200 to 1,400 calories a day is used for general nutrition advice for children ages 4 to 8, but calorie needs vary.”; or “1,200 to 1,400 calories a day is used for general nutrition advice for children ages 4 to 8 years and 1,400 to 2,000 calories a day for children ages 9 to 13 years, but calorie needs vary.”
- (e) *Additional written nutritional information.* Covered establishments must have written nutritional information on the premises in the manner provided for in 21 CFR 101.11(b) (2)(ii), or successor regulation. The information must be made available to any customer who requests it. All menus and menu boards must prominently state in a clear and conspicuous manner: “Additional nutritional information available upon request.”
- (f) *Enforcement.* In addition to the Department, the Department of Consumer Affairs may enforce the requirements of this section.
- (g) *Severability.* If any provision of this section, or its application to any person or circumstance, is held invalid by any court of competent jurisdiction, the remaining provisions or the application of the section to other persons or circumstances shall not be affected.
- § 2. This resolution shall take effect on December 1, 2015.

NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS  
253 BROADWAY, 10<sup>th</sup> FLOOR  
NEW YORK, NY 10007  
(212) 788-1400

CERTIFICATION/ANALYSIS  
PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Amendment of Calorie Labeling Requirements (Health Code Article 81)

REFERENCE NUMBER: DOHMH-55

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

June 2, 2015  
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 Calorie Labeling Requirements (Health Code Article 81)

**REFERENCE NUMBER:** 2015 RG 065

**RULEMAKING AGENCY:** Department of Health and Mental Hygiene

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 1, 2015

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**Notice of Public Hearing and Opportunity to Comment on Proposed Amendment to Article 81 of the New York City Health Code**

**What are we proposing?** The Department of Health and Mental Hygiene (“the Department”) is proposing that the Board of Health adopt §81.49 (sodium warning) of Article 81 of the Health Code to require food service establishments to warn diners about menu items containing high amounts of sodium.

**When and where is the hearing?** The Department will hold a public hearing on the proposed Health Code amendments from 2:00 P.M. to 4:00 P.M. on July 29, 2015 in Room 3-32  
New York City Department of Health and Mental Hygiene  
Gotham Center, 42-09 28<sup>th</sup> Street, 3rd Floor  
Long Island City, NY 11101-4132

**How do I comment on the proposed amendment to the Health Code?** Anyone can comment on the proposed amendments by:

- **Website.** You can submit comments to the Department through the NYC Rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to [resolutioncomments@health.nyc.gov](mailto:resolutioncomments@health.nyc.gov)
- **Mail.** You can mail comments to New York City Department of Health and Mental Hygiene Gotham Center, 42-09 28<sup>th</sup> Street, CN 31 Long Island City, NY 11101-4132
- **Fax.** You can fax written comments to the Department at (347) 396-6087.
- **Speaking at the hearing.** Anyone who wants to comment on the proposed amendments at the public hearing must sign up to speak. You can sign up before the hearing by calling Svetlana Burdeynik at (347) 396-6078/6116. You can also sign up in the hearing room before or during the hearing on July 29, 2015. You can speak for up to five minutes.

**Is there a deadline to submit written comments?** Written comments must be received on or before 5:00 P.M. on July 29, 2015.

**Do you need assistance to participate in the hearing?** You must tell us if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You

can tell us by mail at the address given above. You may also tell us by telephone at (347) 396-6078. You must tell us by July 15, 2015.

**Can I review the comments made on the proposed amendments?** You may review the comments made online at <http://rules.cityofnewyork.us/> on the proposed amendments by going to the website at <http://rules.cityofnewyork.us/>. All written comments and a summary of the oral comments received by the Department will be made available to the public within a reasonable period of time by the Department’s Office of the General Counsel.

**What authorizes the Board of Health to make this amendment?** Section 558 of the New York City Charter (“the Charter”) authorizes the Board of Health to adopt and amend the Health Code and to include in the Health Code all matters to which the authority of the Department extends. Section 556 of the Charter authorizes the Department to supervise and regulate the City’s food supply.

This proposed amendment was not included in the Department’s regulatory agenda for Fiscal Year 2015.

**Where can I find the Health Code and the Department’s rules?** The Health Code and the rules of the Department are found in Title 24 of the Rules of the City of New York.

**What rules govern the rulemaking process?** The Board of Health must meet the requirements of §1043 of the Charter when creating or changing the Health Code. This notice is made according to the requirements of the Charter §1043.

**Statement of Basis and Purpose**

**Statutory Authority**

Section 558 of the New York City Charter (“the Charter”) authorizes the Board of Health (“the Board”) to amend the Health Code and to include in the Health Code all matters to which the authority of the New York City Department of Health and Mental Hygiene (“the Department”) extends. Section 556 of the Charter gives the Department jurisdiction to regulate all matters affecting health in the City of New York (“the City” or “NYC”) and makes the Department responsible for controlling disease and regulating the City’s food supply.

The regulation of food service establishments (“FSEs”), a category that includes both quick-service and sit-down restaurants, is a core public health function. The Department issues permits to and inspects FSEs in New York City to ensure safe and healthy dining options.

The Department proposes an amendment to the Health Code that would require FSEs that are part of chains with more than 15 locations across the nation to add a warning label to menus and menu boards, identifying food items that contain very high levels of sodium.

**Sodium and Cardiovascular Disease**

Cardiovascular disease is the leading cause of death in New York City, claiming nearly 17,000 lives in 2012.<sup>1</sup> Hypertension, or high blood pressure, is a major risk factor for heart disease and stroke. A 2013 survey conducted by the Department revealed that 29.1% of adult New Yorkers had been told they had hypertension by a healthcare professional.<sup>2</sup> Although hypertension is a complex vascular disease with many origins, a well-established connection between sodium intake and blood pressure has been documented in the scientific literature. Specifically, there is a continuous relationship between sodium and blood pressure – typically, the higher an individual’s sodium intake, the higher the individual’s blood pressure.<sup>3</sup> In addition, disparities exist in terms of sodium intake, hypertension control, and related risk of disease – for example, premature stroke mortality is nearly three times as high among non-Hispanic Blacks in NYC compared to Whites and Asians.

**New Yorkers Consume Too Much Sodium**

Americans consume excessive amounts of sodium. Recent estimates indicate that the typical daily sodium intake of more than 95% of American adults exceeds the recommended daily limit of no more than 2,300mg.<sup>4,5</sup> On average, American adults consume approximately 3,400mg of sodium daily, well above the recommended limit.<sup>6</sup> Sodium overconsumption is a reality in NYC as well. A 2010 study conducted found that more than 80% of adults in NYC exceeded recommended daily sodium limits (2,300mg/day), and average daily sodium consumption among New Yorkers was more than 3,200mg.<sup>7</sup> The NYC study also revealed disparities in consumption with higher sodium intake among non-Hispanic Blacks and Hispanics compared to non-Hispanic Whites.<sup>8</sup>

**Restaurant Food is a Primary Source of Sodium**

The contemporary food retail environment is an important contributor to the epidemic of sodium overconsumption. Despite myriad efforts and initiatives to curb sodium consumption by public health and other organizations, the sodium content of fast food, in particular, appears to be on the rise. A 2013 study examining the change in the sodium content of menu offerings at 8 leading fast food chains found that the mean sodium content of menu items had increased more than 23% between 1997 and 2010.<sup>9</sup> Heavily marketed and competitively priced, the food available in many restaurants contains very high levels of sodium. A 2014 study analyzing the nutritional profile of more than 2,500 items from chain restaurants in and near Philadelphia,

Pennsylvania, found that adult meals contained an average of 3,512mg of sodium, more than 50% above the *daily* recommended intake limit.<sup>10</sup> A similar study using receipt data collected in 2007 from over 6,500 transactions occurring at fast food chain outlets in NYC demonstrated that the sodium content of 20% of meals exceeded the *daily* recommended sodium intake limit.<sup>11</sup> Today, nearly one-third of the sodium consumed by Americans comes from restaurant food.<sup>12</sup>

#### ***New Yorkers Need to be Warned about High Sodium Foods***

An additional factor that contributes to sodium overconsumption is the lack of awareness regarding the risks related to excess sodium intake. Consumers typically underestimate the sodium content of restaurant food<sup>13</sup> and are generally unaware of both sodium intake recommendations and the major sources of dietary sodium.<sup>14</sup> In addition, menu items that are promoted as healthy options, like salads, can contain high levels of sodium (Applebee's Grilled Shrimp 'n Spinach Salad with regular dressing contains 2,990mg of sodium, Baja Fresh Mexican Grill's Shrimp Tostada Salad contains nearly 2,500mg of sodium), putting even the most health-conscious consumers at risk. Differences in formulation that result in similar foods containing highly variable amounts of sodium present another obstacle to consumers trying to comply with sodium intake recommendations. For example, Panera Bread offers a Smokehouse Turkey® Panini that contains 2,590mg of sodium and a Roasted Turkey & Avocado BLT Sandwich that contains 960mg of sodium.

It is imperative that consumers are readily able to identify menu items containing the recommended daily limit of 2,300mg or more of sodium, because these items are clearly incompatible with recommendations regarding sodium consumption. The proposed consumer warning label will provide consumers with information about food items that contain exceedingly high sodium levels and will empower them to make well-informed decisions when making choices for themselves and their family members in the food retail environment.

#### ***Proposed Changes***

The Department proposes amending Health Code Article 81 to add a new section 81.49 requiring chain FSEs (those with 15 or more locations nationally) to warn consumers about any menu items containing 2,300mg of sodium or more.<sup>15</sup>

This policy would impact FSEs with 15 or more locations nationally, capturing leading fast-food and fast-casual restaurants, which can easily make sodium information available.

\* \* \*

The resolution is as follows.

“Shall” and “must” denote mandatory requirements and may be used interchangeably.

New text is underlined.

**RESOLVED**, that Article 81 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to add a new section 81.49, to be printed together with explanatory notes to read as follows:

#### **§81.49 Sodium warning.**

(a) Definitions. When used in this section the following words and terms have the following meanings:

- (1) Combination meal means a standard menu item that consists of more than one food item. A combination meal may be represented on the menu or menu board in narrative form, numerically, or pictorially. Some combination meals may include a variable menu item or be a variable menu item, as defined in this subdivision, where the components may vary and the customer selects which components will be included in the meal.
- (2) Covered establishment means a food service establishment, as defined in §81.03 of the Health Code and permitted by the Department, that is part of a chain with 15 or more locations doing business under the same name and offering for sale substantially the same menu items, as well as a food service establishment, as defined in §81.03 of the Health Code and permitted by the Department, that voluntarily registers with the United States Food and Drug Administration to be subject to the federal requirements for nutrition labeling of standard menu items.
- (3) Food item with a high sodium content means any standard menu item offered by a covered establishment that contains per standard serving more than or equal to 2300 milligrams of sodium, or a combination meal offered by a covered establishment if any combination of food items available to the consumer contains more than or equal to 2300 milligrams of sodium.
- (4) Food on display means food that is visible to the customer before the customer makes a selection, so long as there is not an ordinary expectation of further preparation by the customer before consumption.

- (5) Menu or menu board means a printed list of the names or images of a food item or items, and the primary writing of a covered establishment from which a customer makes an order selection. Menus include breakfast, lunch, and dinner menus; dessert menus; beverage menus; children's menus; other specialty menus; electronic menus; and menus on the internet, and may be in various forms, including booklets, pamphlets, single sheets of paper, or electronic screens. Determining whether a writing is or is part of the primary writing of a covered establishment depends on a number of factors, including whether the writing lists the name of a standard menu item (or an image depicting the standard menu item) and the price of the standard menu item, and whether the writing can be used by a customer to make an order selection at the time the customer is viewing the writing. Menu boards include menu boards inside the establishment as well as drive-through menu boards outside the establishment.
  - (6) Point of purchase means any place where a customer may order food within an establishment.
  - (7) Standard menu item means any individual food item or combination of food items listed or displayed on a menu or menu board that is sold by a covered establishment.
  - (8) Variable menu item means a standard menu item that comes in different flavors, varieties or combinations and is listed as a single menu item.
- (b) Required warning. A covered establishment that offers for sale any food item with a high sodium content must provide the following warning:
- (1) An icon must appear on a menu or menu board next to any food item with a high sodium content, or on a tag next to any food on display that is a food item with a high sodium content:



The icon must be a black and white equilateral triangle as wide as it is tall and equal in height to the largest letter in the food item's name, as displayed on the menu, menu board, or tag next to any food on display; and

- (2) The following statement must be posted conspicuously at the point of purchase: “Warning: ▲ indicates that the sodium (salt) content of this item is higher than the total daily recommended limit (2300mg). High sodium intake can increase blood pressure and risk of heart disease and stroke.”
- (d) Enforcement. The monetary penalty for a violation of this section is \$200 dollars. Violations may be adjudicated at any tribunal operated by the Office of Administrative Trials and Hearings, and the penalty may be doubled if the respondent does not appear.
- (e) Effective date. This section takes effect on December 1, 2015.
- (f) Severability. If any provision of this section, or its application to any person or circumstance, is held invalid by any court of competent jurisdiction, the remaining provisions or the application of the section to other persons or circumstances shall not be affected.

<sup>1</sup> Zimmerman R, Li W, Gambatese M, Madsen A, Lasner-Frater L, Van Wye G, Kelley D, Kennedy J, Maduro G, Sun Y. Summary of Vital Statistics, 2012: Mortality. New York, NY: New York City Department of Health and Mental Hygiene, Office of Vital Statistics, 2014.

<sup>2</sup> NYC DOHMH Community Health Survey, 2013

<sup>3</sup> U.S. Department of Agriculture and U.S. Department of Health and Human Services. Dietary Guidelines for Americans, 2010. 7<sup>th</sup> Edition, Washington, DC: U.S. Government Printing Office, December 2010.

<sup>4</sup> Centers for Disease Control and Prevention. Trends in the Prevalence of Excess Dietary Sodium Intake – United States 2003-2010. MMWR 2013;62:1021-1025.

<sup>5</sup> U.S. Department of Agriculture and U.S. Department of Health and Human Services. Dietary Guidelines for Americans, 2010. 7<sup>th</sup> Edition, Washington, DC: U.S. Government Printing Office, December 2010.

<sup>6</sup> Centers for Disease Control and Prevention. Trends in the Prevalence of Excess Dietary Sodium Intake – United States 2003-2010. MMWR 2013;62:1021-1025.

<sup>7</sup> Angell SY, Yi S, Eisenhower D, Kerker BD, Curtis CJ, Bartley K, Silver LD, Farley TA. Sodium Intake in a Cross-Sectional, Representative Sample of New York City Adults. American Journal of Public Health. 2014;104(12):2409-16.

<sup>8</sup> Angell SY, Yi S, Eisenhower D, Kerker BD, Curtis CJ, Bartley K, Silver LD, Farley TA. Sodium Intake in a Cross-Sectional, Representative Sample of New York City Adults. American Journal

- of Public Health. 2014;104(12):2409-16.
- <sup>9</sup> Rudelt A, French A, Harnack L. Fourteen-year trends in sodium content of menu offerings at eight leading fast-food restaurants in the USA. *Public Health Nutrition*. 2013;17(8):1682-88.
  - <sup>10</sup> Auchincloss AH, Leonberg BL, Glanz K, Bellitz S, Ricchezza A, Jervis A. Nutritional Value of Meals at Full-service Restaurant Chains. *J Nutr Educ Behav*. 2014;46:75-81.
  - <sup>11</sup> Johnson CM, Angell SA, Lederer A, Dumanovsky T, Huang C, Bassett MT, Silver LD. *JAMA Internal Medicine*. 2010;170(8):732-34.
  - <sup>12</sup> Drownowski A, Rehm CD. Sodium Intakes of US Children and Adults from Foods and Beverages by Location of Origin and by Specific Food Source. *Nutrients*. 2013;5:1840-55.
  - <sup>13</sup> Burton S, Creyer E, Kees J, Huggins K. Attacking the obesity epidemic: The potential health benefits of providing nutrition information in restaurants. *American Journal of Public Health*. 2006;96:1669-1675.
  - <sup>14</sup> Sarmugan R, Worsley A. Current Levels of Salt Knowledge: A Review of the Literature. *Nutrients*. 2014;6:5534-559.
  - <sup>15</sup> Food Labeling; Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments. Final Rule, 79 (230) Fed Reg 71156-71259. (December 1, 2014) (to be codified 21 CFR pt 11 and 101)

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS  
253 BROADWAY, 10<sup>th</sup> FLOOR  
NEW YORK, NY 10007  
(212) 788-1400**

**CERTIFICATION/ANALYSIS  
PURSUANT TO CHARTER SECTION 1043(d)**

**RULE TITLE:** Sodium Warning (Health Code Art. 81)

**REFERENCE NUMBER:** DOHMH-56

**RULEMAKING AGENCY:** DOHMH

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 2, 2015  
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:** Sodium Warning (Health Code Art. 81)

**REFERENCE NUMBER:** 2015 RG 066

**RULEMAKING AGENCY:** Department of Health and Mental Hygiene

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 2, 2015

**SMALL BUSINESS SERVICES**

■ NOTICE

**NOTICE OF ADOPTION**

**NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN** the Commissioner of the Department of Small Business Services (the "Commissioner") pursuant to sections 1301 of the New York City Charter and in accordance with the provisions of section 1043 of the New York City Charter that the Department of Small Business Services promulgates and adopts Chapter 13 of Title 66 of the Rules of the City of New York to govern the procedure for the issuance of financial hardship waivers pursuant to section 16-329(e) of the Administrative Code of the City of New York.

Written comments regarding the rules were received in accordance with the notice published in the City Record on April 28, 2015 or electronically through NYC RULES at [www.nyc.gov/nycrules](http://www.nyc.gov/nycrules). A public hearing was held on May 29, 2015.

**Statement of Basis and Purpose**

Local Law 142 (2013), which amended section 16-324 and added section 16-329 of the New York City Administrative Code (Ad. Code), establishes a prohibition on the use of expanded polystyrene single service articles and expanded polystyrene loose fill packaging in New York City and establishes violations and penalties for businesses that continue to use these items in contravention of the law. Local Law 142 also provides that any not-for-profit corporation, regardless of its income, and any food service establishment, mobile food commissary, or store that had a gross income under five hundred thousand dollars per location on their annual income tax filing for the most recent tax year and is not part of a chain food service establishment or a chain store may request from the Commissioner of DSBS, in a manner and form established by the DSBS Commissioner, a financial hardship waiver of the requirements of section 16-329 of the Ad. Code. Such waiver request may apply to one or more single service articles possessed, sold, or offered for use by any such not-for-profit corporation, food service establishment, mobile food commissary, or store. The DSBS Commissioner shall, after consultation with the New York City Department of Sanitation (DSNY) Commissioner, grant such waiver if such not-for-profit corporation, food service establishment, mobile food commissary, or store proves: (1) that there is no comparable alternative product not composed of expanded polystyrene that would cost the same as or less than the single service article composed of expanded polystyrene, and (2) that the purchase or use of an alternative product not composed of expanded polystyrene would create an undue financial hardship. Such financial hardship waiver shall be valid for twelve months and shall be renewable upon application to the DSBS Commissioner. A pending application for such financial hardship waiver shall be a defense to any notice of violation issued pursuant to Section 16-329 of the Ad. Code to which such pending application relates and such notice of violation shall be dismissed.

The rules establish the manner and form for the submission of waiver applications.

New material is underlined.

[Deleted material is in brackets.]

"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 13 to read as follows:**

§ 13-01 Definitions.

As used in these rules, the following terms shall have the following meanings:

Applicant means a business or not-for-profit corporation which has applied for a financial hardship waiver.

Business means any food service establishment, mobile food commissary, or store that is not a not-for-profit corporation.

Acknowledgement Letter means the letter sent by DSBS to an applicant notifying the applicant of its pending application for a financial hardship waiver.

City means the City of New York.

Commissioner means the Commissioner of the New York City Department of Small Business Services or his or her designee or his or her successor in function.

Comparable alternative product means a product to be used by the business or not-for-profit corporation in place of an expanded polystyrene single service item prohibited by section 16-329 of the Administrative Code or any successor provision.

Day means a calendar day unless otherwise specified.

Denial or Denied means a determination by DSBS that an applicant is not eligible for a financial hardship waiver.

DSBS means the New York City Department of Small Business Services or its successor in function.

DSNY means the New York City Department of Sanitation or its successor in function.

DSNY Commissioner means the commissioner of the New York City Department of Sanitation or his/her designee or his/her successor in function.

Expanded polystyrene means blown polystyrene and expanded and extruded foams that are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead foam), injection molding, foam molding, and extrusion-blown molding (extruded foam polystyrene). Such term shall not include rigid polystyrene.

Food service establishment means a premises or part of a premises where food is provided directly to the consumer whether such food is provided free of charge or sold, and whether consumption occurs on or off the premises or is provided from a pushcart, stand or vehicle. Food service establishment shall include, but not be limited to, full-service restaurants, fast food restaurants, cafes, delicatessens, coffee shops, grocery stores, vending trucks or carts and cafeterias.

Mobile food commissary means any facility that:

1. disposes of solid waste generated by the operation of a food service establishment that is located in or is a pushcart, stand or vehicle; or
2. supplies potable water and food, whether pre-packaged or prepared at the mobile food commissary, and supplies non-food items.

Store means a retail or wholesale establishment other than a food service establishment.

Undue financial hardship means that an applicant has demonstrated any of the following, based on submitted financial projections:

1. The cost of using a comparable alternative product will result in an increase of more than 5% of the business's annual cost of operations;
2. The increased costs will result in the elimination of at least one employee; or
3. The increased cost will result in a reduction in annual net profit of more than 5%.

**§ 13-02 Application for a Waiver**

- (a) To be eligible for consideration of a financial hardship waiver, a business must:
  - (1) Submit its tax returns for the most recent tax year, which must demonstrate that the business had an annual gross income of less than five hundred thousand dollars per location for such year;
  - (2) Provide a list of expanded polystyrene single service items used by the business for which a waiver is sought;
  - (3) Provide a list of comparable alternative products that cost more than the expanded polystyrene single service items the business currently uses;
  - (4) Provide a detailed explanation of why the use of comparable alternative products creates an undue financial hardship for the business; and,
  - (5) Provide any additional information related to the waiver request as requested by DSBS or DSNY.
- (b) Applicants that are not-for-profit corporations must:
  - (1) Submit a certificate of incorporation demonstrating that the applicant is a not-for-profit corporation;
  - (2) Submit a current Form 990 filed with the Internal Revenue Service;
  - (3) Provide a list of expanded polystyrene single service items used by the not-for-profit corporation for which a waiver is sought;
  - (4) Provide a list of comparable alternative products that cost more than the expanded polystyrene single service items the not-for-profit corporation currently uses;
  - (5) Provide a detailed explanation of why the use of comparable alternative products creates an undue financial hardship for the not-for-profit corporation; and
  - (6) Provide any additional information related to the waiver request as requested by DSBS or DSNY.

**§ 13-03. Waiver Determinations**

- (a) Determinations by the DSBS Commissioner approving or denying an applicant's waiver request, made in consultation with the DSNY Commissioner, shall be made in writing on the basis of all the circumstances presented by the applicant.

- (b) A copy of the waiver determination shall be sent to the applicant and filed with DSBS and DSNY. Such determinations shall be made available for public inspection upon request.
- (c) Waivers shall be valid for twelve months from the date of determination and shall be renewable upon written application to DSBS. All determinations shall be final.
- (d) Applicants receiving a denial of a waiver request may re-apply after twelve months from the date of the denial of the initial application. Applicants receiving a denial of a waiver request or a renewal request shall have two months from the date of the denial to come into compliance with section 16-329 of the Administrative Code.
- (e) DSBS will send applicants an acknowledgment letter notifying the applicant of receipt of its pending application for a financial hardship waiver within twenty calendar days from the date of receipt of a waiver request application. A pending application for a financial hardship waiver or application for renewal of a waiver shall be a defense to any notice of violation issued pursuant to section 16-329 Administrative Code to which such pending application relates and such notice of violation shall be dismissed.

**§ 13-04. Renewals**

A business may request renewal of a waiver no later than 30 days before the termination date of the waiver. A request for renewal shall certify that there has been no material change with respect to the relevant facts or circumstances that existed at the time the initial waiver was granted. Any application submitted after the termination date or less than 30 days before the termination date of the waiver shall be treated as a new application.

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**CHIEF MEDICAL EXAMINER**

■ NOTICE

The Office of Chief Medical Examiner has appointed Florence Hutner and Maureen Paulino as Records Access Officers effective June 1, 2015. Requests for records should be sent to Maureen Paulino, Office of Chief Medical Examiner, 421 East 26<sup>th</sup> Street, New York, NY 10016.

Requests can also be sent via email to the following email address: FOIL@ocme.nyc.gov  
Requests for Appeals of FOIL decisions can be mailed to our Appeals Officer, Leslie C. Kamelhar, Office of Chief Medical Examiner, 421 East 26<sup>th</sup> Street, New York, NY 10016.

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**OFFICE OF THE MAYOR**

■ NOTICE

**PROCLAMATION OF ELECTION**

As a result of the resignation of Mark S. Weprin from the City Council effective June 14, 2015, a vacancy has been created in the seat he has held as a Council Member for the twenty-third Council district. Accordingly, pursuant to the authority vested in me by Section 25(b)(1) of the New York City Charter, I hereby proclaim that an election shall be held in the twenty-third Council district at the general election to be held on November 3, 2015, with party nominations of candidates for such election being made at the primary election to be held on September 10, 2015, to elect a Council Member to serve until December 31, 2017.

DATED: June 15, 2015

\_\_\_\_\_/s/  
Bill de Blasio  
Mayor

j18-24

## LATE NOTICE

### ECONOMIC DEVELOPMENT CORPORATION

#### CONTRACTS

##### ■ SOLICITATION

#### *Goods and Services*

**55 STUYVESANT PLACE RFP** - Request for Proposals - PIN#5961-1 - Due 9-24-15 at 4:00 P.M.

New York City Economic Development Corporation ("NYCEDC") seeks proposals ("Proposals", each a "Proposal") from qualified developers for the redevelopment of 55 Stuyvesant Place, a historic municipal office building (the "Building") located in the heart of the North Shore of Staten Island (the "North Shore"). The Building is owned by the City of New York (the "City") and available for purchase or lease.

55 Stuyvesant Place is a five-story, 37,675 square foot Art Deco building. Constructed in 1935, the Building was designed by Henry C. Pelton, who was also responsible for Riverside Church, Park Avenue United Methodist Church and a multitude of buildings in New York City. The Building features two elevators and separate stairwells and entryways which provide access to double-loaded corridors, high ceilings and floors with waterfront views. The floor-plates range from 4,000 - 6,000 square feet and have potential for a variety of layouts. The Building is a centrally-located City-owned asset in support of an emerging cluster of innovative technology and creative businesses in Downtown Staten Island.

NYCEDC plans to select a developer on the basis of factors stated in the RFP which include, but are not limited to: the economic impact of the project on New York City, the response team's qualifications, the project's financial feasibility, and the degree to which the project is complementary to the surrounding community. NYCEDC will show preference for quality proposals that support creative, media and/or technology uses that enhance the neighborhood's transformation as a center for information, aim to strengthen and revitalize the urban context of the Site, propose a design and program that enhances connections to and accessibility for the surrounding community and strive to achieve design excellence.

This project has Minority and Women Owned Business Enterprise ("M/WBE") participation goals, and all respondents will be required to submit an M/WBE Participation Proposal with their response. To learn more about NYCEDC's M/WBE program, visit <http://www.nycedc.com/opportunitymwbe>. For the list of companies who have been certified with the New York City Department of Small Business Services as M/WBE, please go to the [www.nyc.gov/buycertified](http://www.nyc.gov/buycertified).

NYCEDC established the Kick Start Loan programs for Minority, Women and Disadvantaged Business Enterprise (M/W/DBE) interested in working on public construction projects. Kick Start Loans facilitates financing for short-term mobilization needs such as insurance, labor, supplies and equipment. Bidders/subcontractors are strongly encouraged to visit the NYCEDC website at [www.nycedc.com/opportunitymwbe](http://www.nycedc.com/opportunitymwbe) to learn more about the program.

An optional site visit will commence at the Site on Tuesday, July 28th at 12:00 P.M. Those who wish to attend should RSVP by email to [55StuyvesantPlace@edc.nyc](mailto:55StuyvesantPlace@edc.nyc) on or before July 24th at 4:00 P.M.

Respondents may submit questions and/or request clarifications from NYCEDC no later than 5:00 P.M. on Thursday, August 13, 2015. Questions regarding the subject matter of this RFP should be directed to [55StuyvesantPlace@edc.nyc](mailto:55StuyvesantPlace@edc.nyc). Answers to all questions will be posted by Thursday, September 3, 2015, to [www.nycedc.com/RFP](http://www.nycedc.com/RFP). Please submit six (6) hard copy sets and one (1) digital copy of your proposal.

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.

*Economic Development Corporation, 110 William Street, 4th Floor, New York, NY 10038. Maryann Catalano (212) 312-3969; Fax: (212) 312-3918; 55stuyvesantplace@edc.nyc*

**SIDEWALK SHED INSTALLATION, MAINTENANCE AND REPAIR SERVICES AT 25TH STREET PIER AT VARIOUS SITES** - Request for Proposals - PIN#6221-00 - Due 7-15-15 at 4:00 P.M.

New York City Economic Development Corporation (NYCEDC) is seeking an experienced contractor to provide sidewalk shed installation, maintenance and repair services at the 25th Street Pier (Moore

McCormack Building A), Boiler Building at Brooklyn Army Terminal, Bush Terminal Unit B and various sites managed by NYCEDC on behalf of the City. The contractor will be required to provide standard services such as pre-inspection, scheduling weekly inspections, preventative maintenance review, emergency response services, specific maintenance as well as additional services on a "Where and When" basis as is described in the Request for Proposals (RFP).

NYCEDC plans to select a contractor on the basis of factors stated in the RFP which include but are not limited to: the quality of the proposal, experience of key staff identified in the proposal, experience and quality of any subcontractors proposed, demonstrated successful experience in performing services similar to those encompassed in the RFP and the proposed fee, if applicable.

Companies who have been certified with the New York City Department of Small Business Services as Minority and Women Owned Business Enterprises ("M/WBE") are strongly encouraged to apply. To learn more about M/WBE certification and NYCEDC's M/WBE program, please visit <http://www.nycedc.com/opportunitymwbe>.

Respondents may submit questions and/or request clarifications from NYCEDC no later than 5:00 P.M. on June 30, 2015. Questions regarding the subject matter of this RFP should be directed to [sidewalkshdrfp2015@edc.nyc](mailto:sidewalkshdrfp2015@edc.nyc). For all questions that do not pertain to the subject matter of this RFP please contact NYCEDC's Contracts Hotline at (212) 312-3969. Answers to all questions will be posted by Wednesday, July 8, 2015, to [www.nycedc.com/RFP](http://www.nycedc.com/RFP).

To download a copy of the solicitation documents please visit [www.nycedc.com/RFP](http://www.nycedc.com/RFP). Please submit four (4) sets of your proposal.

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.

*Economic Development Corporation, 110 William Street, 4th Floor, New York, NY 10038. Maryann Catalano (212) 312-3969; Fax: (212) 312-3918; idewalkshdrfp2015@edc.nyc*

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**SPOFFORD LIVE-WORK CAMPUS** - Request for Information - PIN#6060-0 - Due 10-1-15 at 4:00 P.M.

NYCEDC seeks expressions of interest ("Proposals", each a "Proposal") from qualified developers for the disposition and redevelopment of a combined parcel owned by the City of New York (the "City") on Spofford Avenue in the Hunts Point Peninsula neighborhood of the Bronx, consisting of two full lots, and portions of two adjacent lots with a combined lot area of approximately 4.75 acres (~207,000 square feet).

NYCEDC plans to evaluate respondents based on criteria stated in the RFEI, which may include, but are not limited to: the completeness and quality of the overall response, program and design, financial and schedule feasibility, hiring and workforce programs, respondent qualifications and experience, and economic impact on the City of New York.

This project has Minority and Women Owned Business Enterprise ("M/WBE") participation goals, and all respondents will be required to submit an M/WBE Participation Proposal with their response. To learn more about NYCEDC's M/WBE program, visit <http://www.nycedc.com/opportunitymwbe>. For the list of companies who have been certified with the New York City Department of Small Business Services as M/WBE, please go to the [www.nyc.gov/buycertified](http://www.nyc.gov/buycertified).

NYCEDC established the Kick Start Loan programs for Minority, Women and Disadvantaged Business Enterprise (M/W/DBE) interested in working on public construction projects. Kick Start Loans facilitates financing for short-term mobilization needs such as insurance, labor, supplies and equipment. Bidders/subcontractors are strongly encouraged to visit the NYCEDC website at [www.nycedc.com/opportunitymwbe](http://www.nycedc.com/opportunitymwbe) to learn more about the program.

An optional informational session will be held on Wednesday, July 15, 2015 at NYCEDC. Those who wish to attend should RSVP by email to [SpoffordRFEI@edc.nyc](mailto:SpoffordRFEI@edc.nyc) on or before Tuesday, July 14, 2015.

Respondents may submit questions and/or request clarifications from NYCEDC no later than 5:00 P.M. on Tuesday, September 8, 2015. Questions regarding the subject matter of this RFEI should be directed to [SpoffordRFEI@edc.nyc](mailto:SpoffordRFEI@edc.nyc). Answers to all questions will be posted on a rolling basis to [www.nycedc.com/RFP](http://www.nycedc.com/RFP). Answers to questions submitted on September 8, 2015 will be posted by September 17, 2015. Please submit six (6) hard copies and one (1) electronic version of your Proposal on compact disk or USB drive.

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.

*Economic Development Corporation, 110 William Street, 4th Floor, New York, NY 10038. Maryann Catalano (212) 312-3969; Fax: (212) 312-3918; spoffordrfei@edc.nyc*

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