



THE CITY RECORD

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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOARD MEETINGS

NOTICE OF MEETINGS

City Planning Commission

Meets in Spector Hall, 22 Reade Street, New York, New York 10007, twice monthly on Wednesday, at 10:00 A.M., unless otherwise ordered by the Commission.

City Council

Meets by Charter twice a month in Councilman's Chamber, City Hall, Manhattan, New York 10007, at 1:30 P.M.

Contract Awards Public Hearing

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, weekly, on Thursday, commencing 10:00 A.M., and other days, times and location as warranted.

Design Commission

Meets in City Hall, Third Floor, Manhattan, New York 10007 on the second Monday of the month, except August. For changes in the schedule, copies of monthly agendas, or additional information, please call (212) 788-3071 or visit our web site at nyc.gov/artcommission

Department of Education

Meets in the Hall of the Board for a monthly business meeting on the Third Wednesday, of each month at 6:00 P.M. The Annual Meeting is held on the first Tuesday of July at 10:00 A.M.

Board of Elections

32 Broadway, 7th floor, New York, NY 10004, on Tuesday, at 1:30 P.M. and at the call of the Commissioner

Environmental Control Board

Meets at 66 John Street, 10th floor, conference room, New York, NY 10038 at 9:15 A.M., once a month at the call of the Chairman.

Board of Health

Meets in Room 330, 125 Worth Street, Manhattan, New York 10013, at 10:00 A.M., at the call of the Chairman.

Health Insurance Board

Meets in Room 530, Municipal Building, Manhattan, New York 10007, at call of the Chairman.

Board of Higher Education

Meets at 535 East 80th Street, Manhattan, New York 10021, at 5:30 P.M., on fourth Monday in January, February, March, April, June, September, October, November and December. Annual meeting held on fourth Monday in May.

Citywide Administrative Services

Division Of Citywide Personnel Services will hold hearings as needed in Room 2203, 2 Washington Street, New York, N.Y. 10004.

Commission on Human Rights

Meets on 10th floor in the Commission's Central Office, 40 Rector Street, New York, New York 10006, on the fourth Wednesday of each month, at 8:00 A.M.

In Rem Foreclosure Release Board

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Tuesdays, commencing 10:00 A.M., and other days, times and location as warranted.

Franchise And Concession Review Committee

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Wednesdays, Commencing 2:30 P.M., and other days, times and location as warranted.

Real Property Acquisition And Disposition
Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, bi-weekly, on Wednesdays, Commencing 10:00 A.M., and other days, times and location as warranted.

Landmarks Preservation Commission

Meets in the Hearing Room, Municipal Building, 9th Floor North, 1 Centre Street in Manhattan on approximately three Tuesday's each month, commencing at 9:30 A.M. unless otherwise noticed by the Commission. For current meeting dates, times and agendas, please visit our website at www.nyc.gov/landmarks.

Employees' Retirement System

Meets in the Boardroom, 22nd Floor, 335 Adams Street, Brooklyn, New York 11201, at 9:30 A.M., on the third Thursday of each month, at the call of the Chairman.

Housing Authority

Board Meetings take place every other Wednesday at 10:00 A.M. in the Board Room on the 12th Floor of 250 Broadway, New York, New York (unless otherwise noted). For Board Meeting dates and times, please visit NYCHA's Website at nyc.gov/nycha or contact the Office of the Secretary at (212) 306-6088. Copies of the Agenda are available on NYCHA's Website or can be picked up at the Office of the Secretary at 250 Broadway, 12th Floor, New York, New York, no earlier than 3:00 P.M. on the Friday before the upcoming Wednesday Board Meeting. Copies of the Minutes are also available on NYCHA's Website or can be picked up at the Office of the Secretary no earlier than 3:00 P.M. on the Thursday after the Board Meeting.

Any changes to the schedule will be posted here and on NYCHA's Website to the extent practicable at a reasonable time before the meeting. These meetings are open to the public. Pre-registration of speakers is required. Those who wish to register must do so at least forty-five (45) minutes before the scheduled Board Meeting. Comments are limited to the items on the Agenda. Speakers will be heard in the order of registration. Speaking time will be limited to three (3) minutes. The public comment period will conclude upon all speakers being heard or at the expiration of thirty (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 Secretary at (212) 306-6088 no later than five (5) business days before the Board Meeting. For additional information, please visit NYCHA's Website or contact (212) 306-6088.

Parole Commission

Meets at its office, 100 Centre Street, Manhattan, New York 10013, on Thursday, at 10:30 A.M.

Board of Revision of Awards

Meets in Room 603, Municipal Building, Manhattan, New York 10007, at the call of the Chairman.

Board of Standards and Appeals

Meets at 40 Rector Street, 6th Floor, Hearing Room "E" on Tuesdays at 10:00 A.M. Review Sessions begin at 9:30 A.M. and are customarily held on Mondays preceding a Tuesday public hearing in the BSA conference room on the 9th Floor of 40 Rector Street. For changes in the schedule, or additional information, please call the Application Desk at (212) 513-4670 or consult the bulletin board at the Board's Offices, at 40 Rector Street, 9th Floor.

Tax Commission

Meets in Room 936, Municipal Building, Manhattan, New York 10007, each month at the call of the President.

ADMINISTRATION FOR CHILDREN'S SERVICES

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Friday, May 7, 2010 at Administration for Children's Services, 150 William Street, 9th Floor Conference Room Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of one (1) proposed contract between the Administration for Children's Services of the City of New York and the contractor listed below, for the provision of the Domestic Violence Initiative RFP. The term of the contract will be thirty-six months from July 1, 2010 to June 30, 2013.

Contractor/Address

The Children's Aid Society
105 East 22nd Street, New York, NY 10010

PIN# 068-08-RFP-0002 **Amount** \$730,500.00

The proposed contractor has been selected by means of Competitive Sealed Proposals, pursuant to Section 3-03 of the Procurement Policy Board Rules.

A copy of the draft contract is available for public inspection at the New York City Administration for Children's Services, Office of Administrative Contracts, 150 William Street, 9th Floor, Borough of Manhattan, on business days from April 26, 2010 through May 6, 2010, exclusive of holidays, between the hours of 10:00 A.M. and 4:00 P.M. Please contact Al Lewis, Assistant Deputy ACCO at (212) 341-3462 to arrange a visitation.

a26

AGING

PUBLIC HEARINGS

CANCELLATION OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, April 29, 2010, at the Department for the Aging, 2 Lafayette Street, 4th Floor Conference Room, Borough of Manhattan, commencing at 11:30 A.M. on the following:

IN THE MATTER of the six (6) proposed contracts between the Department for the Aging of the City of New York and the Contractors listed below, for the provision of various senior services, e.g., case assistance, information, referrals, etc). The contract terms shall each be from July 1, 2010 to June 30, 2011 with no renewal options. The contract amounts and the Community Districts in which the programs are located are identified below.

Contractor/Address

1. Neighborhood Self-Help By Older Persons Project, Inc.
953 Southern Blvd., Bx., NY 10459

PIN# 125 11 VRNA 11G **Amount** \$434,159
Boro/CD Bx, CDs 1-3, 5-8, 11 - Mn, CD 12

2. Bronx Jewish Community Council, Inc.
2930 Wallace Ave., Bx., NY 10467

PIN# 125 11 VRNA 12F **Amount** \$254,717
Boro/CD Bx, CDs 7-9 & 11

3. Jewish Association for Services for the Aged
132 W 31st St. - 10th Fl., NY, NY 10001

PIN# 125 11 VRNA 129 **Amount** \$139,042
Boro/CD Bx, CDs 1-12

4. The Spanish Speaking Elderly Council - RAICES, Inc.
460 Atlantic Ave., Bklyn., NY 11217

PIN# 125 11 VRNA 255 **Amount** \$282,997
Boro/CD Bk, CD 2

5. One Stop Senior Services
747 Amsterdam Ave, 3rd Fl., NY, NY 10025

PIN# 125 11 VRNA 333 **Amount** \$341,613
Boro/CD Mn, CDs 7 & 9

6. Community Agency for Senior Citizens, Inc.
56 Bay St., S.I., NY 10301

PIN# 125 11 VRNA 505 **Amount** \$618,813
Boro/CD SI, CDs 1-3

The proposed contracts are being funded through a Negotiated Acquisition pursuant to Section 3-04 of the PPB Rules.

Anyone who wishes to speak at this Public Hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written request to speak should be sent to Betty Lee, ACCO at the Dept for the Aging (DFTA), 2 Lafayette St, 4th Fl., NY, NY 10007. If DFTA receives no written requests to speak within the prescribed time, DFTA reserves the right not to conduct the Public Hearing.

A draft copy of each of the proposed contract is available for public inspection at the Office of the Department for the Aging, Contract Procurement and Support Services, 2 Lafayette Street, 4th floor, New York, New York 10007, on business days, from April 16, 2010 to April 29, 2010, excluding Holidays, from 10:00 A.M. to 4:00 P.M.

a26

CANCELLATION OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, April 29, 2010, at the Department for the Aging, 2 Lafayette Street, 4th Floor Conference Room, Borough of Manhattan, commencing at 11:00 A.M. on the following:

IN THE MATTER of six (6) proposed contracts between the Department for the Aging of the City of New York and the Contractors listed below to provide transportation services to the elderly. The contract terms shall each be from July 1, 2010 to June 30, 2011 with no renewal options. The contract amounts and the Community Districts in which the programs are located are identified below.

Contractor/Address

1. Riverdale Senior Services, Inc.
2600 Netherland Ave., Bronx, NY 10463

PIN# 125 11 TRNA 143 **Amount** \$105,213
Boro/CD Bx, CDs 7 & 8

2. Recreation Rooms and Settlement, Inc.
717 E 105th St., Bklyn., NY 11236

PIN# 125 11 TRNA 208 **Amount** \$186,991
Boro/CD Bk, CD 18

3. Heights and Hill Community Council
57 Willoughby St. - 4th Floor, Bklyn., NY 11201

PIN# 125 11 TRNA 219 **Amount** \$262,130
Boro/CD Bk, CDs 2 & 6

4. Jewish Community Council of Greater Coney Island
3001 W 37th St., Bklyn., NY 11224

PIN# 125 11 TRNA 246 **Amount** \$162,111
Boro/CD Bk, CDs 10-15

5. ARC XVI Fort Washington, Inc.
4111 Broadway, NY, NY 10033

PIN# 125 11 TRNA 309 **Amount** \$288,180
Boro/CD Mn, CDs 9-12

6. Allen AME Neighborhood Preservation and Development
114-02 Guy R Brewer Blvd., Jamaica, NY 11434

PIN# 125 11 TRNA 467 **Amount** \$106,348
Boro/CD Qn, CDs 12 & 13

The proposed contracts are being funded through a Negotiated Acquisition pursuant to Section 3-04 of the PPB Rules.

Anyone who wishes to speak at this Public Hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written request to speak should be sent to Betty Lee, ACCO at the Dept for the Aging (DFTA), 2 Lafayette St, 4th Fl., NY, NY 10007. If DFTA receives no written requests to speak within the prescribed time, DFTA reserves the right not to conduct the Public Hearing.

A draft copy of each of the proposed contract is available for public inspection at the Office of the Department for the Aging, Contract Procurement and Support Services, 2 Lafayette Street, 4th floor, New York, New York 10007, on business days, from April 16, 2010 to April 29, 2010, excluding Holidays, from 10:00 A.M. to 4:00 P.M.

a26

BANKING COMMISSION

MEETING

PLEASE TAKE NOTICE THAT THERE WILL BE A Working Group Meeting of the Banking Commission on Wednesday, April 28, 2010 at 9:30 A.M. in the Executive Conference Room at 66 John Street, 12th Floor, Manhattan

a21-27

BROOKLYN BOROUGH PRESIDENT

PUBLIC HEARINGS

UNIFORM LAND USE REVIEW PROCEDURE

NOTICE IS HEREBY GIVEN THAT, pursuant to Sections 82 and 197-C of the New York City Charter, the Brooklyn Borough President will hold a public hearing on the following matters in the **Borough President's Conference Room, Brooklyn Borough Hall, 209 Joralemon Street, Brooklyn, New York 11201, commencing at 5:00 P.M. on Monday, April 26, 2010.**

CALENDAR ITEM 1
INDUSTRY CITY ASSOCIATES PARKING AT SBMT
39TH STREET

LAND DISPOSITION COMMUNITY DISTRICT 7 100204 PPK

In the matter of an application submitted by the NYC Department of Small Business Services (SBS), pursuant to Section 197-c of the New York City Charter, for disposition to the New York City Economic Development Corporation of one city-owned property in the South Brooklyn Marine Terminal (SBMT).

Note: To request a sign language interpreter, or to request TTD services, call Mr. Kevin Parris at (718) 802-3856 at least five business days before the day of the hearing.

a21-26

CITY PLANNING COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, April 28, 2010, commencing at 10:00 A.M.

BOROUGH OF THE BRONX

No. 1

WEST 169TH STREET

CD 4 C 050001 MMX

IN THE MATTER OF an application submitted by Roc-Sedgwick, LLC, and the Trust under the Will of Robert S. Olnick, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of West 169th Street between Dr. Martin Luther King Jr. Boulevard and Major Deegan Boulevard,

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 13106, dated April 25, 2007, and signed by the Borough President.

No. 2

EAST FORDHAM ROAD REZONING

CD 6 C 090143 ZMX

IN THE MATTER OF an application submitted by 625 Fordham, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3c:

1. changing from a C8-1 District to an R6 District property bounded by Hughes Avenue, a line 100 feet northeasterly of East Fordham Road, Belmont Avenue and East Fordham Road;
2. establishing within an existing and proposed R6 District a C2-4 District bounded by Hughes Avenue, a line perpendicular to the northwesterly street line of Belmont Avenue distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of East Fordham Road and the northwesterly street line of Belmont Avenue, Belmont Avenue and East Fordham Road

as shown in a diagram (for illustrative purposes only) dated January 4, 2010, and subject to the conditions of CEQR Declaration E-244.

BOROUGH OF BROOKLYN

Nos. 3 & 4

PROVIDENCE HOUSE II

No. 3

CD 3 C 100155 HAK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 277, 275 and 273 Kosciusko Street (Block 1781, Lots 60-62) as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of a six-story building, tentatively known as Providence House II, with approximately 45 units, to be developed under the Department of Housing Preservation and Development's Supportive Housing Loan Program.

No. 4

CD 3 C 100156 ZSK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-902 of the Zoning Resolution to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio) to apply to a proposed 6-story community facility with sleeping accommodations, on property located at 273-277 Kosciusko Street (Block 1781, Lots 60, 61, & 62), in an R6 District.

Plans for this proposal are on file with the City Planning

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

Nos. 5, 6, 7, 8 & 9 THE NEW DOMINO No. 5

CD 1 C 100185 ZMK

IN THE MATTER OF an application submitted by The Refinery LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 12c and 12d:

1. changing from an M3-1 District to an R6 District property bounded by South 3rd Street, a line 100 feet northwesterly of Wythe Avenue, South 4th Street and Kent Avenue;
2. changing from an M3-1 District to an R8 District property bounded by the northwesterly centerline prolongation of South 1st Street, Kent Avenue, the northwesterly centerline prolongation of South 2nd Street, a line 235 feet northwesterly of Kent Avenue, the northwesterly centerline prolongation of South 3rd Street, Kent Avenue, South 5th Street and its northwesterly centerline prolongation, and the U.S. Pierhead Line;
3. changing from an M3-1 District to a C6-2 District property bound by:
 - a. Grand Street and its northwesterly centerline prolongation, Kent Avenue, the northwesterly centerline prolongation of South 1st Street, and the U.S. Pierhead Line; and
 - b. the northwesterly centerline prolongation of South 2nd Street, Kent Avenue, the northwesterly centerline prolongation of South 3rd Street, and a line 235 feet northwesterly of Kent Avenue;
4. establishing within a proposed R6 District a C2-4 District bounded by South 3rd Street, a line 100 feet northwesterly of Wythe Avenue, South 4th Street and Kent Avenue; and
5. establishing within a proposed R8 District a C2-4 District bounded by the northwesterly centerline prolongation of South 1st Street, Kent Avenue, the northwesterly centerline prolongation of South 2nd Street, a line 235 feet
6. northwesterly of Kent Avenue, the northwesterly centerline prolongation of South 3rd Street, Kent Avenue, South 5th Street and its northwesterly centerline prolongation, and the U.S. Pierhead Line;

Borough of Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated January 4, 2010.

No. 6

CD 1 N 100186 ZRK

IN THE MATTER OF an application submitted by Refinery LLC, Inc. pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Section 23-953 (Special floor area compensation provisions in specified areas), Section 62-35 (Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn), Section 62-352 (Inclusionary Housing), Section 52-83

(Non-Conforming Advertising Signs), and Appendix F (Inclusionary Housing Designated Areas) relating to the inclusionary housing program and advertising signs on landmark buildings in the Borough of Brooklyn, Community District 1.

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

23-953

Special floor area compensation provisions in specified areas

* * *

- (b) Special provisions apply to #compensated zoning lots#:

- (1) Within R6, ~~R7-3~~, and R8 Districts and equivalent #Commercial Districts on #waterfront blocks# in #Inclusionary Housing designated areas# ~~Waterfront Access Plan BK 1 and R7-3 Districts~~ within Community district 1, Borough of Brooklyn, as set forth in Section 62-352.

* * *

62-35

Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn

On #waterfront blocks# in #Inclusionary Housing designated areas# ~~R7-3 Districts~~ in Community District 1, Borough of Brooklyn, and within ~~Waterfront Access Plan BK 1~~, the special #bulk# regulations of this Chapter are further modified as set forth in this Section, inclusive.

* * *

62-352

Inclusionary Housing

The provisions of Section 23-90 (INCLUSIONARY HOUSING) shall apply in ~~R7-3 Districts~~ #Inclusionary Housing designated areas# on #waterfront blocks# in Community District 1, Borough of Brooklyn, and in ~~R6 and R8 Districts~~ within ~~Waterfront Access Plan BK 1~~, as modified in this Section.

* * *

APPENDIX F

INCLUSIONARY HOUSING DESIGNATED AREAS

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by #bulk# regulations of such #Residence Districts#.

Brooklyn, Community District 1

In Waterfront Access Plan BK-1, as set forth in Section 62-252, and in the R6, R6A, R6B, R7A, and R7-3 and R8 Districts within the areas shown on the following Maps 1, 2 and 3:

Map 2 (3/06/06)



EXISTING
Portion of Community District 1, Brooklyn

Map 2 (x/xx/xx)



PROPOSED
Portion of Community District 1, Brooklyn

ARTICLE V
Non-Conforming Uses and Non-Complying Buildings

52-83
Non-Conforming Advertising Signs
In all #Manufacturing Districts#, or in C1, C2, C4, C5-4, C6, C7 or C8 Districts, except as otherwise provided in Sections 32-66 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways) or 42-55, any #non-conforming advertising sign# except a #flashing sign# may be

structurally altered, reconstructed or replaced in the same location and position, provided that such structural alteration, reconstruction or replacement does not result in:

- (a) the creation of a new #non-conformity# or an increase in the degree of #non-conformity# of such #sign#;
- (b) an increase in the #surface area# of such #sign#; or
- (c) an increase in the degree of illumination of such #sign#.

However, in Community District 1 in the Borough of Brooklyn, a #non-conforming advertising sign# may be structurally altered, reconstructed or replaced in a different location, and may create a new #non-conformity# or #non-compliance#, or an increase in the degree of #non-conformity# or #non-compliance#, provided such #sign# is reconstructed pursuant to a Certificate of Appropriateness from the Landmarks Preservation Commission, is located on a landmark #building# that is part of a #general large scale development#, and there is no increase in the #surface area# or degree of illumination of such #sign#. Furthermore, the discontinuance provisions of Section 52-61 shall not apply to such #sign# provided such #sign# is reconstructed on the landmark #building# prior to the issuance of a temporary certificate of occupancy for any #use# within such #building#.

No #sign# that exceeds or is otherwise in violation of any illumination standard established by rule of the Department of Buildings shall be #non-conforming# as to such illumination standard one year after such rule becomes effective. To the extent that such structural alteration, reconstruction or replacement of #non-conforming advertising signs# is permitted under the provisions of this Section, the provisions of the following Sections are modified:

Section 52-22 (Structural Alterations)

Sections 52-51 to 52-55, inclusive, relating to Damage or Destruction.

No. 7
CD 1 C 100187 ZSK

IN THE MATTER OF an application submitted by The Refinery LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the following sections of the Zoning Resolution:

- 1. Section 74-743(a)(1) - to allow the distribution of floor area within the general large scale development without regard for zoning lot lines; and
- 2. Section 74-743(a)(2) - to modify the requirements of Section 23-532 (Required rear yard equivalents), 23-711 (Standard minimum distance between buildings), 23-852 (Inner court recesses), 23-863 (Minimum distance between legally required windows and any wall in an inner court), 62-332 (Rear yards and waterfront yards) and 62-341 (Developments on land and platforms),

to facilitate a mixed use development on property bounded by Grand Street and its northwesterly prolongation, Kent Avenue, South 3rd Street, a line 100 feet westerly of Wythe Avenue, South 4th Street, Kent Avenue, South 5th Street and its northwesterly prolongation, and the U.S. Pierhead Line (Block 2414, Lot 1 and Block 2428, Lot 1), in R6/C2-4*, R8/C2-4* and C6-2* Districts, within a General Large-Scale Development.

*Note: The site is proposed to be rezoned from an M3-1 District to R6/C2-4, R8/C2-4 and C6-2 Districts under a related application (C 100185 ZMK).

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

No. 8
CD 1 C 100188 ZSK

IN THE MATTER OF an application submitted by The Refinery LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(b) of the Zoning Resolution to allow residential and non-residential uses to be arranged within a building without regard for the regulations set forth in Section 32-42 (Location within Buildings), in connection with a proposed mixed use development on property bounded by Grand Street and its northwesterly prolongation, Kent Avenue, South 3rd Street, a line 100 feet westerly of Wythe Avenue, South 4th Street, Kent Avenue, South 5th Street and its northwesterly prolongation, and the U.S. Pierhead Line (Block 2414, Lot 1 and Block 2428, Lot 1), in R6/C2-4*, R8/C2-4* and C6-2* Districts, within a General Large-Scale Development, Borough of Brooklyn, Community District 1.

*Note: The site is proposed to be rezoned from an M3-1 District to R6/C2-4, R8/C2-4 and C6-2 Districts under a related application (C 100185 ZMK).

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

No. 9
CD 1 C 100189 ZSK

IN THE MATTER OF an application submitted by The Refinery LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-53 of the Zoning Resolution to modify the requirements of Section 36-12 (Maximum Size of Accessory Group Parking Facilities) to allow a group parking facility accessory to uses in a general large scale development with a maximum capacity of 782 spaces, in connection with a

proposed mixed use development on property bounded by Grand Street and its northwesterly prolongation, Kent Avenue, South 3rd Street, a line 100 feet westerly of Wythe Avenue, South 4th Street, Kent Avenue, South 5th Street and its northwesterly prolongation, and the U.S. Pierhead Line (Block 2414, Lot 1 and Block 2428, Lot 1), in R6/C2-4*, R8/C2-4* and C6-2* Districts, within a General Large-Scale Development, Borough of Brooklyn, Community District 1.

*Note: The site is proposed to be rezoned from an M3-1 District to R6/C2-4, R8/C2-4 and C6-2 Districts under a related application (C 100185 ZMK).

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

NOTICE

On Wednesday, April 28, 2010, at 10:00 A.M., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning amendments to the Zoning Map and text of the Zoning Resolution, as well as various special permits and related authorization and certifications, to facilitate the construction or adaptive reuse of six buildings on an 11-acre site located at 264-350 and 317-329 Kent Avenue (Block 2414, Lot 1, and Block 2428, Lot 1), within a M3-1 zoning district in the Williamsburg neighborhood of Brooklyn Community District 1:

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 07DCP094K.

BOROUGH OF MANHATTAN
No. 10

HUDSON YARDS GARMENT CENTER TEXT
CD 4 N 100217 ZRM

IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York relating to Article IX, Chapter 3 (Special Hudson Yards District) and Article XII, Chapter 1 (Special Garment Center District), Borough of Manhattan, Community District 4.

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is to be deleted;
Matter with # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution
Article IX - Special Purpose Districts
Chapter 3
Special Hudson Yards District

93-50
SPECIAL HEIGHT AND SETBACK REGULATIONS
In Subdistricts A, B and C, and Subareas D1, D2 and D3 of the Hell's Kitchen Subdistrict D, and Subdistrict E, the height and setback regulations set forth in paragraphs (a) through (d) of Section 93-42 (Height and Setback in Subdistricts A, B, C, D, E and F) shall apply, except that such regulations are modified in certain locations as set forth in this Section. Such modifications include the establishment of #street wall# location regulations; and minimum and maximum base heights, as illustrated on Map 3 of Appendix A (Mandatory Street Wall Requirements). Such modifications also include depths of required setbacks, maximum length of building walls for towers, and tower #lot coverage#. Special provisions for recesses and sidewalk widenings are as follows:

- (a) Recesses
Where #street walls# are required to be located on #street lines# or sidewalk widening lines, ground floor recesses up to three feet deep shall be permitted for access to building entrances, and deeper recesses shall be permitted only where necessary to comply with the pedestrian circulation space provisions of Section 93-63. Above a height of 60 feet for #buildings# fronting upon 34th Street in Subdistrict C or above a height of 50 feet for #buildings# fronting upon Tenth Avenue in Subdistrict C and Subdistrict D, and up to any specified minimum base height, recesses are permitted provided that the aggregate length of such recesses does not exceed 30 percent of the length of the required #street wall# at any level, and the depth of such recesses does not exceed five feet. No limitations on recesses shall apply above any specified minimum base height or to any portion of a #zoning lot# where #street walls# are not required.

Where #street walls# are required to extend along the entire #street# frontage of a #zoning lot#, no recesses shall be permitted within 20 feet of an adjacent #building#, or within 30 feet of the intersection of two #street lines#, except where corner articulation rules apply.

93-53
Special Height and Setback Regulations in the 34th Street Corridor Subdistrict C

- (a) 34th Street
For #zoning lots# with frontage on 34th Street, the #street wall# of any #development# or #enlargement# shall be located on and extend along the entire West 34th Street #street line#, except that to allow for corner articulation, the #street

wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines#. Such #street walls# shall rise without setback to a minimum base height of 120 feet and a maximum base height of 150 feet. For #corner lots#, these provisions shall also apply along any intersecting #street line# for a minimum distance of 50 feet and a maximum distance of 100 feet from its intersection with West 34th Street. Above a height of 150 feet, the setback provisions of paragraph (b) of Section 93-42 shall apply.

- (b) Tenth Avenue
For #zoning lots# with frontage on Tenth Avenue, the provisions of paragraph (a) of Section 93-541 shall apply.
- (c) Midblocks between Eighth Avenue and Ninth Avenue
For #zoning lots# with frontage on West 33rd Street or West 35th Street beyond 100 feet of Eighth Avenue and Ninth Avenue, the #street wall# of any #development# or #enlargement# shall be located on and extend along the entire West 33rd Street or West 35th Street frontage of the #zoning lot# not occupied by existing buildings to remain. Such #street wall# shall rise without setback to a minimum base height of 80 feet or the height of the #building#, whichever is less, and a maximum base height of 90 feet. However, if the height of an adjacent #street wall# fronting on the same #street line# is higher than 90 feet before setback, the #street wall# of the new or #enlarged building# may rise without setback to the height of such adjacent #street wall#, up to a maximum height of 120 feet. Above a height of 90 feet or the height of the adjacent #street wall# if higher than 90 feet, the setback provisions of paragraph (b) of Section 93-42 shall apply.

93-55
Special Height and Setback Regulations in the South of Port Authority Subdistrict E

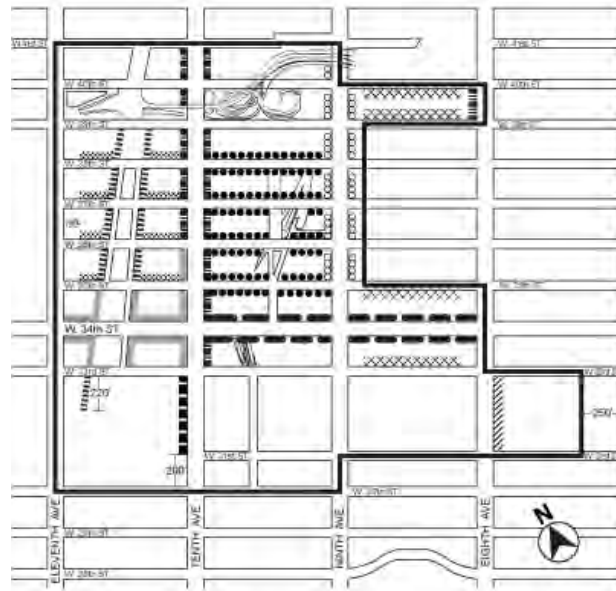
- (a) Zoning lots with Eighth Avenue frontage
In the South of Port Authority Subdistrict E, for any #development# or #enlargement# on a #zoning lot# fronting on Eighth Avenue, the #street wall# of such #development# or #enlargement# shall be located on the Eighth Avenue sidewalk widening line and extend along the entire #street# frontage of the #zoning lot#. Such #street wall# shall rise without setback to a minimum height of 90 feet or the height of the #building#, whichever is less, and a maximum height of 120 feet. Above a height of 90 feet, no portion of the #development# or #enlargement# shall penetrate a #sky exposure plane# that begins at a height of 120 feet above the Eighth Avenue sidewalk widening line and #street lines# of West 39th Street and West 40th Street, as applicable, and rises over the #zoning lot# at a slope of four feet of vertical distance, for each foot of horizontal distance, except as provided below:

For #zoning lots# with frontage on Eighth Avenue, the #street wall# of a #development# or #enlargement# shall be located on the Eighth Avenue sidewalk widening line and, where applicable, on the West 39th Street and West 40th Street #street lines#, and extend along the entire #street# frontage of the #zoning lot#. Such #street walls# shall rise without setback to a minimum height of 90 feet and a maximum height of 120 feet. Above a height of 120 feet, no portion of the #development# or #enlargement# shall penetrate a #sky exposure plane# that begins at a height of 120 feet above the Eighth Avenue sidewalk widening line and #street lines# of West 39th Street and West 40th Street, as applicable, and rises over the #zoning lot# at a slope of four feet of vertical distance, for each foot of horizontal distance, except as provided below:

- (a)(1) any portion of the #building or other structure developed# or #enlarged# pursuant to the tower regulations of Sections 33-45 or 35-63, as applicable, may penetrate the #sky exposure plane#;
- (a)(2) permitted obstructions, as listed in paragraph (a) of Section 93-41, may penetrate the #sky exposure plane#. In addition, a dormer, as listed in paragraph (c) of Section 23-62, may penetrate the #sky exposure plane#.
- (b) Zoning lots without Eighth Avenue frontage
For #zoning lots# without frontage on Eighth Avenue, the #street wall# of a #development# or #enlargement# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# not occupied by existing #buildings# to remain. Such #street walls# shall rise without setback to a minimum base height of 80 feet or the height of the #building#, whichever is less, and a maximum base height of 90 feet. However, if the height of an adjacent #street wall# fronting on the same #street line# is higher than 90 feet before setback, the #street wall# of the new or #enlarged building# may rise without setback to the height of such adjacent #street wall#, up to a maximum height of 120 feet. Above a height of 90 feet or the height of the adjacent #street wall# if higher than 90 feet, the setback provisions of paragraph (b) of Section 93-42 shall apply.

* * *

Map 3: Mandatory Street Wall Requirements



	Minimum Base Height	Maximum Base Height	Percentage of zoning lot street frontage that must be occupied by a street wall
-----	60'	85'	100%
.....	60'	85'	None
-----	60'	120'	50%
-----	80'	90'	100%
-----	90'	120'	70%
-----	60'	150'	70%
-----	90'	120'	100%
-----	90'	150'	70%
-----	90'	150'	35%
-----	120'	150'	100%

Article XII - Special Purpose Districts
Chapter 1
Special Garment Center District

121-30
SPECIAL BULK REGULATIONS WITHIN PRESERVATION AREA P-2

121-32
Height of Street Walls and Maximum Building Height

The #street wall# of any #development# or #enlargement# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# not occupied by existing #buildings# to remain. On a #zoning lot# with frontage of at least 200 feet, up to 20 percent of the #aggregate width of the street wall#, for a maximum width of 50 feet, may be recessed to a maximum depth of 15 feet from the #street line#, provided the recessed area is located a minimum of 20 feet from an adjacent #building# and that a minimum of 60 percent of such area be planted with any combination of grass, ground cover, shrubs, trees or other living plant material. Such #street wall# shall rise without setback to a maximum height of 90 feet or the height of the #building#, whichever is less. However, if the height of an adjacent #street wall# fronting on the same #street line# is higher than 90 feet before setback, the #street wall# of the new or #enlarged building# may rise without setback to the height of such adjacent #street wall#, up to a maximum height of 120 feet. Above a height of 90 feet or the height of the adjacent #street wall# if higher than 90 feet, no portion of the #development# or #enlargement# shall penetrate a #sky exposure plane# that begins at a height of 90 feet above the #street line# or the height of the adjacent #street wall# if higher than 90 feet and rises over the #zoning lot# at a slope of four feet of vertical distance for each foot of horizontal distance to a maximum height limit of 250 feet, except as provided below:

- (a) any portion of the #building or other structure developed# or #enlarged# pursuant to the tower regulations of Sections 33-45 or 35-63, as applicable, may penetrate the #sky exposure plane#, provided no portion of such #building or other structure# exceeds the height limit of 250 feet; and
- (b) permitted obstructions, as listed in paragraph (a) of Section 93-41, may penetrate the #sky exposure plane# and the height limit of 250 feet. In addition, a dormer, as listed in paragraph (c) of Section 23-62, may penetrate the #sky exposure plane#.

The #street wall# of any #development# or #enlargement# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# not occupied by existing #buildings# to remain. Such #street wall# shall rise without setback to a minimum base height of 80 feet or the height of the #building#, whichever is less, and a maximum base height of 90 feet. However, if the height of an adjacent #street wall# fronting on the same #street line# is higher than 90 feet before setback, the #street wall# of the new or #enlarged building# may rise without setback to the height of such adjacent #street wall#, up to a maximum height of 120 feet. Above a height of 90 feet or the height of the adjacent #street wall# if higher than 90 feet, no portion of the #development# or #enlargement# shall penetrate a #sky exposure plane# that begins at a height of 90 feet above the #street line# or the height of the adjacent #street wall# if higher than 90 feet and rises over the #zoning lot# at a slope of four feet of vertical distance for each foot of horizontal

distance to a maximum height limit of 250 feet, except as provided below:

- (a) any portion of the #building or other structure developed# or #enlarged# pursuant to the tower regulations of Sections 33-45 or 35-63, as applicable, may penetrate the #sky exposure plane#, provided no portion of such #building or other structure# exceeds the height limit of 250 feet; and
- (b) permitted obstructions, as listed in paragraph (a) of Section 93-41, may penetrate the #sky exposure plane# and the height limit of 250 feet. In addition, a dormer, as listed in paragraph (c) of Section 23-62, may penetrate the #sky exposure plane#.

On a #zoning lot# with frontage of at least 200 feet along at least one #street#, up to 20 percent of the #aggregate width of the street wall# facing such #street#, for a maximum width of 50 feet, may be recessed to a maximum depth of 15 feet from the #street line#, provided the recessed area is located a minimum of 20 feet from an adjacent #building# and that a minimum of 60 percent of such area be planted with any combination of grass, ground cover, shrubs, trees or other living plant material.

BOROUGH OF QUEENS
No. 11

72-25 WOODHAVEN BOULEVARD

CD 6 C 090356 ZSQ
IN THE MATTER OF an application submitted by Woodhaven Realty LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow a large retail establishment (Use Group 6 and/or 10A uses) with no limitation on floor area, within an existing 1-story building on property located at 72-25 Woodhaven Boulevard (Block 3884, Lot 2), in an M1-1 District. Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

BOROUGH OF MANHATTAN
No. 12

UPPER EAST SIDE HISTORIC DISTRICT

CD 8 N 100282 HKM
IN THE MATTER OF a communication dated March 23, 2010, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Upper East Side Historic District Extension, designated by the Landmarks Preservation Commission on March 23, 2010 (List No. 427, LP No. 2373). The district boundaries are:

Area I (Northern Section)

Area I of the proposed Upper East Side Historic District Extension consists of the property bounded by a line beginning at the intersection of the southern curbline of East 75th Street and the eastern curbline of Lexington Avenue, extending northerly across the roadbed of East 75th Street and along the eastern curbline of Lexington Avenue to a point formed by its intersection with a line extending westerly from the northern property line of 1061-1065 Lexington Avenue, easterly along said property line and the northern property lines of 157 through 163-173 East 75th Street to the eastern property line of 163-173 East 75th Street, southerly along said property line and across the roadbed to the southern curbline of East 75th Street, westerly along said curbline to a point formed by its intersection with a line extending northerly from the eastern property line of 176 East 75th Street, southerly along said property line to the southern property line of 176 East 75th Street, westerly along said property line, the southern property line of 174 East 75th Street, and a portion of the southern property line of 172 East 75th Street to the eastern property line of 151 East 74th Street, southerly along said property line and across the roadbed to the southern curbline of East 74th Street, westerly along said curbline to a point formed by its intersection with a line extending northerly from the eastern property line of 144 East 74th Street (aka 1031 Lexington Avenue), southerly along said property line to the northern property line of 1019-1029 Lexington Avenue (aka 145-151 East 73rd Street), easterly along a portion of said property line to the eastern property line of 1019-1029 Lexington Avenue (aka 145-151 East 73rd Street), southerly along said property line to the northern property line of 153-157 East 73rd Street, easterly along a portion of said property line to the eastern property line of 153-157 East 73rd Street, southerly along said property line to the northern curbline of East 73rd Street, easterly along said curbline to a point formed by its intersection with a line extending northerly from the eastern property line of 1009-1017 Lexington Avenue (aka 150 East 73rd Street), southerly across the roadbed and along said property line to the northern property line of 153-155 East 72nd Street, easterly along a portion of said property line and along the northern property line of 157 East 72nd Street, southerly along said property line to the northern curbline of East 72nd Street, westerly along said curbline to a point formed by its intersection with a line extending northerly from the eastern property line of 164-172 East 72nd Street, southerly across the roadbed and along said property line to the southern property line of 164-172 East 72nd Street, westerly along said property line and a portion of the southern property line of 158-162 East 72nd Street, southerly along a portion of the eastern property line of 158-162 East 72nd Street, westerly along a portion of the southern property line of 158-162 East 72nd Street and along the southern property line of 993-999 Lexington Avenue (aka 150-156 East 72nd Street) to the eastern curbline of Lexington Avenue, northerly along said curbline and across the roadbed to the northern curbline of East 72nd Street, westerly across the roadbed and along the northern curbline of East 72nd Street to a point formed by

its intersection with a line extending southerly from the western property line of 113-115 East 72nd Street, northerly along said property line to the northern property line of 113-115 East 72nd Street, easterly along said property line, the northern property line of 117-123 East 72nd Street, and a portion of the northern property line of 1004-1010 Lexington Avenue (aka 125-139 East 72nd Street) to the western property line of 1012 Lexington Avenue, northerly along said property line, the western property lines of 1014 through 1020 Lexington Avenue, the western property line of 1022 Lexington Avenue (aka 138-140 East 72nd Street), and across the roadbed to the northern curblineline of East 73rd Street, easterly along said curblineline to the western curblineline of Lexington Avenue, northerly along said curblineline to a point formed by its intersection with a line extending easterly from the southern property line of 1032-1034 Lexington Avenue, westerly along said property line to the western property line of 1032-1034 Lexington Avenue, northerly along said property line to the northern property line of 1032-1034 Lexington Avenue, easterly along a portion of said property line to the western property line of 142 East 74th Street (aka 1034A Lexington Avenue), northerly along said property line to the southern curblineline of East 74th Street, westerly along said curblineline to a point formed by its intersection with a line extending southerly from the western property line of 1036-1038 Lexington Avenue (aka 135-143 East 74th Street), northerly across the roadbed, along said property line, and along a portion of the western property line of 1040-1054 Lexington Avenue (aka 126-130 East 75th Street) to the southern property line of 1040-1054 Lexington Avenue (aka 126-130 East 75th Street), westerly along a portion of said property line to the western property line of 1040-1045 Lexington Avenue (aka 126-130 East 75th Street), northerly along said property line to the southern curblineline of East 75th Street, easterly along said curblineline and across the roadbed to the point of the beginning.

Area II (Southern Section)

Area II of the proposed Upper East Side Historic District Extension consists of the property bounded by a line beginning at the intersection of the northern curblineline of East 63rd Street and the western curblineline of Lexington Avenue, extending westerly along the northern curblineline of East 63rd Street to a point formed by its intersection with a line extending southerly from the western property line of 125 East 63rd Street, northerly along said property line to the northern property line of 125 East 63rd Street, easterly along said property line to the western property line of 826-842 Lexington Avenue (aka 136 East 64th Street), northerly along a portion of said property line to the southern curblineline of East 64th Street, westerly along said curblineline to a point formed by its intersection with a line extending southerly from the western property line of 844-854 Lexington Avenue (aka 133-135 East 64th Street), northerly across the roadbed and along said property line to the northern property line of 844-854 Lexington Avenue (aka 133-135 East 64th Street), easterly along a portion of said property line to the western property line 856 Lexington Avenue, northerly along said property line, the western property lines of 858 through 864 Lexington Avenue, and the western property line of 866 Lexington Avenue (aka 130 ½ East 65th Street), across the roadbed to the northern curblineline of East 65th Street, easterly along said curblineline, across the roadbed, and along said curblineline to the point of its intersection with a line extending northerly from the eastern property line of 144-146 East 65th Street, southerly across the roadbed and along said property line to the southern property line of 144-146 East 65th Street, westerly along said property line and the southern property lines of 142 through 132 East 65th Street to the eastern property line of 851 Lexington Avenue, southerly along said property line, the eastern property lines of 843 through 849 Lexington Avenue, and the eastern property line of 841 Lexington Avenue (aka 155-157 East 64th Street) to the northern curblineline of East 64th Street, westerly along said curblineline and across the roadbed to its intersection with the western curblineline of Lexington Avenue, southerly across the roadbed and along said curblineline to the point of the beginning, Community District 8, Borough of Manhattan.

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

a15-28

COMMUNITY BOARDS

■ PUBLIC HEARINGS

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 12 - Monday, April 26, 2010 at 7:00 P.M., 59-10 13th Avenue, Brooklyn, NY

BSA# 617-8-BZ

770/780 McDonald Avenue
 The enlargement of an existing building used by a catering establishment which exceeded the permitted floor area ratio and encroached into the rear yard, subsequently the grant as amended and extended several times.

a23-26

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

BOROUGH OF THE BRONX

COMMUNITY BOARD NO. 04 - Tuesday, April 27, 2010 at 6:00 P.M., Bronx Lebanon Hospital, 1650 Grand Concourse, Bronx, NY

#C 080109MMX

IN THE MATTER OF an application submitted by the Department of Parks & Recreation, pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving: the elimination, discontinuance and closing of a portion of Shakespeare Avenue between West 172nd Street and the Cross Bronx Expressway. Including authorization for any acquisition or disposition of real property related thereto.

a23-27

EMPLOYEES' RETIREMENT SYSTEM

■ INVESTMENT MEETING

Please be advised that the next Investment Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Tuesday, April 27, 2010 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor Boardroom, Brooklyn, NY 11201-3751.

a20-26

HOUSING AUTHORITY

■ MEETING

SPECIAL NOTICE

Please be advised that the New York City Housing Authority's Board Meeting scheduled for **Wednesday, April 28, 2010** has been **rescheduled to Thursday, April 29, 2010 at 10:00 A.M.**

a26-29

INDUSTRIAL DEVELOPMENT AGENCY

■ PUBLIC HEARINGS

The New York City Industrial Development Agency (the "Agency") is empowered under the New York State Industrial Development Agency Act (constituting Title 1 of Article 18-A of the General Municipal Law), and Chapter 1082 of the 1974 Laws of New York, as amended, to issue nonrecourse revenue bonds to provide financing for qualified projects, and to enter into industrial and small industry incentive program transactions and other straight-lease transactions for the benefit of qualified projects, and thereby advance the job opportunities, general prosperity and economic welfare of the people of the State of New York (the "State") and to improve their prosperity and standard of living. The Agency has been requested (i) to make available the proceeds of its bonds to be issued in the approximate aggregate dollar amounts, to be used by the persons, for the purposes, and at the addresses identified below, and (ii) to participate in industrial and small industry incentive program straight-lease transactions and other straight-lease transactions for the purposes and at the addresses also identified below. As used herein, "bonds" are bonds, the interest on which may be exempt from local and/or State and/or Federal income taxes; and the "City" shall mean The City of New York. As used herein with reference to bond amounts, "approximately" shall be deemed to mean up to such stated bond amount or a greater principal amount not to exceed 10 % of such stated bond amount.

An amendment adding the following locations to an existing Agency Project for the benefit of Thomson Reuters (formerly known as Reuters America Inc. and Reuters America Holdings Inc.), a diversified business information company, and its eligible affiliates in connection with the renovation of office space and for the acquisition and/or leasing and installation of machinery, equipment, furniture, fixtures and other tangible personal property:

- floors 4 - 11, 15, 16, 21 and 22 comprising approximately 435,000 square feet in a facility located at 195 Broadway, New York, New York 10007;
- floor 7 comprising approximately 25,000 square feet in a facility located at 530 Fifth Avenue, New York, New York 10036;
- the concourse level comprising approximately 27,000 square feet in a facility located at 165 Broadway, New York, New York;
- floor 7 comprising approximately 13,000 square feet in a facility located at 45 Broadway, New York, New York 10007;
- floor 5 comprising approximately 15,000 square feet in a facility located at 75 Park Place, New York, New York 10007;
- floor 4 comprising approximately 13,000 square feet in a facility located at 1500 Broadway, New York, New York 10036; and
- floor 34 comprising approximately 43,000 square feet in a facility located at One New York Plaza 10004.

The Project conferred financial assistance consisting of exemption from City and State sales and use taxes. No additional financial assistance is being provided.

Straight lease (Industrial Incentive Program) transaction for the benefit of a to-be-formed real estate holding company, on behalf of Micarole Enterprises Corp d/b/a Kingsland Food, a food distributor, in connection with the acquisition, renovation, equipping and/or furnishing of an approximately 110,000 square foot facility located on an approximately 140,000 square foot parcel of land located at 101 Varick Avenue, Brooklyn, New York 11237. The financial assistance proposed to be conferred by the Agency will consist of payments in lieu of City real property taxes, exemption from City and State mortgage recording taxes and exemption from City and State sales and use taxes.

Straight Lease (commercial growth) transaction for the benefit of JetBlue Airways Corporation, a passenger airline, and its affiliates, in connection with the renovation of office space and for the acquisition and/or leasing and installation of machinery, equipment, furniture, fixtures and other tangible personal property at approximately 210,000 rentable square feet on floors 6, 7 and 8 located at 27-01 Queens Plaza

North, Long Island City, Queens, NY 11101. The financial assistance proposed to be conferred by the Agency at the above location will consist of exemption from City and State sales and use taxes.

Approximately \$5,000,000 tax-exempt manufacturing facilities bond transaction or Straight-Lease transaction (Industrial Incentive Program) on behalf of a to-be-formed real estate holding company, for the benefit of Boundary Fence & Railing Systems, Inc., a fence and railing manufacturer and distributor, in connection with the acquisition, renovation, construction, equipping and/or furnishing of an approximately 25,000 square foot facility located on an approximately 47,500 square foot parcel of land located at 87-35 131st Street, Richmond Hill, Queens, New York 11418. The financial assistance proposed to be conferred by the Agency will consist of such tax-exempt bond financing, payments in lieu of City real property taxes, exemption from City and State mortgage recording taxes and exemption from City and State sales and use taxes.

Straight lease (Industrial Incentive Program) transaction for the benefit of House of Spices Realty LLC, or its assignee, on behalf of House of Spices (India), Inc, an importer, producer and distributor of food items, in connection with the acquisition, renovation, equipping and/or furnishing of: (I) an approximately 53,000 square foot facility located on an approximately 90,000 square foot parcel of land located at 57-09 49th Street, Queens, New York 11378; and (II) an approximately 25,000 square foot facility on an approximately 27,000 sq. ft. parcel of land located at 57-07 49th Street, Queens, New York 11378. The financial assistance proposed to be conferred by the Agency will consist of payments in lieu of City real property taxes, exemption from City and State mortgage recording taxes and exemption from City and State sales and use taxes.

Pursuant to Section 859a of the General Municipal Law of the State of New York and Internal Revenue Code Section 147(f), the Agency will hold a hearing on the proposed financings and transactions set forth above at the office of New York City Economic Development Corporation ("NYCEDC"), 110 William Street, 4th Floor, New York, New York commencing at 10:00 A.M. on **Thursday, May 6, 2010**. Interested members of the public are invited to attend. The Agency will present information at such hearing on the proposed financings and transactions set forth above. Pursuant to subdivision 3 of the above-referenced Section 859a, the Agency will, in addition, provide an opportunity for the public to review at such hearing the project application and the cost-benefit analysis for each of the proposed financings and transactions. For those members of the public desiring to review project applications and cost benefit analyses before the date of the hearing, copies of these materials will be made available, starting on or about noon on the Friday preceding the hearing. Persons desiring to obtain copies of these materials may visit the website of New York City Economic Development Corporation at www.nycedc.com or may call (212) 312-3598. Persons desiring to make a brief statement regarding the proposed financings and transactions should give prior notice to the Agency at the address or phone number shown below. Written comments may be submitted to the Agency to the attention of Ms. Frances Tufano at the address shown below. Please be advised that certain of the aforementioned proposed financings and transactions may possibly be removed from the hearing agenda prior to the hearing date. Information regarding such removals will be available by contacting ftufano@nycedc.com on or about noon on the Friday preceding the hearing.

New York City Industrial Development Agency
 Attn: Ms. Frances Tufano
 110 William Street, 5th Floor
 New York, New York 10038
 (212) 312-3598

a26

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

■ PUBLIC HEARINGS

NOTICE OF A FRANCHISE AND CONCESSION REVIEW COMMITTEE ("FCRC") PUBLIC HEARING to be held on Monday, May 10, 2010 commencing at 2:30 P.M. at 22 Reade Street, Borough of Manhattan, in the matter of the assignment to NYC Payphones, LLC of a public pay telephone franchise currently held by Payco, LLC ("Payco"). The FCRC approved the franchise agreement between the City of New York ("the City") and the original franchisee, Metro Telecommunications of America, Inc. ("Metro"), on August 11, 1999. Subsequently, the FCRC approved the assignment of Metro's franchise to Payco on February 13, 2002. The franchise provides the non-exclusive right to install, operate and maintain public pay telephones on, over and under the inalienable property of the City.

A copy of the existing franchise agreement may be viewed at the New York City Department of Information Technology and Telecommunications, 75 Park Place, 9th Floor, New York, New York 10007, commencing Thursday, April 15, 2010 through Monday, May 10, 2010, between the hours of 9:30 A.M. and 3:30 P.M., excluding Saturdays, Sundays and holidays. Hard copies of the 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 existing franchise agreement may also be obtained in PDF form at no cost, by email request. Interested parties should contact Roxanne Chambers at (212) 788-6610 or by email at RChambers@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, New York 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 TV.

a15-m10

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

Notice is hereby given that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **May 04, 2010 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF QUEENS 09-1749 - Block 8017, lot 46-343 Knollwood Avenue - Douglaston Historic District
An English Cottage style house designed by G.A. Mezger and built in 1929. Application is to replace the windows.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF QUEENS 10-6165 - Block 1475, lot 65-37-25 87th Street - Jackson Heights Historic District
An Anglo-American Garden Home style house designed by C.F. McAvoy and built in 1924. Application is to legalize alterations to the areaway and installation of a security gate without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BRONX 09-0267 - Block 5824, lot 2490-4673 Delafield Avenue - Fieldston Historic District
A Mediterranean Revival style freestanding house, designed by Dwight James Baum, built 1922. Application is to construct an outbuilding, a garden wall, and a deck.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 10-7358 - Block 267, lot 10-47 Sidney Place - Brooklyn Heights Historic District
A Greek Revival style rowhouse built in 1846. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 10-6446 - Block 149, lot 75-9 Dekalb Avenue - Dime Saving Bank- Individual and Interior Landmark
A neo-Classical style bank building with a designated banking hall, built in 1906-08 and enlarged and altered in 1931-32. Application is to install a barrier-free access lift in the designated interior.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 10-7130 - Block 1075, lot 45-567 1st Street - Park Slope Historic District
A rowhouse built in 1902. Application is to alter the rear façade.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-7183 - Block 72, lot 27-85 South Street - South Street Seaport Historic District
A Romanesque Revival style warehouse built in 1902 by G. Curtis Gillespie. Application is to install a sign.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-9318 - Block 136, lot 19-126 Chambers Street - Tribeca South Historic Extension
An Italianate style store and loft building built c. 1857. Application is to install new storefront infill and signage.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5027 - Block 181, lot 16-179 Franklin Street - Tribeca West Historic District
A late 19th-century Commercial style store and loft building designed by Havilah H. Smith & Son and Hugo Kafka and built in 1888. Application is to legalize the installation of storefront infill without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-4619 - Block 497, lot 15-558 Broadway - SoHo-Cast Iron Historic District
A commercial building built in 1860 and altered in 1920. Application is to alter the facade.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-7299 - Block 531, lot 7501-692 Broadway - NoHo Historic District
A neo-Classical style store and lofts building designed by Clinton & Russell and built in 1909. Application is to install new storefront entrances.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-7604 - Block 529, lot 29-41-43 Bond Street - NoHo Historic District Extension
A vacant lot with a building under construction. Application is to amend Certificate of Appropriateness 09-6382 (LPC 09-3588) for the construction of a new building. Zoned M1-5B.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-7545 - Block 574, lot 39-40 Fifth Avenue - Greenwich Village Historic District
A neo-Georgian style apartment house designed by Van Wart & Wein, and built in 1929. Application is to reconstruct a greenhouse, install railings and replace windows.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5459 - Block 615, lot 83-239 West 12th Street - Greenwich Village Historic District
A Greek Revival style rowhouse built in 1843. Application is to construct a rooftop addition. Zoned C1-6.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5483 - Block 615, lot 81-

235 West 12th Street, aka 103 Greenwich Avenue -

Greenwich Village Historic District

A neo-Georgian style apartment house with stores on the ground floor, designed by Bernstein & Bernstein and built in 1906-07. Application is to alter storefront infill.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN - 10-6064 - Block 615, lot 81-103 Greenwich Street, aka 235 West 12th Street - Greenwich Village Historic District

A neo-Georgian style apartment house with stores on the ground floor, designed by Bernstein & Bernstein and built in 1906-07. Application is to replace storefront infill.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-7058 - Block 644, lot 54-7 9th Avenue - Gansevoort Market Historic District
A Greek Revival style rowhouse built in 1849 and altered in 1887. Application is to legalize a wall constructed without Landmarks Preservation Commission permits and to enlarge a fire escape.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-7043 - Block 644, lot 40 & 41-32-36 Little West 12th Street - Gansevoort Market Historic District
A neo-Grec style building designed by James Stroud and built in 1880. Application is to replace storefront infill.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-4911 - Block 746, lot 11-349 West 22nd Street - Chelsea Historic District
A Greek Revival style rowhouse built in 1841. Application is to modify the roof.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-6723 - Block 720, lot 82-470 West 23rd Street - Chelsea Historic District Extension
An Italianate style rowhouse built in 1857 and altered in 1885 and 1927. Application is to modify the existing sidewalk cafe and install signage.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-6063 - Block 673, lot 1-220-224 12th Avenue - West Chelsea Historic District
An American Round Arch style warehouse building designed by George B. Mallory and Otto M. Beck and built in 1890-91. Application is to create new window openings.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-6344 - Block 1121, lot 39-14 West 69th Street - Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse designed by Gilbert A. Schellenger and built in 1896. Application is to alter the areaway and entrance.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-2827 - Block 1228, lot 33-428 Amsterdam Avenue - Upper West Side/Central Park West Historic District
A Renaissance Revival style building designed by Henry F. Cook, and built in 1896-97. Application is to legalize storefront alterations, and the installation of light fixtures, conduit, and signage, all without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5379 - Block 1141, lot 44-130-132 West 70th Street -Upper West Side/Central Park West Historic District
Two neo-Grec/Queen Anne style rowhouses designed by Charles H. Lindsley and built in 1881-83. Application is to construct rooftop and rear yard additions, reconstruct a stoop and alter the front areaways. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-6585 - Block 1121, lot 29-101 West 80th Street, aka 418-422 Columbus Avenue - Upper West Side/Central Park West Historic District
A Beaux Arts style apartment building designed by Henry F. Cook and built in 1898. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5505 - Block 1841, lot 48-136 Manhattan Avenue - Manhattan Avenue Historic District
A rowhouse designed by C.P.H. Gilbert and built in 1886-87. Application is to construct a rooftop bulkhead. Zoned R8.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-6379 - Block 1497, lot 71-1048 Fifth Avenue - Metropolitan Museum Historic District
A French Classic style mansion designed by Carrere & Hastings and built in 1912-14. Application is to install a flagpole and banner.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 07-2440 - Block 1400, lot 14-135 East 65th Street, aka 868-870 Lexington Avenue - Upper East Side Historic District
A neo-Federal style rowhouse designed by Edwin Outwater and built in 1903-1904. Application is to construct a rooftop addition. Zoned C1-8X.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-6726 - Block 1390, lot 132-57 East 75th Street - Upper East Side Historic District
A Brutalist style apartment building designed by William B. Gleckman and built in 1973-1979. Application is to modify window openings.

BINDING REPORT

BOROUGH OF MANHATTAN 10-7446 - Block 1897, lot 19- Riverside Park, West 102nd Street - Riverside Park and Riverside Drive-Scenic Landmark
A comfort station and recreation building, designed by

Clinton Lloyd and built in 1937, within an English Romantic style park and parkway, built in 1873-1902 and designed by Frederick Law Olmsted, with modifications and additions built in 1934-1937 and designed by Clifton Lloyd and Gilmore Clarke. Application is to replace masonry infill and construct barrier free access ramps.

ADVISORY REPORT

BOROUGH OF MANHATTAN 10-7525 - Block 1897, lot 19 Riverside Park, West 122nd Street - Riverside Park and Riverside Drive- Scenic Landmark
An English Romantic-style park and parkway, built in 1873-1902 and designed by Frederick Law Olmsted, with modifications and additions built in 1934-1937 and designed by Clifton Lloyd and Gilmore Clarke. Application is to create a pathway.

a21-m4

BOARD OF STANDARDS AND APPEALS

■ PUBLIC HEARINGS

APRIL 27, 2010, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, April 27, 2010, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

803-61-BZ

APPLICANT – Eric Palatnik, P.C., for Phillip and Martin Blessinger, owner; BP Products North America, Incorporated, lessee.

SUBJECT – Application April 27, 2010 – Extension of Term for the continued use of a Gasoline Service Station (British Petroleum) which expires on November 14, 2011; Waiver of the Rules. C2-1/R3-2 zoning district.

PREMISES AFFECTED – 1416 Hylan Boulevard, corner of Hylan Boulevard, corner of Hylan Boulevard and Reid Avenue, Block 3350, Lot 30, Borough of Staten Island.

COMMUNITY BOARD #2SI

APPEALS CALENDAR

57-10-A

APPLICANT – Eric Palatnik, P.C., for 517 53rd Street, Inc., owner.

SUBJECT – Application April 19, 2010 – Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior C4-3 zoning district. R6B zoning district.

PREMISES AFFECTED – 517 53rd Street, between Fifth Avenue and Sixth Avenue, Block 808, Lot 69, Borough of Brooklyn.

COMMUNITY BOARD #7BK

10-10-A

APPLICANT – Law Office of Fredrick A. Becker, for Joseph Durzieh, owner.

SUBJECT – Application January 25, 2010 – Appeal seeking a common law vested right to complete construction commenced under the prior R4-1 Zoning district. R6 zoning district.

PREMISES AFFECTED – 1882 East 12th Street, west side, of East 12th Street, 75' north of Avenue S, Block 6817, Lot 41, Borough of Brooklyn.

COMMUNITY BOARD #15BK

23-10-A thru 26-10-A

APPLICANT – Richard Bowers of Akerman Senterfitt, LLP, for Mia & 223rd Street Management Corp., owner.

SUBJECT – Application February 23, 2010 – An appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district regulations. R1-2 zoning district. Series cases 23-10-A thru 26-10-A.

PREMISES AFFECTED – 39-39 223rd Street and 223-01/15/19 Mia Drive, between 223rd Street and Cross Island Parkway, Block 6343, Lots 154-157, Borough of Queens.

COMMUNITY BOARD #11Q

APRIL 27, 2010, 1:30 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, April 27, 2010, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

194-09-BZ

APPLICANT – Sheldon Lobel, P.C., for Dabes Realty Company, Incorporated, owner.

SUBJECT – Application June 17, 2009 – Variance to allow the construction of a four story mixed use building contrary to the following bulk regulations; floor area (ZR 23-141), open space (ZR 23-141), lot coverage (ZR 23-141), front yard (ZR 23-45), height (ZR 23-631), open space used for parking (ZR 25-64) and parking requirements (ZR 25-23); and to allow for the enlargement of an existing commercial use contrary to ZR 22-10. R3-2 zoning district.

PREMISES AFFECTED – 2113 Utica Avenue, 2095-2111 Utica Avenue, East side of Utica Avenue between Avenue M and N, Block 7875, Lot 27, Borough of Brooklyn.

COMMUNITY BOARD # 18BK

304-09-BZ

APPLICANT – Stuart A. Klein, Esq. for Junius-Glenmore Development, LLC, owner; Women in Need, Inc., lessee.

SUBJECT – Application November 4, 2009 – (§72-21) Variance to allow the erection of a ten-story, mixed-use residential, community facility and commercial building in an M1-4 zoning district. The application seeks to vary sections: 42-00, 43-12 and 43-122 (Community facility floor area), 43-43 (Height and sky exposure plane, and 44-21 (parking) of the zoning resolution.

PREMISES AFFECTED – 75-121 Junius Street, Junius Street, bounded by Glenmore Avenue and Liberty Avenue, Block 3696, Lot 1, 10, Borough of Brooklyn.

COMMUNITY BOARD #16BK

34-10-BZ

APPLICANT – James Chin & Associates, LLC, for Harry Tran, owner; Shu Ying Zhao, lessee.
SUBJECT – Application March 18, 2010 – Special Permit (\$73-36) to allow the operation of a physical culture establishment (York Spa Beauty Care) in the cellar and first floor of an existing five-story building. M1-5B zoning district.
PREMISES AFFECTED – 429 Broome Street, south side of Broome Street, from the corner formed by Broome and Crosby Street, Block 473, Lot 18, Borough of Manhattan.
COMMUNITY BOARD #2M

Jeff Mulligan, Executive Director

a23-26

MAY 11, 2010, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, May 11, 2010, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

887-54-BZ

APPLICANT – Eric Palatnik, Esq., for 218 Bayside Operating LLC, owner.
SUBJECT – Application March 5, 2010 – Extension of Term (11-411) for the continued use of Gasoline Station (*British Petroleum*) with accessory convenience store (*7-Eleven*) which expires on September 23, 2010. C2-2/R6B zoning district.
PREMISES AFFECTED – 218-01 Northern Boulevard, between 218th and 219th Street, Block 6321, Lot 21, Borough of Queens.
COMMUNITY BOARD #11Q

102-95-BZ

APPLICANT – The Law Office of Fredrick A. Becker, for The Argo Corporation as Agent for 50 West 17 Realty Company, owner; Renegades Associates d/b/a Splash Bar, lessee.
SUBJECT – Application March 8, 2010 – Extension of Term of a previously granted Special Permit (\$73-244) for a UG12 Eating and Drinking Establishment (Splash) which expired on March 5, 2010. C6-4A zoning district.
PREMISES AFFECTED – 50 West 17th Street, south side of West 17th Street, between 5th Avenue and 6th Avenue, Block 818, Lot 78-20 67th Road, Borough of Manhattan.
COMMUNITY BOARD #5M

189-96-BZ

APPLICANT – John C. Chen, for Ping Yee, owner; Edith D'Angelo-Cnandonga, lessee.
SUBJECT – Application March 15, 2010 – Extension of Term for a previously granted Special Permit (\$73-244) of a UG12 Eating and Drinking establishment with entertainment and dancing (*Flamingos*) which expires on May 19, 2010. C2-3/R6 zoning district.
PREMISES AFFECTED – 85-12 Roosevelt Avenue, south side of Roosevelt Avenue 58' eastside of Forley Street, Block 1502, Lot 3, Borough of Queens.
COMMUNITY BOARD #4Q

4-00-BZ

APPLICANT – Eric Palatnik, P.C., for 243 West 30th Realty, LLC, owner; West Garden Incorporated, lessee.
SUBJECT – Application March 22, 2010 – Extension of Term of a previously granted Special Permit (\$73-36) for the continued use of a Physical Culture Establishment (West Garden) which expires on May 30, 2010. M1-5 zoning district.
PREMISES AFFECTED – 243 West 30th Street, north side of West 30th Street, east of 8th Street, Block 780, Lot 15, Borough of Manhattan.
COMMUNITY BOARD #5M

103-05-A

APPLICANT – Rothkrug, Rothkrug, Spector, LLP, for Main Street Make Over 2, Incorporated, owner.
SUBJECT – Application April 20, 2010 – Remand form the Appellate Division for a determination on the issue of whether DOB issued the permit in error based on alleged misrepresentations made by the owner during the permit application process with respect to the plans to demolish the existing home and to construct a new home on a different portion of the lot.
PREMISES AFFECTED – 366 Nugent Street, southwest corner of the intersection of Nugent Street and Spruce Street, Block 2284, Lot 44, Borough of Staten Island.
COMMUNITY BOARD #2SI

APPEALS CALENDAR

89-07-A thru 95-07-A

APPLICANT – NYC Board of Standards and Appeals
OWNER: Pleasant Plains Holding LLC
SUBJECT – Application for dismissal for lack of prosecution – Proposal to build three-two family and one-one family homes located within the bed of a mapped street (Thornycroft Avenue) contrary to Section 35 of the General City Law. R3-2 zoning district. Series cases 89-07-A thru 95-07-A.
PREMISES AFFECTED – 460-480 Thornycroft Avenue and 281 Oakdale Street, Staten Island, Block 5238, Lot 7, Borough of Staten Island.
COMMUNITY BOARD #3SI

193-09-A

APPLICANT – Slater & Beckerman, LLP, for Margaret Sausa, owner.
SUBJECT – Application June 11, 2009 – Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior R5 Zoning district. R4-1 Zoning district.
PREMISES AFFECTED – 78-46 79th Place, west side of 79th Place, between Myrtle Avenue and 78th Avenue, Block 3828, Lot 73, Borough of Queens.
COMMUNITY BOARD #5Q

MAY 11, 2010, 1:30 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, May 11, 2010, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

6-09-BZ

APPLICANT – Rampulla Associate Architects, for Joseph Romano, owner.
SUBJECT – Application January 2, 2009 – Variance (\$72-21) to permit the legalization of an existing Automotive Repair Facility (UG 16B), contrary to ZR §32-10. C4-1 (Special South Richmond Development District & Special Growth Management District) zoning district.
PREMISES AFFECTED – 24 Nelson Avenue, south side from the corner of Nelson Avenue & Giffords Glenn, Block 5429, Lot 29 & 31, Borough of Staten Island.
COMMUNITY BOARD #3SI

189-09-BZ

APPLICANT – Eric Palatnik, P.C., for Mohamed Adam, owner; Noor Al-Islam Society, lessee.
SUBJECT – Application June 10, 2009 – Variance (\$72-21) to permit the legalization of the existing mosque and Sunday school. The proposal is contrary to use and maximum floor area ratio (42-00 and 43-12). M3-1 zoning district.
PREMISES AFFECTED – 3067 Richmond Terrace, north side of Richmond Terrace, west of Harbor Road, Block 1208, Lot 5, Borough of Staten Island.
COMMUNITY BOARD #1SI

27-10-BZ

APPLICANT – Eric Palatnik, P.C., for Vadim Rabinovich, owner.
SUBJECT – Application March 1, 2010 – Special Permit (\$73-622) for the enlargement of a single family home, contrary to open space, lot coverage and floor area (23-141); side yards (23-461) and less than the required rear yard (23-47). R3-1 zoning district.
PREMISES AFFECTED – 117 Norfolk Street, between Shore Parkway and Oriental Boulevard, Block 8757, Lot 47, Borough of Brooklyn.
COMMUNITY BOARD #15BK

30-10-BZ

APPLICANT – Law Office of Fredrick A. Becker, for Susan Shalitzky, owner.
SUBJECT – Application March 8, 2010 – Special Permit (\$73-622) for the enlargement of an existing single family home, contrary to open space and floor area (23-141) and less than the required rear yard (23-47). R-2 zoning district.
PREMISES AFFECTED – 1384 East 22nd Street, west side of East 22nd Street, between Avenues M and N, Block 7657, Lot 56, Borough of Brooklyn.
COMMUNITY BOARD #14BK

Jeff Mulligan, Executive Director

a26-27

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday April 28, 2010. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing New York University to continue to maintain and use pipes and conduits under and across Washington Place, west and east of Mercer Street, and under and across Mercer Street, north of Washington Place, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2010 to June 30, 2011 - \$36,676
For the period July 1, 2011 to June 30, 2012 - \$37,744
For the period July 1, 2012 to June 30, 2013 - \$38,812
For the period July 1, 2013 to June 30, 2014 - \$39,880
For the period July 1, 2014 to June 30, 2015 - \$40,948
For the period July 1, 2015 to June 30, 2016 - \$42,016
For the period July 1, 2016 to June 30, 2017 - \$43,084
For the period July 1, 2017 to June 30, 2018 - \$44,152
For the period July 1, 2018 to June 30, 2019 - \$45,220
For the period July 1, 2019 to June 30, 2020 - \$46,288

the maintenance of a security deposit in the sum of \$24,000 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#2 In the matter of a proposed revocable consent authorizing New York University to continue to maintain and use a conduit under, across and along East 26th Street, east of First Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2010 to June 30, 2011 - \$4,881
For the period July 1, 2011 to June 30, 2012 - \$5,027
For the period July 1, 2012 to June 30, 2013 - \$5,173
For the period July 1, 2013 to June 30, 2014 - \$5,319
For the period July 1, 2014 to June 30, 2015 - \$5,465
For the period July 1, 2015 to June 30, 2016 - \$5,611
For the period July 1, 2016 to June 30, 2017 - \$5,757
For the period July 1, 2017 to June 30, 2018 - \$5,903
For the period July 1, 2018 to June 30, 2019 - \$6,049
For the period July 1, 2019 to June 30, 2020 - \$6,195

the maintenance of a security deposit in the sum of \$4,500 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#3 In the matter of a proposed revocable consent authorizing New York University to continue to maintain and use pipes and conduits under and across West 3rd Street, west of Mercer Street, and under and across Mercer Street, south of West 3rd Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides among other terms and conditions for the compensation payable to the City according to the following schedule:

For the period July 1, 2010 to June 30, 2011 - \$30,667
For the period July 1, 2011 to June 30, 2012 - \$31,560
For the period July 1, 2012 to June 30, 2013 - \$32,453
For the period July 1, 2013 to June 30, 2014 - \$33,346
For the period July 1, 2014 to June 30, 2015 - \$34,239
For the period July 1, 2015 to June 30, 2016 - \$35,132
For the period July 1, 2016 to June 30, 2017 - \$36,025
For the period July 1, 2017 to June 30, 2018 - \$36,918
For the period July 1, 2018 to June 30, 2019 - \$37,811
For the period July 1, 2019 to June 30, 2020 - \$38,704

the maintenance of a security deposit in the sum of \$20,000 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#4 In the matter of a proposed revocable consent authorizing New York University to continue to maintain and use pipes and conduits, together with manholes and a pull box, under and along Washington Square South, between Sullivan Street and LaGuardia Place, and under and along Thompson Street, south of Washington Square South, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides among other terms and conditions for the compensation payable to the City according to the following schedule:

For the period July 1, 2010 to June 30, 2011 - \$35,017
For the period July 1, 2011 to June 30, 2012 - \$36,068
For the period July 1, 2012 to June 30, 2013 - \$37,119
For the period July 1, 2013 to June 30, 2014 - \$38,170
For the period July 1, 2014 to June 30, 2015 - \$39,221
For the period July 1, 2015 to June 30, 2016 - \$40,272
For the period July 1, 2016 to June 30, 2017 - \$41,323
For the period July 1, 2017 to June 30, 2018 - \$42,374
For the period July 1, 2018 to June 30, 2019 - \$43,425
For the period July 1, 2019 to June 30, 2020 - \$44,476

the maintenance of a security deposit in the sum of \$15,700 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#5 In the matter of a proposed revocable consent authorizing The Long Island College Hospital to continue to maintain and use a pipe under and across Amity Street, west of Henry Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides, among other terms and conditions, for the compensation payable to the City according to the following schedule:

For the period July 1, 2010 to June 30, 2011 - \$2,683
For the period July 1, 2011 to June 30, 2012 - \$2,761
For the period July 1, 2012 to June 30, 2013 - \$2,839
For the period July 1, 2013 to June 30, 2014 - \$2,917
For the period July 1, 2014 to June 30, 2015 - \$2,995
For the period July 1, 2015 to June 30, 2016 - \$3,073
For the period July 1, 2016 to June 30, 2017 - \$3,151
For the period July 1, 2017 to June 30, 2018 - \$3,229
For the period July 1, 2018 to June 30, 2019 - \$3,307
For the period July 1, 2019 to June 30, 2020 - \$3,385

the maintenance of a security deposit in the sum of \$3,400, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#6 In the matter of a proposed revocable consent authorizing St. Luke's-Roosevelt Hospital Center to continue to maintain and use conduits under and across West 58th Street, west of Ninth Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2010 to June 30, 2011 - \$ 8,268
For the period July 1, 2011 to June 30, 2012 - \$ 8,509
For the period July 1, 2012 to June 30, 2013 - \$ 8,750
For the period July 1, 2013 to June 30, 2014 - \$ 8,991
For the period July 1, 2014 to June 30, 2015 - \$ 9,232
For the period July 1, 2015 to June 30, 2016 - \$ 9,473
For the period July 1, 2016 to June 30, 2017 - \$ 9,714
For the period July 1, 2017 to June 30, 2018 - \$ 9,955
For the period July 1, 2018 to June 30, 2019 - \$10,196
For the period July 1, 2019 to June 30, 2020 - \$10,437

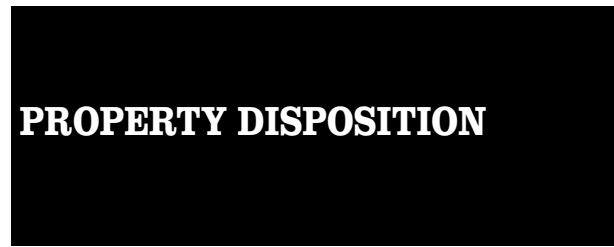
the maintenance of a security deposit in the sum of \$25,600 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#7 In the matter of a proposed revocable consent authorizing Broad & Boerum LLC to continue to maintain and use an accessibility ramp on the south sidewalk of Boerum Street, east of Broadway, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

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

the maintenance of a security deposit in the sum of \$5,000 and the filing of an insurance policy in the minimum amount of \$500,000/\$2,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$200,000.

a8-28



CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AUCTION

PUBLIC AUCTION SALE NUMBER 10001-V

NOTICE IS HEREBY GIVEN of a public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, truck, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, May 12, 2010 (SALE NUMBER 10001-V). Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M. LOCATION: 570 Kent Avenue, Brooklyn, NY (in the Brooklyn Navy Yard between Taylor and Clymer Streets).

A listing of vehicles to be offered for sale in the next auction can be viewed on our Web site, on the Friday prior to the sale date at:

*** PLEASE NOTE: THE SALE FOR APRIL 28, 2010 (SALE NUMBER 10001-U) HAS BEEN CANCELLED.

<http://www.nyc.gov/autoauction> OR
<http://www.nyc.gov/autoauctions>

Terms and Conditions of Sale can also be viewed at this site.

For further information, please call (718) 417-2155 or (718) 625-1313.

a15-m12

SALE BY SEALED BID

SALE OF: 4 LOTS OF MISCELLANEOUS EQUIPMENT, USED/UNUSED.

S.P.#: 10021

DUE: April 29, 2010

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.

DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007. For sales proposal contact Gladys Genoves-McCauley (718) 417-2156.

a16-29

SALE OF: 1 LOT OF ASSORTED LUMINAIRES, UNUSED.

S.P.#: 10022

DUE: May 6, 2010

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.

DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007. For sales proposal, contact Gladys Genoves-McCauley (718) 417-2156.

a23-m6

POLICE

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

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

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

INQUIRIES

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

FOR MOTOR VEHICLES (All Boroughs):

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

FOR ALL OTHER PROPERTY

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

j1-d31

PROCUREMENT

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

ADMINISTRATION FOR CHILDREN'S SERVICES

INTENT TO AWARD

Human/Client Service

GENERAL PREVENTIVES SERVICES CITYWIDE AND GENERAL PREVENTIVES SERVICES, BRONX – Negotiated Acquisition – DUE 05-06-10 AT 10:00 A.M. – PIN# 06811GPNAE51 - Harlem Children Zone - City Wide PIN# 06811GPNAE47 - Partnership with Children Inc. - City Wide

PIN# 06811GPNAE49 - Puerto Rican Family - City Wide
PIN# 06811GPNAE11 - Puerto Rican Family - City Wide
PIN# 06810GP00003 - Cardinal McCloskey - Bronx
PIN# 06810GP00007 - Dominican Sisters - Bronx

To enter into negotiation with the six (6) organizations cited above.

In accordance with Section 3-04(b)(2)(iii) of the Procurement Policy Board rules, ACS intends to use the Negotiated Acquisition process to extent the subject contracts' terms to ensure continuity of mandated services. The terms of the General Preventive City Wide and Bronx contracts are projected to be for five (5) months from July 1, 2010 to November 30, 2010. Suppliers may express interest in future procurements by contacting Rafael Asusta at ACS', Child Welfare Services Unit, 150 William street, 9th Floor, NY, NY 10038, rasusta@acs.nyc.gov or by calling (212) 341-3511 between the hours of 10:00 A.M. and 4:00 P.M. on business days.

a26

FRP SERVICES CITYWIDE, FRP BRONX, GP SERVICES BRONX, CHRONIC ILLNESS, HEARING IMPAIRED AND RESPITE CARE – Negotiated Acquisition – DUE 05-06-10 AT 10:00 A.M. –

PIN# 06811FRCW001 - FRP CITYWIDE
PIN# 06811FRCW003 - FRP CITYWIDE
PIN# 06811FRCW005 - FRP CITYWIDE
PIN# 06811FRCW006 - FRP CITYWIDE
PIN# 06811FRCW007 - FRP CITYWIDE
PIN# 06811FRCW010 - FRP CITYWIDE
PIN# 06811FRCW011 - FRP CITYWIDE
PIN# 06811FRCW013 - FRP CITYWIDE
PIN# 06811FRCW014 - FRP CITYWIDE
PIN# 06811FRCW015 - FRP CITYWIDE
PIN# 06811FRCW004 - FRP CITYWIDE
PIN# 06811FRCW018 - FRP CITYWIDE
PIN# 06811FRCW019 - FRP CITYWIDE
PIN# 06811FRCW021 - FRP CITYWIDE
PIN# 06811FRCW008 - FRP CITYWIDE
PIN# 06811FR00001 - FRP BRONX
PIN# 06811FR00002 - FRP BRONX
PIN# 06811FR00003 - FRP BRONX
PIN# 06811FR00004 - FRP BRONX
PIN# 06811FR00006 - FRP BRONX
PIN# 06811FR00008 - FRP BRONX
PIN# 06810GP00001 - GP BRONX
PIN# 06810GP00004 - GP BRONX
PIN# 06810GP00005 - GP BRONX
PIN# 06810GP00006 - GP BRONX
PIN# 06810GP00008 - GP BRONX
PIN# 06810GP00009 - GP BRONX
PIN# 06810GP00011 - GP BRONX
PIN# 06810GP00012 - GP BRONX
PIN# 06810GP00013 - GP BRONX
PIN# 06810GP00015 - GP BRONX
PIN# 06810GP00016 - GP BRONX
PIN# 06810GP00017 - GP BRONX
PIN# 06810GP00019 - GP BRONX
PIN# 06810GP00020 - GP BRONX
PIN# 06810GP00022 - GP BRONX
PIN# 06810GP00023 - GP BRONX
PIN# 06811GPPC101 - CHRONIC ILLNESS
PIN# 06811GPPC102 - CHRONIC ILLNESS
PIN# 06811GPDHI01 - HEARING IMPAIRED
PIN# 06811GPRC002 - RESPITE CARE

To enter into negotiation with the forty one (41) organizations cited below for the provision of Family Rehabilitation services - Citywide, Family Rehabilitation services - Bronx, General Preventive Services - Bronx, Chronic Illness, Hearing Impaired and Respite Care.

Family Rehabilitation Services - Citywide:

1. Alianza Dominicana Inc.
2. Cardinal McCloskey
3. Child Development Support Corp.
4. Community Counseling and Mediation
5. Episcopal Community Services.
6. Good Shepherd Inc.
7. Jewish Child Care Association.
8. New York Foundling Hospital.
9. The Child Center of NY.
10. Harlem Children Zone Inc.
11. Safe Space.
12. Seaman's Society.
13. SCO Family of Services
14. St. Luke's Roosevelt Hospital.
15. Women's Prison Association.

Family Rehabilitation Services - Bronx:

1. Cardinal McCloskey.
2. Dominican Sisters.
3. Kingsbridge Heights.
4. Leake and Watts.
5. New York Foundling Hospital
6. Scan NY

General Preventive Services - Bronx:

1. Astor Home for Children.
2. Catholic Guardian.
3. The Children's Aid Society.
4. BronxWorks.
5. Episcopal Social Services.
6. Graham Windham
7. Jewish Board of Family and Children Services.
8. Kingsbridge Heights.
9. Leake and Watts.
10. New York Foundling Hospital.
11. Good Shepherd.
12. Puerto Rican Family.
13. Scan NY.
14. St. Barnabas Hospital.
15. St. Dominic's Home.
16. Steinway Children and Family

Chronic Illness:

1. New Alternatives.
2. St. Vincent Services

Hearing Impaired:

1. New York Foundling Hospital

Respite Care:

1. New York Foundling Hospital

In accordance with Section 3-04(b)(2)(iii) of the Procurement Policy Board rules, ACS intends to use the Negotiated Acquisition process to extent the subject contracts' terms to ensure continuity of mandated services. The terms of the above stated contracts are projected to be for three (3) months from July 1, 2010 to September 30, 2010. Suppliers may express interest in future procurements by contacting Rafael Asusta at ACS' Child Welfare Services Unit, 150 William Street, 9th Floor, NY, NY 10038, rasusta@acs.nyc.gov, or by calling (212) 341-3511 between the hours of 10:00 A.M. and 4:00 P.M. on business days.

a26

GENERAL PREVENTIVES SERVICES AND FOSTER CARE - SPECIAL MEDICAL SERVICES – Negotiated Acquisition – DUE 05-06-10 AT 10:00 A.M. –

PIN# 06811GPNAE01 - PIN# 06811GPNAE03
PIN# 06811GPNAE04 - PIN# 06811GPNAE05
PIN# 06811GPNAE07 - PIN# 06811GPNAE09
PIN# 06811GPNAE10 - PIN# 06811GPNAE12
PIN# 06811GPNAE13 - PIN# 06811GPNAE15
PIN# 06811GPNAE16 - PIN# 06811GPNAE17
PIN# 06811GPNAE18 - PIN# 06811GPNAE20

PIN# 06811GPNAE21 - PIN# 06811GPNAE22
PIN# 06811GPNAE23 - PIN# 06811GPNAE24
PIN# 06811GPNAE27 - PIN# 06811GPNAE28
PIN# 06811GPNAE29 - PIN# 06811GPNAE30
PIN# 06811GPNAE14 - PIN# 06811GPNAE31
PIN# 06811GPNAE32 - PIN# 06811GPNAE33
PIN# 06811GPNAE34 - PIN# 06811GPNAE35
PIN# 06811GPNAE37 - PIN# 06811GPNAE60
PIN# 06811GPNAE40 - PIN# 06811GPNAE41
PIN# 06811GPNAE43 - PIN# 06811GPNAE44
PIN# 06811GPNAE46 - PIN# 06811GPNAE50
PIN# 06811GPNAE57 - PIN# 06811GPNAE54
PIN# 06811GPNAE55 - PIN# 06811GPNAE59
PIN# 06811GPNAE61 - PIN# 06811GPNAE62

To enter into negotiation with the forty two (42) organizations cited below for the provision of General Preventive Services.

1. ALIANZA DOMINICANA Inc.,
2. Arab-American Inc.,
3. Association to Benefit Children,
4. Big Brothers/Big Sisters of NYC,
5. Brooklyn Bureau Community Services,
6. Catholic Charities,
7. Cardinal McCloskey Inc.,
8. Child Development Support Corp.,
9. Children's Aid Society Inc.,
10. YMCA of Greater NY (Chinatown),
11. Chinese American Inc.,
12. Church Avenue Merchants (CAMBA),
13. Community Counseling and Mediation Services X,
14. Community Mediation Services,
15. Day Care Council of NY Inc.,
16. Dominican Women's Development Center X,
17. East Harlem Council Inc.,
18. Edwin Gould Services,
19. Episcopal Community Services,
20. Forestdale Inc.,
21. Good Shepherd Inc.,
22. Graham-Windham Inc.,
23. Hellenic American (HANAC),
24. Harlem Dowling - West Side,
25. Heartshare Human Services Inc.,
26. Jewish Board of Family and Children Services (JBFCS),
27. Jewish Child Care Association,
28. Little Sisters of the Assumption,
29. Lower Eastside,
30. NYC Mission Society,
31. New York Foundling Hospital,
32. Northside Center Development Inc. X,
33. Northern Manhattan Perinatal,
34. Ohel Inc.,
35. The Child Center of New York,
36. Seamen's Society Inc.,
37. Southern Queens Park Association,
38. SCO Family of Services,
39. St. Luke's Roosevelt,
40. MercyFirst,
41. Staten Island Mental Health,
42. Steinway Children and Family Inc.

In accordance with Section 3-04(b)(2)(iii) of the Procurement Policy Board rules, ACS intends to use the Negotiated Acquisition process to extent the subject contracts' terms to ensure continuity of mandated services. The terms of the General Preventive contracts are projected to be for three (3) months from July 1, 2010 to September 30, 2010. Suppliers may express interest in future procurements by contacting Rafael Asusta at ACS' Child Welfare Services Unit, 150 William street, 9th Floor, N.Y., N.Y. 10038 or by calling (212) 341-3511 between the hours of 10:00 A.M. and 4:00 P.M. on business days.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Administration for Children's Services, 150 William Street, New York, NY 10038. Rafael Asusta (212) 341-3511, rasusta@acs.nyc.gov

a26

CITYWIDE ADMINISTRATIVE SERVICES

AGENCY CHIEF CONTRACTING OFFICER

AWARDS

Services (Other Than Human Services)

AUTO BODY REPAIR – Competitive Sealed Bids – PIN# 856090000326 – AMT: \$200,000.00 – TO: A-Jofis Auto Body, Inc., 33 Wave Street, S.I., NY 10304. Auto Body repair for DCAS Fleet in Staten Island and Brooklyn South.

a26

DIVISION OF MUNICIPAL SUPPLY SERVICES

VENDOR LISTS

Goods

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

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

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

jy17-j4

EQUIPMENT FOR DEPARTMENT OF SANITATION – In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:
 A. Collection Truck Bodies
 B. Collection Truck Cab Chassis
 C. Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8610.

▲ j17-j4

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

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

▲ j17-j4

DESIGN & CONSTRUCTION

■ AWARDS

Construction / Construction Services

CONSTRUCTION OF CATCH BASINS IN VARIOUS LOCATIONS, THE BRONX – Competitive Sealed Bids – PIN# 8502009SE0019C – AMT: \$989,760.00 – TO: Tucci Equipment Rental Corp., 336 Barreto Street, Bronx, New York 10474. Project ID: SECBMTAX1.

● **RECONSTRUCTION OF CHAMBERS STREET BETWEEN BROADWAY AND WEST STREET INCLUDING SEWER, WATER MAIN, STREET LIGHTING, ETC., MANHATTAN** – Competitive Sealed Bids – PIN# 8502008HW0069C – AMT: \$1.09 – TO: Judlau Contracting, Inc., 26-10 Ulmer Street, College Point, NY 11354. Project ID: HWMWTCA6B.

● **RECONSTRUCTION OF COLLAPSED OR OTHERWISE DEFECTIVE SANITARY, STORM AND COMBINED VITRIFIED CLAY PIPE SEWERS IN VARIOUS LOCATIONS, QUEENS** – Competitive Sealed Bids – PIN# 8502009SE00033C – AMT: \$4,637,705.38 – TO: Clemente Brothers Contracting Corp., 50 South Bridge Street, Staten Island, New York 10309. Project ID: SEQ201BN2.

● **CONSTRUCTION OF SANITARY AND STORM SEWERS IN 2ND, 3RD, 4TH COURT, AND LIPSETT AVENUE BETWEEN OCEANVIEW AVENUE AND BROADWALK AVENUE, AND IN OCEANVIEW AVENUE BETWEEN LIPSETT AVENUE AND BARCLAY AVENUE, INCLUDING WATER MAIN WORK, STATEN ISLAND** – Competitive Sealed Bids – PIN# 8502010SE0002C – AMT: \$1,759,721.52 – TO: Perfetto Enterprises Co. Inc., 2319 Richmond Terrace, Staten Island, NY 10302. Project ID: SER002247.

● **REHABILITATION OF SANITARY AND COMBINED SEWERS BY USING D.E.P. APPROVED LINING METHOD, CITYWIDE** – Competitive Sealed Bids – PIN# 8502009SE0028C – DUE 1,821,506.00 – TO: Allstate Power Vac, Inc., 928 E. Hazelwood Avenue. Project ID: SELCDDC06.

● **EMERGENCY REHABILITATION OF SANITARY AND COMBINED SEWERS BY USING D.E.P. APPROVED LINING METHOD, CITYWIDE** – Competitive Sealed Bids – PIN# 8502009SE0030C – AMT: \$2,997,698.00 – TO: Allstate Power Vac, Inc., 928 E. Hazelwood Avenue, Rahway, NJ 07065. Project ID: SE-LC-13.

● **PW311GEN1, REQUIREMENTS CONTRACT FOR ENVIRONMENTAL SERVICES FOR VARIOUS PROJECTS, MANHATTAN** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 8502009PW0005P – AMT: \$2,000,000.00 – TO: Louis Berger and Associates, P.C., 199 Water Street, 23rd Floor, New York, NY 10038.

▲ a26

EDUCATION

DIVISION OF CONTRACTS AND PURCHASING

■ SOLICITATIONS

Goods

VENDING TRUCK LEASING – Competitive Sealed Bids – PIN# Z1554040 – DUE 05-12-10 AT 5:00 P.M. – This Agreement is intended to cover, during the period of the contract, the requirements for the lease of a vending truck for the Office of School Food to provide delivery of pre packed meals beginning July 1, 2010 through August 31, 2010. If you cannot download this oma, please send an e-mail to VendorHotline@schools.nyc.gov with the oma number and title in the subject line of your e-mail. For all questions related to this oma, please send an e-mail to FCastel@schools.nyc.gov with the oma number and title in the subject line of your e-mail.

Bid opening: Thursday, May 13th, 2010 at 11:00 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above.
 Department of Education, 65 Court Street, Room 1201 Brooklyn, NY 11201. Vendor Hotline (718) 935-2300 vendorhotline@schools.nyc.gov

▲ a26

EMPLOYEES' RETIREMENT SYSTEM

■ AWARDS

Goods & Services

DELL MICROCOMPUTER SYSTEMS AGREEMENT – Cooperative Purchasing – PIN# 009419101 – AMT: \$140,600.00 – TO: Dell Marketing, LP, 850 Asbury Drive, Buffalo Grove, IL 60089. Dell to provide NYCERS with desktop PCs and software.

▲ a26

ENVIRONMENTAL PROTECTION

■ SOLICITATIONS

Construction / Construction Services

REGULATOR RECONSTRUCTION AT THE 26TH WARD WPCP, BROOKLYN – Competitive Sealed Bids – PIN# 82610WPC1228 – DUE 05-19-10 AT 11:30 A.M. – Project No.26W-14 Document Fee: \$100.00. There will be a Pre-bid Conference held on 5/4/10 at 11:00 A.M. at The CM Building at the 26th Ward WPCP,122-66 Flatlands Avenue, Brooklyn, N.Y. 11207. Project Manager, Steve Elie Pierre (718) 595-6070. Please be advised that this contract is subject to the Project Labor Agreement. Vendor ID#: 67916.

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

Department of Environmental Protection, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373. Greg Hall (718) 595-3236, ghall@dep.nyc.gov

▲ a26

HEALTH AND HOSPITALS CORPORATION

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

▲ j1-d31

■ SOLICITATIONS

Goods

MUSIC VIDEOS AND GAMES FOR HIP HOP HEALS – Competitive Sealed Bids – PIN# 11210046 – DUE 05-07-10 AT 3:00 P.M.

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

Lincoln Hospital Center, 234 East 149th Street, Bronx New York 10451. Dorothy Barnes (718) 579-5021 fax: (718) 579-4788, dorothy.barnes@nychhc.org

▲ a26

Construction Related Services

OBTAIN PERMITS FOR GENERAL CONSTRUCTION FROM D.O.B. – Competitive Sealed Bids – PIN# QHN2010-1090EHC – DUE 05-10-10 AT 2:00 P.M.

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

Queens Health Network, 82-68 164th Street, "S" Building, Jamaica, NY 11432. Aurelio Morrone (718) 883-6000 fax: (718) 883-6220, morrone@nychhc.org

▲ a26

HEALTH AND MENTAL HYGIENE

■ SOLICITATIONS

Services (Other Than Human Services)

HELICOPTER STORAGE AND MAINTENANCE SERVICES – Competitive Sealed Bids – PIN# 11AA003400R0X00 – DUE 05-10-10 AT 11:00 A.M. – The Department is seeking a vendor to provide year-round hanger storage and professional maintenance services for one Helicopter, a Bell Jet Ranger Model BIBB-3 Jet Ranger III - Year of Manufacture: 1989. The Department uses this helicopter for mosquito surveillance and control operations. The Contractor shall provide storage and flight facilities for the Helicopter and shall perform routine and preventive maintenance, scheduled inspections, overhauls, repairs and shall provide certain replacement parts for the Helicopter and its Peripheral Equipment. Hanger services are required for winter storage during the months of November to April and flyable (operable) storage during the months of April through November. Bids are available for pick up starting April 26, at the Office of Veterinary and Pest Control Services at the address listed above. Any questions regarding this bid must be sent in writing to the below officer.

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

Health and Mental Hygiene, 40 Worth Street, 1529, MN New York, NY 10013. Waheed Bajwa (212) 676-2018, fax: (212) 676-2043, wbajwa@health.nyc.gov ACCO, 93 Worth Street, Room 812, New York, NY 10013.

▲ a26

HOMELESS SERVICES

■ INTENT TO AWARD

Human / Client Service

SUPPORTIVE HOUSING FOR HOMELESS SINGLE ADULTS – Negotiated Acquisition – PIN# 071-10S-03-1467 – DUE 05-10-10 AT 2:00 P.M. – The Department of Homeless Services (DHS) intends on entering into negotiations with Volunteers of America Greater New York, Inc., located at 340 West 85th Street, New York, NY 10024, to continue to provide supportive housing services for homeless single adults at the East 12th Street SRO Residence, located at 331

East 12th Street, New York, NY 10003. This 90-unit City-owned Single Room Occupancy (SRO) residence serves formerly homeless men and women who are 55 years of age and older who may suffer from histories of mental and/or medical impairments. This contract will be conducted via the Negotiated Acquisition Extension, pursuant to Section 3-04 (b)(2)(iii) of the Procurement Policy Board Rules to extend the underlying contract for one (1) year to allow the agency sufficient time to complete the RFP process, which will be completed and in place by July 1, 2011. It is anticipated that the extension contract will be from July 1, 2010 to June 30, 2011.

Qualified vendors that are interested in providing supportive housing services to homeless single adults in the future may contact: Marta Zmoira, Contract Officer, Department of Homeless Services, 33 Beaver Street, 13th Floor, N.Y., N.Y. 10004, (212) 361-0888, fax: (917) 637-7562 or email at mzmoira@dhs.nyc.gov

Need to extend the underlying contract for one (1) year to allow the agency sufficient time to complete the RFP process, which will be completed and in place by July 1, 2011.

▲ a26

TIER II SHELTER SERVICES FOR HOMELESS FAMILIES

– Negotiated Acquisition – PIN# 071-10S-003-179 – DUE 05-10-10 AT 2:00 P.M. – The Department of Homeless Services (DHS) intends on entering into negotiations with Help Social Services Corporation, located at 5 Hanover Square, New York, NY, 10004 to continue to provide Tier II shelter services for homeless families at the Help I of New York Family Residence, located at 515 Blake Avenue, Brooklyn, NY, 11207. This 191-unit facility provides temporary housing and a multitude of support services designed to help homeless families gain self-sufficiency and move into permanent housing. This contract will be conducted via the Negotiated Acquisition Extension, pursuant to Section 3-04 (b)(2)(iii) of the Procurement Policy Board Rules to extend the underlying contract for one (1) year to allow the agency sufficient time to complete the RFP process, which will be completed and in place by July 1, 2011.

It is anticipated that the extension contract will be from July 1, 2010 to June 30, 2011.

Qualified vendors that are interested in providing Tier II shelter services to homeless families in the future may contact: Marta Zmoira, Contract Officer, Department of Homeless Services, 33 Beaver St., 13th Floor, NY, NY 10004, (212) 361-0888, fax: (917) 637-7562 or e-mail at mzmoita@dhs.nyc.gov.

Need to extend the underlying contract for one(1) year to allow the agency sufficient time to complete the RFP process, which will be completed and in place by July 1, 2011.

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

Department of Homeless Services, 33 Beaver Street New York, NY 10004. Marta Zmoira (212) 361-0888 Fax: (917) 637-7562; mzmoira@dhs.nyc.gov

▲ a26

OFFICE OF CONTRACTS AND PROCUREMENT

■ SOLICITATIONS

Human / Client Service

CORRECTION: TRANSITIONAL RESIDENCES FOR HOMELESS/ DROP-IN CENTERS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-27-11 AT 10:00 A.M. – CORRECTION: The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

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

Department of Homeless Services, 33 Beaver Street 13th Floor, New York, NY 10004. Marta Zmoira (212) 361-0888, mzmoira@dhs.nyc.gov

▲ j6-20

HOUSING AUTHORITY

■ SOLICITATIONS

Construction / Construction Services

REPLACEMENT OF FUEL OIL TANK AT LEHMAN VILLAGE HOUSES – Competitive Sealed Bids – PIN# HE1001675 – DUE 05-18-10 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

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

Housing Authority, 90 Church Street, 11th Floor, New York, NY 10007. Gloria Guillo, MPA, CPPO, (212) 306-3121 fax: (212) 306-5151, gloria.guillo@nycha.nyc.gov

▲ a26-30

JUVENILE JUSTICE

■ SOLICITATIONS

Human / Client Service

PROVISION OF NON-SECURE DETENTION GROUP HOMES – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 13010DJJ000 – DUE 06-30-11 AT 2:00 P.M. – The Department of Juvenile Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York

City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 2:00 P.M. on 6/30/11.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Juvenile Justice, 110 William Street
14th Floor, New York, NY 10038.
Chuma Uwechia (212) 442-7716, cuwechia@djj.

jy1-d16

PARKS AND RECREATION

REVENUE AND CONCESSIONS

■ SOLICITATIONS

Services (Other Than Human Services)

INSTALLATION, OPERATION AND MANAGEMENT OF A HIGH QUALITY OUTDOOR HOLIDAY MARKET

– Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M89-AS – DUE 05-19-10 AT 3:00 P.M. – At Union Square, Manhattan.
Parks will hold a recommended proposer meeting on Tuesday, May 4, 2010 at 1:00 P.M. at the concession site, which is located on the south side of Union Square Park, Manhattan. All interested parties are urged to attend.

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

Parks and Recreation, The Arsenal-Central Park
830 Fifth Avenue, Room 407, New York, NY 10021.
Evan George (212) 360-3495, fax: (212) 360-3434
evan.george@parks.nyc.gov

a16-29

DEVELOPMENT, OPERATION AND MAINTENANCE OF A BIKE RENTAL STATION AND SNACK BAR

– Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# Q99-BR-SB-TS – DUE 05-28-10 AT 3:00 P.M. – At Flushing Meadows Corona Park, Queens.
Parks will hold a recommended proposer meeting on Friday, May 7th, 2010 at 11:00 A.M. at the proposed concession site which is adjacent to the Parks' Passerelle Building, on the path to the fountain at Flushing Meadows Corona Park, Queens. If you are considering responding to this RFP, please make every effort to attend this recommended meeting and site tour.

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

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

Parks and Recreation, The Arsenal-Central Park
830 Fifth Avenue, Room 407, New York, NY 10021.
Glenn Kaalund (212) 360-1397, fax: (212) 360-3434
glenn.kaalund@parks.nyc.gov

a19-30

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction / Construction Services

NEW SCHOOL – Competitive Sealed Bids – PIN# SCA10-006602-1 – DUE 05-18-10 AT 2:00 P.M. – PS 331 (Brooklyn). Project Range: \$49,400,000 to \$52,000,000.00. Non-refundable bid documents charge: \$250. certified check or money order only.

Limited bids list will only be accepted from the following Construction Manager/Prime General Contractors: Arnell Construction Corp., J. Petrocelli Construction, Inc., Leon D. Matteis Construction Corp., Petracca and Sons, Inc., Plaza Construction Corporation, Silverite Construction, Co., Inc., The Morgan Contracting Corporation.

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

School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Stephanie Lyle (718) 752-5854
slyle@nysca.org

a21-27

UTILITY RELOCATION – Competitive Sealed Bids – PIN# SCA10-13315D-1 – DUE 05-12-10 AT 11:30 A.M. – IS 285 (Bronx). Project Range: \$1,930,000.00 to \$2,035,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order only. Make checks payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

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

a26-30

CODE COMPLIANCE - WORK TO OBTAIN

CERTIFICATE OF OCCUPANCY – Competitive Sealed Bids – PIN# SCA10-12764D-1 – DUE 05-11-10 AT 10:00 A.M. – PS 132 (Brooklyn). Project Range: \$1,180,000.00 to \$1,245,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Stephanie Lyle (718) 752-5854
slyle@nysca.org

a22-28

PARAPETS/EXTERIOR MASONRY/FLOOD

ELIMINATION – Competitive Sealed Bids – PIN# SCA10-13126D-1 – DUE 05-13-10 AT 11:00 A.M. – CORRECTION: Project Range: \$1,970,000.00 to \$2,074,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue, Plans Room Window, Room #1046, Long Island City, NY 11101.
Stacia Edwards (718) 752-5849, sedwards@nysca.org

a26-30

PAVED AREAS - BLACKTOP, FLOOD ELIMINATION – Competitive Sealed Bids – PIN# SCA10-006613-1 – DUE 05-17-10 AT 11:00 A.M. – Columbus HS (Bronx). Range: \$1,170,000.00 to \$1,235,000.00. Non-refundable bid document charge: \$100.00. Bidders must be pre-qualified by the Authority.

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

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

a26-30

FLOOD ELIMINATION – Competitive Sealed Bids – PIN# SCA10-13209D-1 – DUE 05-12-10 AT 11:00 A.M. – IS 88 (Wadleigh School) (Manhattan). Project Range: \$1,200,000.00 to \$1,261,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order only. Make checks payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

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

a22-28

IP SURVEILLANCE CAMERA – Competitive Sealed Bids – PIN# SCA10-13061D-1 – DUE 05-12-10 AT 10:00 A.M. – 7 various schools (Bronx). Project Range: \$2,200,000.00 to \$2,315,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Stephanie Lyle (718) 752-5854
slyle@nysca.org

a23-29

CONTRACT SERVICES

■ SOLICITATIONS

Construction / Construction Services

FLOOD ELIMINATION/FENCING/PAVED AREAS-

BLACKTOP – Competitive Sealed Bids – PIN# SCA10-13205D-1 – DUE 05-10-10 AT 11:00 A.M. – I.S. 118 (Bronx). Project Range: \$1,380,000.00 - \$1,450,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be Pre-Qualified by the SCA.

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

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

a20-26

HEATING PLANT UPGRADE AND CLIMATE

CONTROL – Competitive Sealed Bids – PIN# SCA10-13232D-1 – DUE 05-12-10 AT 10:30 A.M. – PS 111 (Queens). Project Range: \$3,800,000.00 to \$4,000,000.00. Non-refundable document fee: \$100.00.

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

School Construction Authority, 30-30 Thomson Avenue
First Floor, Long Island City, NY 11101.
Ricardo Forde (718) 752-5288, fax: (718) 472-0477
rforde@nysca.org

a22-26

PROCUREMENT

■ SOLICITATIONS

Construction / Construction Services

ELECTRICAL AND LOW VOLTAGE SYSTEMS UPGRADE/PA SYSTEM – Competitive Sealed Bids – PIN# SCA10-13316D-1 – DUE 05-06-10 AT 10:30 A.M. – Evander Childs HS (Bronx). Project Range: \$1,027,000.00 - \$1,100,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority.

Pre-Bid Meeting: April 22, 2010 at 10:00 A.M. at 800 East Gun Hill Road, Bronx, NY 10467. Meet at the custodian office. Bidders are strongly urged to attend.

● **ELECTRICAL SYSTEMS/SCIENCE DEMO ROOM** – Competitive Sealed Bids – PIN# SCA10-13308D-1 – DUE 05-06-10 AT 10:30 A.M. - PS 327 (Brooklyn). Project Range: \$1,571,000.00 - \$1,655,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Pre-Bid Meeting: April 22, 2010 at 10:00 A.M. at 111 Bristol Street, Brooklyn, NY 11212. Meet at the custodian office. Bidders are strongly urged to attend.

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

School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Iris Vega (718) 472-8292,
fax: (718) 752-8292, ivega@nysca.org

a20-26

TRANSPORTATION

DIVISION OF FRANCHISES, CONCESSIONS AND CONSENTS

■ VENDOR LISTS

Services (Other Than Human Services)

NOTICE OF MAILING LIST FOR FUTURE

CONCESSIONS – The Department of Transportation (DOT) is seeking individuals and businesses interested in being contacted for future requests for bids or proposals for DOT concessions. Some types of DOT concessions are outdoor food courts, cafes, pedestrian plazas, and vending machines. Interested entities should complete the Bidder Information form that can be found on the DOT website, at <http://www.nyc.gov/html/dot/downloads/pdf/solicrequestform.pdf> or, at www.nyc.gov/dot, under "Doing Business with DOT." The form should be mailed, emailed, or faxed to: Department of Transportation, Franchises, Concessions and Consents, 55 Water Street, 9th Floor, New York, NY 10041.

RE: Future DOT Concessions. By fax (212) 839-9895 or (212) 839-4834, concessions@dot.nyc.gov

Please direct any questions you may have to DOT by phone at (212) 839-6550.

a21-27

AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

“These Hearings may be cablecast on NYC TV Channel 74 on Sundays, from 5:00 p.m. to 7:00 p.m. For more information, visit: www.nyc.gov/tv” **NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.**

SMALL BUSINESS SERVICES

■ PUBLIC HEARING

CANCELLATION OF PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, April 29, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of the proposed contract between the Department of Small Business Services (SBS) and the following proposed contractor listed below to provide an economic development program in Brooklyn. The term of the contract shall be for (12) twelve months from July 1, 2009 to June 30, 2010.

Contractor/Address

St. Nicholas Neighborhood Preservation Corporation
11 Catherine Street, 3rd Floor, Brooklyn, NY 11211

Amount \$140,000 **PIN#** 801-SBS100061

The proposed contractor has been selected by means of City Council Discretionary Funds Appropriation, pursuant to Section 1-02 (e) of the Procurement Board Rules.

A draft copy of the proposed contract will available for public inspection at the Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, from **April 16, 2010 to April 29, 2010**, excluding Weekends and Holidays, from 9:00 A.M. to 5:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within (5) five business days after publication of this notice. Written requests to speak should be sent to Mr. Daryl Williams, ACCO, Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, or email to: dwilliams@sbs.nyc.gov. If DSBS receives no written requests to speak within the prescribed time, DSBS reserves the right not to conduct a public hearing.

a26-29

AGENCY RULES

HEALTH AND MENTAL HYGIENE

NOTICE

NOTICE OF INTENTION TO REPEAL AND RECODIFY CHAPTER 23 OF TITLE 24 OF THE RULES OF THE CITY OF NEW YORK

IN COMPLIANCE WITH SECTION 1043(a) OF THE NEW YORK CITY CHARTER NOTICE IS HEREBY GIVEN OF THE PROPOSED INTENTION TO REPEAL AND RECODIFY CHAPTER 23 ("FOOD SERVICE ESTABLISHMENT SANITARY INSPECTION PROCEDURES") OF TITLE 24 OF THE RULES OF THE CITY OF NEW YORK.

NOTICE IS HEREBY GIVEN THAT THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE (THE "DEPARTMENT") WILL HOLD A PUBLIC HEARING ON THE PROPOSAL FROM 2:00 P.M. TO 4:00 P.M. ON WEDNESDAY, MAY 26, 2010 IN THE SECOND FLOOR AUDITORIUM AT 125 WORTH STREET, NEW YORK, NEW YORK.

PERSONS INTERESTED IN PRE-REGISTERING TO SPEAK AT THE HEARING SHOULD NOTIFY RENA BRYANT, SECRETARY TO THE DEPARTMENT, IN WRITING, BY MAIL TO 125 WORTH STREET, CN-31, NEW YORK, NEW YORK 10013, BY FAX TO (212) 788-4315, OR BY E-MAIL TO resolutioncomments@health.nyc.gov NO LATER THAN 5:00 P.M. TUESDAY MAY 25, 2010. PLEASE INCLUDE A TELEPHONE NUMBER WHERE, IF NECESSARY, YOU MAY BE REACHED DURING NORMAL WORKING HOURS. SPEAKERS WILL BE LIMITED TO FIVE (5) MINUTES.

REGISTRATION OF PERSONS WHO WISH TO SPEAK AT THE HEARING WILL BE ACCEPTED AT THE DOOR ON THE DATE OF HEARING. HOWEVER, PREFERENCE WILL BE GIVEN TO THOSE WHO REGISTER BEFORE THE HEARING DATE.

PERSONS WHO REQUEST THAT A SIGN LANGUAGE INTERPRETER OR OTHER FORM OF REASONABLE ACCOMMODATION FOR A DISABILITY BE PROVIDED AT THE HEARING ARE ASKED TO NOTIFY RENA BRYANT, SECRETARY TO THE DEPARTMENT, 125 WORTH STREET, CN-31, NEW YORK, NEW YORK 10013, (212) 788-5242, BY MAY 14, 2010.

WRITTEN COMMENTS REGARDING THE PROPOSAL MUST BE SUBMITTED TO RENA BRYANT, SECRETARY, BY MAIL TO 125 WORTH STREET CN-31, NEW YORK, NEW YORK 10013, BY FAX TO (212) 788-4315, BY E-MAIL TO resolutioncomments@health.nyc.gov OR ONLINE (WITHOUT ATTACHMENTS) AT <http://www.nyc.gov/html/doh/html/notice/notice.shtml> ON OR BEFORE 5:00 P.M., WEDNESDAY, MAY 26, 2010. ATTACHMENTS TO ONLINE COMMENTS MUST BE MAILED OR FAXED. COMMENTS RECEIVED AFTER MAY 26, 2010 WILL BE CONSIDERED TO THE EXTENT POSSIBLE.

WRITTEN COMMENTS RECEIVED BY THE SECRETARY AND A TRANSCRIPT OF THE PUBLIC HEARING WILL BE AVAILABLE FOR PUBLIC INSPECTION WITHIN A REASONABLE TIME AFTER RECEIPT, BETWEEN THE HOURS OF 9:00 A.M. AND 5:00 P.M. AT THE OFFICE OF THE SECRETARY. THE DEPARTMENT'S GENERAL POLICY IS TO MAKE WRITTEN COMMENTS AVAILABLE FOR PUBLIC VIEWING ON THE INTERNET. ALL COMMENTS RECEIVED, INCLUDING ANY PERSONAL INFORMATION PROVIDED, WILL BE POSTED WITHOUT CHANGE TO <http://www.nyc.gov/html/doh/html/comment/comment.shtml>.

Statutory Authority

Amendment of Chapter 23 of Title 24 of the Rules of the City of New York is authorized by §§389(b) and 1043 (a) of the New York City Charter (the "Charter"). Charter §389(b) provides that "heads of mayoral agencies shall have the power to adopt rules to carry out the powers and duties delegated to the agency head or the agency by or pursuant to federal, state or local law." Charter §1043(a) authorizes each agency to "adopt rules necessary to carry out the powers and duties delegated to it by or pursuant to federal, state or local law."

STATEMENT OF BASIS AND PURPOSE

In 2005, the Department of Health and Mental Hygiene ("DOHMH" or the "Department") adopted new rules in Chapter 23 of Title 24 of the Rules of the City of New York for food service establishment sanitary inspection procedures, establishing and modifying with later amendments, a scoring system for such inspections. Chapter 23 includes two appendices demonstrating how a sanitary inspection's violations are weighted and scored according to their severity.

At its meeting on March 16, 2010, the Board of Health amended §81.51 of the New York City Health Code, authorizing the Department to establish a letter grading program for food service establishments. The Board determined that providing restaurant grading information is feasible, will inform consumer choice and is likely to improve restaurants' compliance with Health Code requirements and thereby reduce the burden of food borne illness in New York City.

A full development of the rationale for letter grading is set forth in the Statement of Basis and Purpose in the Board of Health resolution adopting §81.51 of the Health Code. The resolution may be found at <http://www.nyc.gov/html/doh/downloads/pdf/notice/2010/Article-81.pdf>.

The proposed Chapter 23 repeals and recodifies current Chapter 23, amending the existing rules governing conduct and scoring of sanitary inspections of food service establishments and for issuing and posting letter grades summarizing the results of inspections. The following changes are proposed.

§23-01. Definitions and construction of words and terms replaces former §23-01, Introduction and Scope, which is being repealed as no longer necessary. Changes to former §23-02, "Definitions and construction of words and terms" renumbered as §23-01 are as follows:

Definitions have been amended for "compliance inspection," "critical violations," "initial inspection," "notice of violation," "pre-permit inspection," "public health hazards," and "sanitary inspection."

Definitions of "commissioner," "complaint inspection," "department," "full sanitary inspection," "general violations," "hazard analysis critical control point," "numeric point value," and "reduced oxygen packaging" have been deleted as no longer needed. A provision has been included in §23-02 that terms used in the appendices shall have the same meanings as the definitions in Article 81 of the Health Code.

New definitions have been added for "grade card," "grade pending card," "inspection cycle," "OATH," "operating or in operation," "pre-permit serious item," "reinspection," "re-opening inspection."

§23-02. Scoring of sanitary inspections. This section incorporates provisions of current §23-03 (Conduct of Sanitary Inspections) and § 23-06 (Point Values), indicating that points on an inspection will be scored based only on violations, violation conditions and condition levels listed in Appendix 23-A (Food Service Establishment Sanitary Inspection Scoring Worksheet) and Appendix 23-B (Food Service Establishment Sanitary Inspection Scoring Parameters—A Guide to Conditions).

§23-03. Letter grading. This section is new. It establishes letter grades of "A," "B," or "C"; indicates which inspections will result in a grade; and sets forth the inspection scores that correspond to each letter grade. Subdivision (d) provides that the Department will continue to conduct compliance inspections whenever an establishment has 28 or more points, and that these inspections will not be associated with a letter grade.

§23-04. Intervals between inspection cycles. This section is new. It establishes varying periods of time between inspection cycles based on the points scored during either an initial inspection

or reinspection, or following an authorized re-opening after the Department closes an establishment. Establishments that score the highest number of points on an initial inspection or reinspection can generally expect to be inspected more frequently than lower-scoring establishments. Subdivision (b) of this section preserves the authority of the Department to conduct compliance inspections when the Department determines there is a heightened public health risk necessitating such inspections, e.g., in the case of food borne illness outbreaks or an establishment having been closed and authorized by the Department to reopen during its prior inspection cycle.

§23-05. Issuance of notices of violation. This section incorporates provisions of current §23-08 (Issuance of Notices of Violation), but deletes provisions concerning sanitary inspections that are not full inspections, as no longer necessary. Current §23-04 (Failure of Sanitary Inspections) would also be repealed because the Department will no longer deem a food service establishment that has scored 28 or more points as having "failed" an inspection.

§23-06. Revocation or suspension of permits. This section amends current § 23-05, preserving provisions related to commencement of proceedings to revoke or suspend permits and adds provisions concerning the effect on an establishment's letter grade when an establishment that has been closed by the Department is authorized to re-open.

§23-07. Posting letter grades. This section is new. It sets forth requirements for when and where letter grades must be posted and the effects of adjudication of notices of violation at the Department's Administrative Tribunal on grade posting.

§23-08. Effect of other laws and construction. This section renumbers current § 23-09 but is otherwise unchanged.

Appendix 23-A: "Food Service Establishment Sanitary Inspection Score Worksheet"
Proposed changes are only to conform the name of each violation to those in Appendix 23-B. No changes to point values are proposed.

Appendix 23-B: "Food Service Establishment Sanitary Inspection Scoring Parameters—A Guide to Conditions"

Changes are shown in the chart below, other than edits to correct typographical errors and non-substantive changes that improve clarity.

Current violation number	Proposed change	Rationale
2B*	Proposing to change the violation so that it addresses hot food out of temperature in different areas of the establishment instead of amounts of food out of temperature. Also, there are currently two separate "2B*" violations. The proposal would combine these and establish one "2B*" violation.	The condition levels for this violation are meant to assess the establishment's ability to maintain correct holding temperatures for hot foods. Currently, the violation focuses on quantity of food out of temperature. The proposed change would focus on a food service establishment's ability to consistently maintain food at proper temperatures. An inspector would assess whether a batch of hot food that is out of temperature is an anomaly or a pattern of neglect throughout an establishment's operation. This enables a differentiation between an acute problem in one area of a food service establishment and a more widespread inability to practice food safety. The current violations create two "2B*" violations: one for a FSE with a varied menu that could have multiple food types improperly held; the other for a FSE with a single food type. Rewriting this violation as proposed better addresses the food safety condition and allows a single "2B*" violation.
2G*	Proposing to change the violation so that it addresses cold food out of temperature in different areas of the establishment instead of amounts of food out of temperature. Also, there are currently two separate "2G*" violations. The proposal would combine these and establish one "2G*" violation.	The condition levels for this violation are meant to assess the establishment's ability to maintain correct holding temperatures for cold foods. Currently the violation focuses on quantity of food out of temperature. The proposed change would focus on areas of the establishment and whether cold food is being properly held throughout. An inspector would assess whether a batch of cold food that is out of temperature is an anomaly or a pattern of neglect throughout an establishment's operation. This enables a differentiation between an acute problem in one area of a food service establishment and a more widespread inability to practice food safety. The current violations create two "2G*" violations: one for a FSE with a varied menu that could have multiple food types improperly held; the other for a FSE with a single food type. Rewriting this violation as proposed better address the food safety condition and allows a single "2G*" violation.
2J*	Editing that Reduced Oxygen Packaged (ROP) food not cooled by an approved method whereby the internal product temperature is reduced to 38° F within two hours of cooking and if necessary further cooled to a temperature of 34° F within six (instead of four) hours of reaching 38° F.	Correcting error and making violation consistent with Health Code § 81.12.
3C*	Propose to change the numbers of eggs that fall within the condition levels.	Revised numbers better correspond with typical egg packaging.
3D*	Proposal is to specify that it is not a violation to have dented cans on FSE premises so long as those cans are separated from consumable food items. Changes also revise the numbers of damaged cans that fall within each condition level.	The change is being proposed to address concerns that violations could be issued when a FSE has damaged cans on the premises even when it intends to return or discard those cans. The change to the numbers of cans within each condition levels is proposed in order to better correspond with standard packaging.
3G*	Changing terminology from "product" to "item."	Change in order to clarify what must be properly washed.
4I*	The proposed change would focus on unsafe batches of food or food items in areas of the establishment rather than using pounds of food as a measurement.	The condition levels for this violation are meant to assess the establishment's ability to maintain unadulterated and non-contaminated food. A better measurement of this is the number of unsafe foods or batches of foods in different areas, rather than pounds of food. The more batches or items of food in more areas of the establishment, the greater the indication of an inability to practice food safety.

4N	Delete "Evidence of roaches" so that the violation is only for "live roaches." Also correcting typographical error.	Inspections look for live roaches and not evidence of live roaches. Change in the violation is so that it will conform with actual practice.
4O	Proposal is to change this violation to (a) specify that the violation is only for the presence of filth flies or food/refuse/sewage-associated (FRSA) flies; and (b) apply a condition I violation for 2-5 filth flies only if those flies are observed between November 1-March 1.	The current violation addresses "flying insects," which is too broad; the concern for food safety is regarding only filth flies and food/refuse/sewage-associated flies. The current violation for 2-5 flies at any time of the year is not adequately targeting food safety concerns. Fewer than 6 flies in the period between March 2-October 31 could be incidental, such as due to an open window, and will not result in a violation. However, the presence of these flies in these colder months is indicative of an infestation within the establishment.
4P	Changing the examples to delete extraneous details.	Current examples include extraneous descriptions of customers.
5D+	Specifying that water pressure at a hand wash sink must be adequate to enable acceptable hand washing for employees.	Change proposed in response to concerns that violations could be issued for low water pressure to specifying that the pressure must be sufficient for proper hand washing.
5F+	Adding terminology from 5G.	Change to consolidate with 5G.
5G+	Deleting.	Change to consolidate with 5F.
5H+	Renumbered as 5G+	Renumbering.
5I+	Renumbered as 5H+	Renumbering.
5J	Renumbered as 5I	Renumbering.
5K	Renumbered as 5J	Renumbering.
6A	Specifying that effective hair restraint is required only during food preparation.	Change proposed to make clear when hair restraint must be worn.
6B	(1) Adding "or more" to condition IV violation for workers smoking, eating, drinking in food or washing areas; (2) adding that drinking is prohibited only from open container; (3) changing "dishwashing" to "ware washing."	(1) Correcting drafting error. (2) Drinking from closed container is permissible and consistent with FDA model food code. (3) Change to use more accurate terminology.
7B	Deleting.	Unnecessary catchall violation.
7C	Deleting.	Unnecessary catchall violation.
7D	Deleting.	Unnecessary catchall violation.
7E	Deleting.	Unnecessary catchall violation.
7F	Deleting.	Unnecessary catchall violation.
8A	Propose to delete violations for holes or openings and instead to require adequate pest proofing. Conditions I and II would be deleted.	Proposed revision is to better target poor pest-proofing generally in the establishment, and not to focus simply on holes. A violation would now issue only for condition levels III or IV for failing to pest proof.
8B	Propose to amend this violation to specify that a garbage can may be uncovered when during active use.	Proposed revision is to respond to concerns that a violation could issue for an uncovered garbage can when it is being actively used, such as for disposal of food scraps during food preparation.
9A	The proposed change would (a) delete "severely" and (b) change the number of cans that fall within each condition level.	"Severely" would be deleted to be consistent with FDA Food Code, which states that all dents present a possible threat. Pinhole damage to a can from a dent may be undetectable to the human eye, but still may compromise the integrity of the product. The change to the numbers of cans that correspond to condition levels is to better conform with packaging.
9B	Deleting.	Department intends to propose deleting Article 111 from the Health Code as no longer necessary to promote public health.
9C	Renumbering as 9B. Removing pounds as the basis for setting condition levels.	The condition levels for this violation are meant to assess the establishment's ability to practice proper thawing procedures. Currently, the condition levels include pounds of food as a measurement. A better measurement than poundage is the number of improperly thawed foods or the number of different areas where improperly thawed food is found. The more items of food or the more areas of the establishment with unsafe food, the greater the indication of an inability to practice food safety. Renumbering.
9D	Renumbering to 9C.	Renumbering.
10A, 10L	Violation for failing to have cover on waste receptacle in a toilet facility would no longer be scored. Unscored violation would also clarify that it applies only to a waste receptacle in a facility used by women.	The proposal is not to score this violation because it is only indirectly related to food safety. The change specifying that, pursuant to the Health Code, a covered waste receptacle is required only for a restroom used by women is proposed to address concerns that a violation could be issued under the current rule for an uncovered waste receptacle in any restroom.
10C, 10 M	Proposal is to no longer score the violation for an unshielded or non-shatterproof light bulb and to revise the violation to apply only when the bulb is placed in a way that subjects it to significant temperature changes or where accidental contact may occur.	The change is being proposed to address concerns that violations issue for uncovered or non-shatterproof light bulbs where there is virtually no risk of harm. Under the proposal, the violation would no longer be scored because it is only indirectly related to food safety and it would specify that the violation is only for those bulbs at risk of shattering because of contact or temperature change.
10D	Proposing to revise this violation to specify that the ventilation system must be adequate to prevent excessive build-up of grease, heat, steam, condensation, vapors, odors, smoke and fumes.	In response to concerns that a violation could issue under the current rule for poor ventilation, the proposal violation would give the reasons proper ventilation is needed and the circumstances under which poor ventilation would constitute a violation.

10F	Deleting "Aisle or workspace inadequate."	In response to concerns that a violation could issue for a small workspace, this provision is being deleted. Any food safety violations that arise from having too small a workspace will be address more specifically under other violations.
10I	Combining with 10 J and 10 K.	Combining violation 10I with 10 J & K and deleting those.
10J	Deleted.	Combining with 10I.
10K	Deleted.	Combining with 10I.
10L	Renumbered as 10J.	Renumbering.
10M	Renumbered as 10K.	Renumbering.
12A	Deleting violation.	No longer necessary.

The proposal is as follows.
Matter in brackets [] is deleted.
Matter that is underlined is new.

Section 1. Chapter 23 (FOOD SERVICE ESTABLISHMENT SANITARY INSPECTION PROCEDURES) and Appendix A and Appendix B of Title 24 of the Rules of the City of New York is repealed and recodified to be printed as follows:

**CHAPTER 23
FOOD SERVICE ESTABLISHMENT SANITARY INSPECTION PROCEDURES
AND LETTER GRADING**

- §23-01. Definitions and construction of words and terms.**
- §23-02. Scoring of sanitary inspections.**
- §23-03. Letter grading.**
- §23-04. Intervals between inspection cycles.**
- §23-05. Issuance of notices of violations.**
- §23-06. Revocation or suspension of permits.**
- §23-07. Posting letter grades.**
- §23-08. Effect of other laws and construction.**

§23-01. Definitions and construction of words and terms.
Administrative Tribunal shall mean the Administrative Tribunal of the Department established in Article 7 of the Health Code.
Compliance inspection shall mean an inspection not for the purposes of grading conducted within a cycle.
Condition level shall mean the value (I, II, III, IV or V) based on the number, magnitude or pervasiveness of occurrences, or the seriousness of risk presented by a violation.
Critical violations shall mean the violations of the Health Code or other applicable law listed under the classification "critical violations" in Appendix 23-A of these rules.
Food service establishment or establishment shall have the same meaning as the definition in § 81.03 of the Health Code, except that it shall not include mobile food vending units.
General violations shall mean violations listed under the classification "general violations" in Appendix A and Appendix B of this Chapter.
Grade card shall mean the card containing the letter grade associated with the score for an inspection.
Grade pending card shall mean the card issued by the Department to an establishment indicating that an establishment's grade for the current cycle is in the process of being determined.
Initial inspection shall mean the first sanitary inspection within an inspection cycle.
Inspection cycle shall mean a series of related inspections consisting of at least an initial inspection and including, if triggered by the initial or any subsequent inspections within that cycle, a reinspection and any compliance inspections conducted by the Department because of a previous inspection score in that cycle.
Notice of violation shall have the same meaning as in Article 7 of the Health Code.
OATH shall mean the Office of Administrative Trials and Hearings of the City of New York.
Operating or in operation shall mean that a food service establishment is receiving, preparing, storing or serving food or that the establishment is open to the public.
Pre-permit inspection shall mean a sanitary inspection conducted prior to permit approval to determine compliance of a food service establishment with the Health Code and other applicable law, regardless of whether the establishment is in operation.
Pre-permit serious item is a violation, identified in Appendix 23-A of this Chapter by a plus (+) sign that shall be corrected prior to approval of the permit.
Public health hazards are critical violations or conditions that are known to contribute directly to food-borne illness or disease, identified with an asterisk (*) in Appendix 23-A of this Chapter, and which include, but are not limited to, "imminent health hazards" defined in Article 81 of the Health Code and Part 14 of the State Sanitary Code.
Reinspection shall mean a sanitary inspection conducted for the purpose of grading following receipt of a score of 14 or more points on an initial inspection.
Re-opening inspection shall mean the pre-operational inspection conducted after the Department closes an establishment to determine whether conditions leading to the closing have been corrected.
Sanitary inspection shall mean any on-site review by the Department of a food service establishment's physical facilities, food handling operations, equipment, sanitary condition, maintenance and worker hygiene practices. The term may but shall not be limited to include initial, reinspection, compliance and pre-permit inspections.

§23-02. Scoring of sanitary inspections.
The Department shall when conducting a sanitary inspection assess points only for those violations, violation conditions and condition levels listed in Appendix 23-A (Food Service Establishment Sanitary Inspection Scoring Worksheet) and Appendix 23-B (Food Service Establishment Sanitary Inspection Scoring Parameters--A Guide to Conditions) to this Chapter. Terms used in these appendices shall have the same meaning as their definitions in Article 81 of the Health Code.

§23-03. Letter grading.
(a) The Department, whenever practicable and subject to §23-04, shall conduct an inspection cycle at least annually at each food service establishment required by §81.51 of the Health Code to post a letter grade for the purpose of issuing such establishment a grade that identifies and represents that establishment's compliance with those laws and regulations that require it to operate in a sanitary manner so as to protect public health. Based on the results of either the initial inspection or reinspection in a cycle, an establishment shall in accordance with these rules be issued a letter grade of either "A," "B," or "C" for that cycle, except that an establishment shall not receive any grade if the Department orders that it be closed.
(b) The Department shall issue a letter grade of "A" to any establishment that receives fewer than 14 points on either the initial inspection or reinspection in a cycle.
(c) The Department shall not issue a letter grade to any establishment receiving 14 or more points on an initial inspection, but shall schedule a reinspection to occur no sooner than 7 days after the initial inspection. The Department shall on the reinspection issue a letter grade of "B" to any establishment receiving 14-27 points and a letter grade of "C" to any establishment receiving 28 or more points.
(d) The Department in any cycle may, in addition to conducting an initial and any reinspection for the purpose of issuing an establishment a letter grade, also conduct a compliance inspection after any inspection that results in a score of 28 points or more. The score received on any compliance inspection shall not change an establishment's letter grade for that cycle.

§23-04. Intervals between inspection cycles.
(a) A food service establishment shall post its letter grade until the Department issues it a new letter grade card or until a "grade pending" card is required to be posted in the establishment's next inspection cycle. The Department shall not wait one year to schedule the next inspection cycle for any establishment that receives 14 or more points on its initial inspection, but instead the interval of time between the final inspection in such cycle and the initial inspection in the establishment's next cycle shall be determined by the higher score from either its initial inspection or its reinspection:
(1) An initial inspection commencing a new cycle shall be conducted 150 to 210 days after the reinspection at an establishment that receives a score of 14 to 27 points on an initial inspection or reinspection and does not score 28 or more points on either of these inspections.
(2) An initial inspection commencing a new cycle shall be conducted 90 to 150 days after the final inspection at an establishment that receives a score of 28 or more points on its initial

inspection or reinspection.

(3) An initial inspection commencing a new cycle shall be conducted within 60 to 120 days of reopening for an establishment that is authorized by the Department to reopen following a Department closure that occurs on an initial or reinspection of that establishment.

(b) Notwithstanding any other provision of this Chapter to the contrary, in circumstances when the Department believes there is an increased risk to public health, nothing in this section shall prohibit the Department from inspecting an establishment and treating that inspection as the initial inspection in a new cycle. Such circumstances include, but are not limited to, an establishment having a history of Department closure(s), being the subject of complaints of unsanitary conditions, or being compromised following an environmental emergency.

§23-05. Issuance of notices of violations.

(a) The Department shall issue a notice of violation whenever a food service establishment is cited on any sanitary inspection for one or more critical violations or accumulates 14 or more points, regardless of whether any critical violations are cited on such inspection.

(b) All violations shall be recorded and/or cited individually on inspection reports and notices of violation.

§23-06. Revocation or suspension of permits.

(a) Findings of serious or persistent violations or uncorrected public health hazards on any sanitary inspection may provide the basis for commencement of a proceeding to revoke or suspend a permit pursuant to Article 5 of the Health Code.

(b) The Department shall post signs on any establishment that it orders closed indicating that such establishment is not open to the public and shall remove any posted grade-related card.

(c) Prior to authorizing any closed establishment being allowed to re-open, the Department shall conduct a re-opening inspection. The Department may conduct as many inspections as it deems necessary to determine whether the establishment is in compliance with applicable law and may be reopened for operation.

(d) If an establishment that is required by §81.51 of the Health Code to post a letter grade is closed and then allowed to re-open, upon re-opening, the grade card that had been posted by the establishment before the closure will be posted again, except that where the closure occurred on the establishment's initial inspection, a "grade pending" card shall be posted, and any grade card previously posted shall be removed, and where the closure occurred on a reinspection a "grade pending" card or the letter grade card corresponding to the score on the reinspection shall be posted.

§23-07. Posting letter grades.

(a) The Department shall at the time of inspection provide any establishment required by §81.51 of the Health Code to post a letter grade that receives a score of 13 or less on an initial or reinspection with a grade card displaying the letter grade "A," which shall be posted immediately by the establishment.

(b) If an establishment required by §81.51 of the Health Code to post a letter grade receives a score of 14 or more points on an initial inspection, and is not closed by the Department, it shall continue to post its grade card from the prior cycle until its reinspection. If the establishment has been issued no prior grade card, it shall have no posting until its reinspection.

(c) If an establishment required by §81.51 of the Health Code to post a letter grade receives a score of 14 or more points on the reinspection, and is not closed by the Department, the Department shall provide the establishment with a "grade pending" card and a grade card displaying the letter grade that corresponds with its inspection score at the reinspection. The establishment shall immediately post either the grade card or the "grade pending" card. If the establishment elects to post the "grade pending" card, it may only do so until it has had an opportunity to be heard at the Department's Administrative Tribunal pursuant to subdivision (d) of this section and §81.51 of the Health Code.

(d) Effect of adjudication at the Administrative Tribunal on grading of establishments required by §81.51 of the Health Code to post letter grades:

(1) If the establishment appears at the Administrative Tribunal and as a result of such proceeding the score received on a reinspection remains unchanged, the establishment shall immediately upon being notified of the decision remove any posted "grade pending" card and post the grade card provided by the Department at such inspection.

(2) Subject to the provisions of paragraph (3) of this subdivision if the establishment does not appear at the Administrative Tribunal on or before the scheduled hearing date, in accordance with Article 7 of the Health Code, the establishment shall, on the date of the hearing, post the letter grade card provided by the Department at the reinspection.

(3) If the establishment appears at the Administrative Tribunal on the scheduled date, but the hearing is unable to proceed for any reason, or if the establishment makes a timely request for an adjournment and such adjournment is granted, the establishment may continue to post the "grade pending" card and defer posting the letter grade card until the adjourned hearing date. In no event shall an establishment fail to post the grade card after the adjourned hearing date if the establishment is not able to proceed on such date.

(4) If the establishment appears at the Administrative Tribunal and as a result of such proceeding the score received for the reinspection changes in a way that results in a change of grade, the Department shall provide the establishment with a new letter grade card that shall be promptly posted by the establishment in place of any other letter grade card or "grade pending" card.

(5) The disposition of any notice of violation at the Administrative Tribunal shall not effect any provision of this Chapter or other applicable law other than the issuance of a grade.

(e) An establishment required by §81.51 of the Health Code to post a letter grade shall shred or otherwise dispose of all non-current letter grade cards and "grade pending" cards in a manner that prevents reuse of the cards.

(f) The "grade pending" or letter grade card shall be posted in a conspicuous place on the front window, door or exterior wall of an establishment required by §81.51 of the Health Code to post a letter grade. The card shall be within five feet of the front door or other opening to the establishment where customers enter from the street, at a vertical height no less than four feet and no more than six feet from the ground or floor. An establishment without a direct entrance from the street shall post the grade card or "grade pending" card at a place designated by the Department at its immediate point of entry so that it is clearly visible to passersby.

(g) Letter grade cards shall not be removed except when authorized by the Department.

§23-08. Effect of other laws and construction.

(a) These rules shall be read and enforced in accordance with all applicable provisions of law, including, but not limited to, the State Public Health Law and Sanitary Code, the New York City Health Code, and Title 17 of the Administrative Code of the City of New York.

(b) No provision herein shall limit the authority of the Department to conduct such other inspections or take any other action it deems necessary, to enforce any provision of law within the jurisdiction of the Department.

(c) If any provision of this Chapter is adjudged invalid by any court of competent jurisdiction, such judgment shall not affect or impair the validity of the remainder of this Chapter.

§2. The list of section headings in Title 24 of the Rules of the City of New York is amended to read as follows:

Chapter 1 Posting Regulations for Vendors of Alcoholic Beverages

* * * * *
23 Food Service Establishment Sanitary Inspection Procedures and Letter Grading.

FOOD SOURCE							
3A*	Food from unapproved or unknown source or home-canned. Reduced oxygen packaged (ROP) fish not frozen before processing, or ROP foods prepared on premises transported to another site.	-	-	-	10	28	
3B*	Shellfish not from approved source, improperly tagged/labeled, tags not retained for 90 days.	-	-	-	10	28	
3C*	Eggs found dirty/cracked, liquid, frozen or powdered eggs not pasteurized.	7	8	9	10	28	
3D*	Canned food product observed swollen, leaking and rusted, and not segregated from other consumable food items.	7	8	9	10	28	
3E*	Potable water supply inadequate. Water or ice not potable or from unapproved source. Cross connection in potable water supply system observed.	-	-	-	10	28	
3F*	Unpasteurized milk or milk product present.	-	-	-	10	28	
3G	Raw food not properly washed prior to serving.	5	6	7	8	-	
FOOD PROTECTION							
4A	Food Protection Certificate not held by supervisor of food operations.	-	-	-	-	10	
4B*	Food worker prepares food or handles utensil when ill with a disease transmissible by food, or have exposed infected cut or burn on hand.	-	-	-	10	28	
4C*	Food worker does not use proper utensil to eliminate bare hand contact with food that will not receive adequate additional heat treatment.	7	8	9	10	28	
4D*	Food worker does not wash hands thoroughly after visiting the toilet, coughing, sneezing, smoking, preparing raw foods or otherwise contaminating hands.	-	-	-	10	28	
4E*	Toxic chemical improperly labeled, stored or used such that food contamination may occur.	7	8	9	10	28	
4F*	Food, food preparation area, food storage area, area used by employees or patrons, contaminated by sewage or liquid waste.	-	-	-	10	28	
4G*	Unprotected potentially hazardous food re-served.	-	-	-	10	28	
4H*	Food in contact with utensil, container, or pipe that consist of toxic material.	-	-	-	10	28	
4I*	Raw, cooked or prepared food is adulterated, contaminated, cross-contaminated, or not discarded in accordance with HACCP plan.	7	8	9	10	28	
4J	Unprotected food re-served.	5	6	7	8	-	
4K	Appropriately scaled metal stem-type thermometer or thermocouple not provided or used to evaluate temperatures of potentially hazardous foods during cooking, cooling, reheating and holding.	-	-	-	8	-	
4L	Evidence of rats or live rats present in facility's food and/or non-food areas.	5	6	7	8	28	
4M	Evidence of mice or live mice present in facility's food and/or non-food areas.	5	6	7	8	28	
4N	Live roaches present in facility's food and/or non-food areas.	5	6	7	8	28	
4O	Fly or food/refuse/sewage-associated (FRSA) flies present in facility's food and/or non-food areas. Fly or food/refuse/sewage-associated flies include house flies, bottle flies and flesh flies. Food/refuse/sewage-associated flies include fruit flies, drain flies and Phorid flies.	5	6	7	8	28	
4P	Other live animal present in facility's food and/or non-food areas.	5	6	7	8	-	
FACILITY DESIGN							
5A*	Sewage disposal system improper or unapproved.	-	-	-	10	28	
5B*	Harmful, noxious gas or vapor detected. CO at 3 ppm.	-	-	-	10	28	
5C*	Food contact surface improperly constructed or located. Unacceptable material used.	7	8	9	10	28	
5D*	Hand washing facility not provided in or near food preparation area and toilet room. Hot and cold running water at adequate pressure to enable cleanliness of employees not provided at facility. Soap and an acceptable hand-drying device not provided.	-	-	-	10	28	
5E*	Toilet facility not provided for employees or for patrons when required.	-	-	-	10	28	
5F*	Insufficient or no refrigerated or hot holding equipment to keep potentially hazardous foods at required temperatures.	-	-	-	10	28	
5G*	Properly enclosed service/maintenance area not provided. (Mobile Food Commissary)	-	-	-	10	28	
5H*	No facilities available to wash, rinse and sanitize utensils and/or equipment.	-	-	-	10	28	
5I	Nuisance created or allowed to exist. Facility not free from unsafe, hazardous, offensive or annoying condition.	-	-	-	10	28	
5J*	Refrigeration used to implement HACCP plan not equipped with an electronic system that continuously monitors time and temperature.	-	-	-	10	28	
PERSONAL HYGIENE & OTHER FOOD PROTECTION							
6A	Personal cleanliness inadequate. Clean outer garments, effective hair restraint not worn in an area where food is prepared.	5	6	7	8	-	
6B	Tobacco use, eating, or drinking from open container in food preparation, food storage or dishwashing area observed.	5	6	7	8	-	
6C	Food not protected from potential source of contamination during storage, preparation, transportation, display or service.	5	6	7	8	-	
6D	Food contact surface not properly washed, rinsed and sanitized after each use and following any activity when contamination may have occurred.	5	6	7	8	-	
6E	Sanitized equipment or utensil, including in-use food dispensing utensil, improperly used or stored.	5	6	7	8	-	
6F	Wiping cloths soiled or not stored in sanitizing solution.	5	6	7	-	-	
6G*	HACCP plan not approved or approved HACCP plan not maintained on premises.	-	-	-	10	28	
6H	Records and logs not maintained to demonstrate that HACCP plan has been properly implemented.	-	-	-	-	28	
6I	Food not labeled in accordance with HACCP plan.	-	-	-	10	28	
OTHER CRITICALS							
7A	Duties of an officer of the Department interfered with or obstructed.	-	-	-	-	28	
CRITICAL VIOLATIONS TOTAL:							
GENERAL VIOLATIONS		CONDITIONS					SCORE
		I	II	III	IV	V	
VERMIN/GARBAGE							
8A	Facility not vermin proof. Harborage or conditions conducive to attracting vermin to the premises and/or allowing vermin to exist.	-	-	4	5	-	
8B	Garbage receptacles not provided or inadequate, except that garbage receptacle may be uncovered during active use. Garbage storage area not properly constructed or maintained, grinder or compactor dirty.	2	3	4	5	-	
8C	Pesticide use not in accordance with label or applicable laws. Prohibited chemical used/stored. Open bait station used.	2	3	4	5	28	
FOOD SOURCE							
9A	Canned food product observed dented and not segregated from other consumable food items.	2	3	4	5	-	
9B	Thawing procedures improper.	2	3	4	5	-	
9C	Food contact surface not properly maintained.	2	3	4	5	-	
FACILITY MAINTENANCE							
10A	Toilet facility not maintained and provided with toilet paper, waste receptacle and self-closing door.	2	3	4	5	-	
10B	Plumbing not properly installed or maintained; anti-siphonage or backflow prevention device not provided where required; equipment or floor not properly drained; sewage disposal system in disrepair or not functioning properly.	2	3	4	5	28	
10C	Lighting inadequate; permanent lighting not provided in food preparation areas, ware washing areas, and storage rooms.	2	3	4	5	-	
10D	Mechanical or natural ventilation system not provided to prevent excessive build-up of grease, heat, steam condensation vapors, odors, smoke, and fumes. Ventilation system improperly installed or in disrepair.	2	3	4	5	-	
10E	Accurate thermometer not provided in refrigerated or hot holding equipment.	2	3	4	5	-	
10F	Equipment not easily moveable or it is sealed to floor, adjoining equipment, adjacent walls or ceiling.	2	3	4	5	-	
10G	Non-food contact surface improperly constructed. Unacceptable material used. Non-food contact surface or equipment improperly maintained.	2	3	4	5	-	
10H	Food service operation occurring in room used as living or sleeping quarters.	2	3	4	5	-	
10I	Proper sanitization not provided for utensil ware washing operation.	2	3	4	5	-	
10J	Single service item reused, improperly stored, dispensed, not used when required.	2	3	4	5	-	
10K	"Wash hands" sign not posted at hand wash facility.	2	-	-	-	-	
10L	Toilet facility used by women does not have at least one covered garbage receptacle.	-	-	-	-	-	
10M	Butt not shielded or shatterproof, in areas where there is extreme heat, temperature changes or where accidental contact may occur.	-	-	-	-	-	
OTHER GENERALS							
99B	Other General.	2	3	4	5	28	
GENERAL VIOLATIONS TOTAL:							
CRITICAL AND GENERAL COMBINED TOTAL:							

Appendix 23-A
Food Service Establishment Inspection Worksheet

CRITICAL VIOLATIONS	CONDITIONS					SCORE
	I	II	III	IV	V	
FOOD TEMPERATURE						
2A*	Food not cooked to required minimum temperature: • Poultry, meat stuffing, stuffed meats: 165° F for 15 seconds • Ground meat and food containing ground meat: 158° F for 15 seconds • Pork, any food containing pork: 145° F for 15 seconds • Rare roast beef, rare beefsteak, except per individual customer request: required temperature and time • All other foods except shell eggs per individual customer request: 145° F for 15 seconds					28
2B*	Hot food item not held at or above 140° F.					28
2C	Hot food item that has been cooked and refrigerated is being held for service without first being reheated to 165° F or above within 2 hours.					-
2D	Pracooled potentially hazardous food from commercial food processing establishment that is supposed to be heated, but is not heated to 140° F within 2 hours.					-
2E	Whole frozen poultry or poultry breasts, other than a single portion, is being cooked frozen or partially thawed.					-
2F	Meat, fish or molluscan shellfish served raw or undercooked without prior notification to customer.					-
2G*	Cold food item held above 41° F (smoked fish and reduced oxygen packaged foods above 38° F) except during necessary preparation.					28
2H*	Food not cooled by an approved method whereby the internal product temperature is reduced from 140° F to 70° F or less within 2 hours, and from 70° F to 41° F or less within 4 additional hours.					28
2I	Food prepared from ingredients at ambient temperature not cooled to 41° F or below within 4 hours.					-
2J*	Reduced oxygen packaged (ROP) foods not cooked by an approved method whereby the internal food temperature is reduced to 38° F within two hours of cooking and if necessary further cooled to a temperature of 34° F within six hours of reaching 38° F.					28

APPENDIX 23-B
FOOD SERVICE ESTABLISHMENT INSPECTION SCORING PARAMETERS
A GUIDE TO CONDITIONS

Violation	Condition I	Condition II	Condition III	Condition IV	Condition V
Critical Violations					
2A*	Food not cooked to required minimum temperature.			Failure to properly cook meats, comminuted meats, and other potentially hazardous foods (PHFs), unless a consumer specifically asks for their individual product to be cooked below the minimum temperature.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss enforcement measures.
2B*	Hot food item not held at or above 140° F.	One hot food item out of temperature in one area. Example: One tray of chicken wings held at 115° F.	Two hot food items out of temperature or the same type of food out of temperature in two different areas. Example: One tray of chicken wings and a pot of rice held at 115° F, or one tray of chicken wings on the steam table and one tray of chicken wings in the food preparation	Three hot food items out of temperature or the same type of food out of temperature in three different areas. Example: One tray of chicken wings, a pot of rice and platter of roast beef held at 115° F, or one tray of chicken wings on the steam table, one tray of chicken wings in the food preparation area, one basket of chicken near the	Four or more hot food items out of temperature or the same type of food out of temperature in four or more different areas. Example: One tray of rice, platter of roast beef and seven of beef stew held at 115° F, or one tray of chicken wings on the steam table, one tray of chicken wings in the food preparation area, one

* Public Health Hazards (PHH) must be corrected immediately + Pre-permit Serious Violations that must be corrected before permit is issued.

			area held at 115° F.	area and one basket of chicken near the deep fryer held at 115° F.	deep fryer and a rotisserie machine filled with eleven chickens held at 115° F.	observed.					Unpasteurized milk or milk product present.	Unpasteurized milk or milk product present.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.
2C	Hot food item that has been cooked and refrigerated is being held for service without first being reheated to 165° F or above within 2 hours.	One cooked and refrigerated hot food item not reheated to 165° F before service. Example: chicken soup.	Two cooked and refrigerated hot food items not reheated to 165° F before service. Example: chicken soup and baked ham.	Three cooked and refrigerated hot food items not reheated to 165° F before service. Example: chicken soup, baked ham and sliced turkey.	Four or more cooked and refrigerated hot food items not reheated to 165° F before service. Example: chicken soup, baked ham, sliced turkey, meatloaf and lobster bisque.								
2D	Precooked, potentially hazardous food from commercial food processing establishment that is supposed to be heated, but is not heated to 140° F within 2 hours.	One precooked, commercially prepared food not heated to 140° F. Example: beef patties.	Two pre-cooked, commercially prepared foods not heated to 140° F. Example: beef patties, clam chowder.	Three pre-cooked, commercially prepared foods not heated to 140° F. Example: beef patties, clam chowder and smoked turkey.	Four or more pre-cooked, commercially prepared foods not heated to 140° F. Example: beef patties, clam chowder, smoked turkey, corn beef and gyros.								FPC not held by the supervisor of food operations or available for inspection by DOHMH personnel.
2E	Whole frozen poultry or poultry breasts, other than a single portion, are being cooked, frozen or partially thawed.	One whole poultry or poultry breast being cooked from a frozen state. Example: chicken breast.	Two or more whole poultry or poultry breast being cooked from a frozen state. Example: chicken breast, whole chicken, turkey breast and duck.	Note: For failure to properly cook poultry to the required minimum temperature, *2A cited.									Food worker prepares food or handles utensil when ill with a disease transmissible by food or has exposed infected cut or burn on hand.
2F	Meat, fish or molluscan shellfish served raw or undercooked without prior notification to customer.				Failure to properly cook meats, fish, shellfish and other PHHs, unless a consumer specifically asks for their order to be cooked below the minimum temperature.								Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.
2G	Cold food item held above 41° F (smoked fish and Reduced Oxygen Packaged food above 38° F), except during necessary preparation.	One cold food item out of temperature in one area. Example: one smoked salmon above 38° F or one tray of potato salad above 41° F in service display case.	Two cold food items out of temperature, or the same food item out of temperature in 2 different areas. Example: one smoked salmon above 38° F and tray of sliced tomatoes above 41° F.	Three cold food items out of temperature. Example: one smoked salmon above 38° F and tray of sliced tomatoes above 41° F.	Four cold food items out of temperature. Example: one smoked salmon above 38° F and tray of sliced tomatoes above 41° F, or one tray of sliced tomatoes above 41° F, or one bowl of potato salad in the service display case and one bowl of potato salad in the food preparation area above 41° F.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.							
2H	Food not cooled by an approved method whereby the internal product temperature is reduced from 140° F to 70° F or less within 2 hours and from 70° F to 41° F or less within 4 additional hours.	One food item not cooled by approved method. Example: one whole, cooked turkey.	Two food items not cooled by approved method. Example: two whole, cooked turkeys.	Three food items not cooled by approved method. Example: two whole, cooked turkeys and one container of deep pot chicken stew.	Four or more food items not cooled by approved method. Example: two whole, cooked turkeys, one container of deep pot chicken stew and 10 pounds of cooked rice.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.							
2I	Food prepared from ingredients at ambient temperature not cooled to 41° F or below within 4 hours.	One food item prepared from ambient temperature ingredients not cooled to 41° F. Example: can-made tuna salad above 41° F.	Two food items prepared from ambient temperature ingredients not cooled to 41° F. Example: can-made tuna and salmon salad above 41° F.	Three food items prepared from ambient temperature ingredients not cooled to 41° F. Example: can-made tuna, salmon salad, sardines and anchovies above 41° F.	Four or more food items prepared from ambient temperature ingredients not cooled to 41° F. Example: can-made tuna, salmon salad, sardines and anchovies above 41° F.								Food, food preparation area, food storage area or area used by employees or patrons contaminated by sewage or liquid waste.
2J	Reduced Oxygen Packaged (ROP) food not cooled by an approved method whereby the internal product temperature is reduced to 38° F within two hours of cooking and if necessary further cooled to a temperature of 34° F within six hours of reaching 38° F.	One ROP food item not cooled by approved method. Example: ROP beef stew (twelve 4 oz packages).	Two ROP food items not cooled by approved method. Example: ROP beef stew (twelve 4 oz packages) and ROP chicken fricassee (two - 2 lb packages).	Three ROP food items not cooled by approved method. Example: ROP beef stew (twelve 4 oz packages), ROP chicken fricassee (two 2 lb packages) and ROP pork tenderloin (sixteen 8oz packages).	Four ROP food items not cooled by approved method. Example: ROP beef stew (twelve 4 oz packages), ROP chicken fricassee (two 2 lb packages), ROP pork tenderloin (sixteen 8oz packages) and meat sauce (six 1lb packages).	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.							
3A	Food from unapproved or unknown source or home canned, Reduced Oxygen Packaged (ROP) fish not frozen before processing, or ROP food prepared on premises transported to another site.				One or more food items not from an approved source, or home canned. Example: wild mushrooms or home canned jellies or ROP fish not frozen before processing.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.							
3B	Shellfish not from approved source, improperly tagged/labeled, tags not retained for 90 days.				One or more shellfish not from an approved source, improperly tagged/labeled, tags not retained for 90 days. Example: clams not tagged, oyster tags not retained for 90 days, mussels improperly labeled and mussels not tagged.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.							
3C	Eggs found dirty/cracked, liquid, frozen or powdered eggs not pasteurized.	1-6 eggs found dirty/cracked or liquid, frozen or powdered eggs not pasteurized. Example: 4 eggs found dirty and/or cracked, or one container of unpasteurized liquid eggs found.	7-12 eggs found dirty/cracked, or two containers of liquid, frozen or powdered eggs not pasteurized. Example: 9 eggs found dirty and/or cracked, or 9 eggs found dirty and/or cracked, or 2 containers of unpasteurized liquid eggs found.	13-24 eggs found dirty/cracked, or three containers of liquid, frozen or powdered eggs not pasteurized. Example: 16 eggs found dirty and/or cracked, or 14 eggs found dirty and/or cracked, or two containers of unpasteurized liquid eggs found.	25 or more eggs found dirty/cracked, or four containers of liquid, frozen or powdered eggs not pasteurized. Example: 25 or more eggs found dirty and/or cracked, or one container of unpasteurized liquid eggs found.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.							
3D	Canned food product observed swollen, leaking and rusted, and not segregated from other consumable food items.	Cans of food products (1-6) observed swollen, leaking or rusted, with a dent on any seam, or with a sharp crease from a dent. Example: One can of tomato paste swollen and one can of salmon observed rusted at seams and stored on food storage shelf not marked to be returned to distributor.	Cans of food products (7-12) observed swollen, leaking or rusted, with a dent on any seam, or with a sharp crease from a dent. Example: Three cans of tomato paste observed swollen, two cans of salmon and two cans of mushrooms observed rusted at seams and stored on food storage shelf not marked to be returned to distributor.	Cans of food products (13-18) observed swollen, leaking or rusted, with a dent on any seam, or with a sharp crease from a dent. Example: Ten cans of tomato paste observed swollen, two cans of salmon, two cans of mushrooms observed rusted at seams and stored on food storage shelf not marked to be returned to distributor.	19 or more cans of food products observed swollen, leaking or rusted, with a dent on any seam, or with a sharp crease from a dent. Example: Ten cans of tomato paste observed swollen, two cans of salmon, two cans of mushrooms observed rusted at seams and stored on food storage shelf not marked to be returned to distributor.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.							
3E	Potable water supply inadequate. Water or ice not potable or from unapproved source. Cross connection in potable water supply system.				Potable water supply inadequate. Water or ice not potable or from unapproved source. Cross connection in potable water supply system observed.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.							
3F							3F	Unpasteurized milk or milk product present.					
							3G	Raw food not properly washed prior to serving.	One raw food item was not properly washed prior to serving. Example: two heads of lettuce.	Two raw food items were not properly washed prior to serving. Example: two heads of lettuce and bunch of carrots.	Three raw food items were not properly washed prior to serving. Example: two heads of lettuce, bunch of carrots and bunch of broccoli.	Four or more raw food items were not properly washed prior to serving. Example: two heads of lettuce, bunch of carrots, bunch of broccoli and head of cabbage.	
							4A	Food Protection Certificate not held by supervisor of food operations.					FPC not held by the supervisor of food operations or available for inspection by DOHMH personnel.
							4B	Food worker prepares food or handles utensil when ill with a disease transmissible by food or has exposed infected cut or burn on hand.					Food worker prepares food or handles utensil when ill with a disease transmissible by food or has exposed infected cut or burn on hand.
							4C	Food worker does not use proper utensil to eliminate bare hand contact with food that will not receive adequate additional heat treatment.	One food worker observed preparing ready-to-eat food with bare hands. Example: one food worker at front food preparation area preparing a sandwich.	Two food workers observed preparing ready-to-eat foods with bare hands. Example: one food worker at front food preparation area preparing a sandwich and one in the kitchen preparing Caesar salad.	Three food workers observed preparing ready-to-eat foods with bare hands. Example: one food worker at front food preparation area preparing a sandwich, one in the kitchen preparing Caesar salad and another in the basement preparing shrimp cocktail.	Four or more food workers observed preparing ready-to-eat foods with bare hands. Example: two food workers at front food preparation area preparing a sandwich, one in the kitchen preparing Caesar salad and another in the basement preparing shrimp cocktail.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.
							4D	Food worker does not wash hands thoroughly after visiting the toilet, coughing, sneezing, smoking, preparing raw foods or otherwise contaminating hands.					Food worker does not wash hands after visiting the toilet, coughing, sneezing, smoking, preparing raw foods or otherwise contaminating hands.
							4E	Toxic chemical improperly labeled, stored or used so that contamination of food may occur.	One toxic chemical improperly labeled, stored or used so that contamination of food may occur. Example: roach spray.	Two toxic chemicals improperly labeled, stored or used so that contamination of food may occur. Example: roach spray and bleach.	Three toxic chemicals improperly labeled, stored or used so that contamination of food may occur. Example: roach spray, bleach and butane.	Four or more toxic chemicals improperly labeled, stored or used so that contamination of food may occur. Example: roach spray, bleach, butane and rat poison.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.
							4F	Food, food preparation area, food storage area or area used by employees or patrons contaminated by sewage or liquid waste.					Food, food preparation area, food storage area or area used by employees or patrons contaminated by sewage or liquid waste.
							4G	Unprotected, potentially hazardous food re-served.					Unprotected potentially hazardous food re-served. Example: bowl of cooked rice re-served.
							4H	Food in contact with utensil, container or pipe that consists of toxic material.					Food in contact with utensil, container or pipe that consists of toxic material. Example: Serving water in ceramic lead-based pitcher.
							1I	Raw, cooked or prepared food is adulterated, contaminated or cross-contaminated, or not discarded in accordance with HACCP plan.	One food item is spoiled, adulterated, contaminated or cross-contaminated. Example: lettuce contaminated by raw chicken or custard cream contaminated by mice droppings, or one package of ROP chicken not discarded in accordance with HACCP plan.	Two food items or two batches of same food located in two areas noted spoiled, adulterated, contaminated or cross-contaminated. Example: lettuce and cooked chicken contaminated by raw chicken, or adulterated sausage and fish, or ROP beef stew and ROP chicken fricassee not discarded in accordance with HACCP Plan.	Three food items or three batches of the same food type located in three areas noted spoiled, adulterated, contaminated or cross-contaminated. Example: lettuce, cooked chicken and raw eggs contaminated by raw chicken, or lettuce, tomatoes and figs contaminated by non-potable water, or ROP beef stew, ROP chicken fricassee and ROP pork tenderloin not discarded in accordance with HACCP Plan, or a tray of the chicken contaminated with mice droppings located in the walk-in refrigerator, a basket of chicken under the deep fat fryer contaminated with dust and debris, and a pan of chicken on the service counter cross-contaminated with raw beef drippings and chicken contaminated by mice droppings in the basement walk-in refrigerator.	Four or more food items, or four or more batches of the same food type in different areas noted spoiled, adulterated, contaminated or cross-contaminated. Example: lettuce, cooked chicken, raw eggs and cooked rice contaminated by raw chicken, or ROP beef stew, ROP chicken fricassee, ROP pork tenderloin and meat sauce not discarded in accordance with HACCP Plan, or a tray of the chicken contaminated with mice droppings located in the walk-in refrigerator, a basket of chicken under the deep fat fryer contaminated with dust and debris, and a pan of chicken on the service counter cross-contaminated with raw beef drippings and chicken contaminated by mice droppings in the basement walk-in refrigerator.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.
							4J	Unprotected food re-served.	One unprotected food item re-served. Example: unwrapped crackers.	Two unprotected food items re-served. Example: unwrapped crackers and bread.	Three unprotected food items re-served. Example: unwrapped crackers, bread and pickles.	Four or more unprotected food items re-served. Example: unwrapped crackers, bread, pickles and breadsticks.	
							4K	Appropriately scaled metal stem-type thermometer or thermocouple not provided or used to evaluate temperatures of potentially hazardous foods during cooking, cooling, reheating and holding.					Appropriate thermometer(s) or thermocouple not provided or used to measure the temperature of potentially hazardous foods.
							4L	Evidence of rats or live rats present in facility's food and/or non-food areas.	Rats present in the facility's food or non-food areas. Example: 1-10 fresh rat droppings in one area.	Rats present in the facility's food or non-food areas. 11-30 fresh rat droppings in one area or 1-10 fresh rat droppings in two areas. Example: 25 fresh rat droppings in the food preparation area, or 10 fresh rat droppings in dry food storage area and 10 fresh rat droppings in the basement, food preparation area, bathroom and garbage disposal area.	Rats present in the facility's food or non-food areas. 31-70 fresh rat droppings in one area; 11-30 fresh rat droppings in two areas; or 1-10 fresh rat droppings in three areas. Example: 55 fresh rat droppings in food preparation area; or 14 fresh rat droppings in dry food storage area and 16 fresh rat droppings in the basement, food preparation area and bathroom.	Rats present in the facility's food or non-food areas. 1-2 live rats and/or 71-100 rat droppings in one area; 31-70 fresh rat droppings in two areas; 11-30 fresh rat droppings in three areas; or 1-10 fresh rat droppings in four areas. Example: 80 fresh rat droppings in food preparation area; or 30 fresh rat droppings in dry food storage area and 16 fresh rat droppings in basement, food prep.	Three or more live rats and/or greater than 100 rat droppings; and/or other conditions conducive to infestation of rats, i.e. holes/openings, water, food, unused equipment/material. Inspector must call office to discuss closing or other enforcement measures.

4M	Evidence of mice or live mice present in facility's food and/or non-food areas.	Mice present in the facility's food or non-food areas: 1-10 fresh mice droppings in one area. Example: 8 fresh mice droppings found in pantry.	Mice present in the facility's food or non-food areas: 11-30 fresh mice droppings in one area, or 1-10 in two areas. Example: 25 fresh mice droppings in the food preparation area, or 10 fresh mice droppings in dry food storage area and 10 in the basement.	Mice present in the facility's food or non-food areas: 31-70 mice droppings in one area, 11-30 in two areas, or 1-10 in three areas. Example: 55 fresh mice droppings in food preparation area, 14 fresh mice droppings in dry food storage area and 16 in basement, or fewer than 10 fresh mice droppings in the basement, food preparation area and bathroom.	Mice present in the facility's food or non-food areas: 71-100 mice droppings in one area, 31-70 in two areas, 11-30 in three areas, or 1-10 in four areas. Example: 80 fresh mice droppings in food preparation area, 30 fresh mice droppings in dry food storage area and 16 in basement, or fewer than 10 fresh mice droppings in basement, food preparation area, bathroom and garbage disposal area.	Two or more live mice and/or greater than 100 fresh mice droppings, and/or other conditions exist conducive to infestation of mice. Example: holes/openings, water, food, unused equipment/material. Inspector must call office to discuss enforcement measures.						Inspector must call office to discuss closing or other enforcement measures.
4N	Live roaches present in facility's food and/or non-food areas.	Roaches present in the facility's food and non-food areas. Example: 2 live roaches in the dry food area.	Roaches present in the facility's food and non-food areas: 6-10 roaches in one area, or 1-5 in two areas. Example: 7 live roaches in the food preparation area, or 2 roaches in the dry food storage area and 1 in the basement.	Roaches present in the facility's food and non-food areas: 11-15 roaches in one area, 6-10 in two areas, or 1-5 in three areas. Example: 12 live roaches in the food preparation area, 4 roaches in the dry food storage area and 5 roaches in the basement, or 1 live roach observed in walk-in, food preparation area and dry storage area.	Roaches present in the facility's food and non-food areas: 16-20 roaches in one area, 11-15 in two areas, 6-10 in three areas, or 1-5 in four areas. Example: 17 live roaches in the food preparation area, 10 roaches in the dry food storage area and 5 roaches in the basement, or 1 live roach observed in walk-in, food preparation area, garbage area and dry storage area.	Greater than 20 live roaches and/or other conditions exist conducive to infestation of roaches. Example: 45 live roaches and condition conducive to infestation such as holes/openings, water, food, unused equipment/material. Inspector must call office to discuss enforcement measures.						No facility available to wash, rinse, and sanitize utensils and equipment. Failure to correct. Inspector must call office to discuss enforcement measures.
5I		Nuisance created or allowed to exist. Facility not free from unsafe, hazardous, offensive, or annoying conditions.										Failure to correct. Inspector must call office to discuss enforcement measures.
5J		Refrigeration used to implement HACCP plan not equipped with an electronic system that continuously monitors time and temperature.										Refrigeration used to implement HACCP plan not equipped with an electronic system that continuously monitors time and temperature. Inspector must call office to discuss closing or other enforcement measures.
6A		Personal cleanliness inadequate. Clean outer garments, effective hair restraint not worn in an area where food is prepared.					One food worker observed without clean outer garment or hair restraint.	Two food workers observed without clean outer garments and/or hair restraints.	Three food workers observed without clean outer garments and/or hair restraints.	Four or more food workers observed without clean outer garments and/or hair restraints.		
6B		Tobacco use, eating, or drinking from open container in food preparation, food storage, or dishwashing area.					One food worker eating, smoking and/or drinking from open container in food or ware washing areas or evidence of tobacco use, eating or drinking in food preparation, food storage, and dishwashing area.	Two food workers eating, smoking and/or drinking from open container in food or ware washing areas.	Three food workers eating, smoking and/or drinking from open container in food or ware washing areas.	Four or more food workers eating, smoking and/or drinking from open container in food or ware washing areas.		
6C		Food not protected from potential source of contamination during storage, preparation, transportation, display or service.					One food item not protected during storage, preparation, transportation, display or service.	Two food items not protected during storage, preparation, transportation, display or service.	Three food items not protected during storage, preparation, transportation, display or service.	Four or more food items not protected during storage, preparation, transportation, display or service.		
6D		Food contact surface not washed, rinsed and sanitized after each use and following any activity when contamination may have occurred.					One food contact surface not washed, rinsed or sanitized after any activity when contamination may have occurred. Example: Meat slicer encrusted with old food debris.	Two food contact surfaces not washed, rinsed or sanitized after any activity when contamination may have occurred. Example: Meat slicer and cutting board encrusted with old food debris.	Three food contact surfaces not properly washed, rinsed or sanitized after any activity when contamination may have occurred. Example: Meat slicer, wooden cutting board, and can opener encrusted with old food debris.	Four or more food contact surfaces not properly washed, rinsed or sanitized after any activity when contamination may have occurred. Example: Meat slicer, wooden cutting board, can opener, and food preparation table encrusted with old food debris, and the interior of the ice machine observed with mold.		
6E		Sanitized equipment or utensil, including in-use food dispensing utensil, improperly used or stored.					One sanitized piece of equipment or utensil improperly used or stored.	Two sanitized pieces of equipment or utensils improperly used or stored.	Three sanitized pieces of equipment or utensils improperly used or stored.	Four or more sanitized pieces of equipment or utensils improperly used or stored.		
10A		Toilet facility not maintained and provided with toilet paper, waste receptacle and self-closing door.					One toilet facility not maintained and provided with toilet paper, waste receptacle and self-closing door.	Two toilet facilities not maintained and provided with toilet paper, waste receptacle and a self-closing door.	Three toilet facilities not maintained and provided with toilet paper, waste receptacle and a self-closing door.	Four or more toilet facilities not maintained and provided with toilet paper, waste receptacle and a self-closing door.		
10B		Plumbing not properly installed or maintained; anti-siphonage or backflow prevention device not provided where required; equipment or floor not properly drained; sewage disposal system in disrepair or not functioning properly.					One backflow prevention device not installed, or equipment or floor not properly drained. Example: refrigerator condensation draining into a bucket.	Two backflow prevention devices not installed, or equipment or floor not properly drained. Example: refrigerator condensation draining into a bucket and air conditioner draining onto sidewalk.	Three backflow prevention devices not installed, or equipment or floor not properly drained. Example: refrigerator condensation draining into bucket, air conditioner draining onto sidewalk and no vacuum breaker provided on the hose connected to faucet.	Four or more backflow prevention devices not installed, or equipment or floor not properly drained. Example: refrigerator condensation draining into bucket, two air conditioners draining onto sidewalk and no vacuum breaker provided on the hose connected to faucet or ice machine.		Sewage disposal system in disrepair or not functioning properly. 5A also cited.
5B*		Harmful, noxious gas or vapor detected. CO ≥ 13 ppm.					Harmful, noxious gas or vapor detected. CO equal to or greater than 13ppm.					
5C+		Food contact surface improperly constructed or located. Unacceptable material used.					One food contact surface or piece of equipment improperly constructed, located and/or unacceptable material used. Example: painted shelves in a walk-in unit.	Two food contact surfaces or pieces of equipment improperly constructed, located and/or unacceptable material used. Example: painted shelves in a walk-in unit, cutting board made from untreated wood.	Three food contact surfaces or pieces of equipment improperly constructed, located and/or unacceptable material used. Example: painted shelves in a walk-in unit, cutting board made from untreated wood and acidic food placed in pewter bowl.	Four or more contact surfaces or pieces of equipment improperly constructed, located, and/or unacceptable material used. Example: painted shelves in a walk-in unit, cutting board made from untreated wood, acidic bowl and solder and flux used to repair food contact equipment.		Failure to correct as pre-permit serious (PPS) on an initial inspection, re-inspection, or compliance inspection results in a follow up inspection, and/or closure. Inspector must call office to discuss closing or other enforcement measures.
5D+		Hand washing facility not provided in or near food preparation area and toilet room. Hot and cold running water at adequate pressure to enable cleanliness of employees not provided at facility. Soap and an acceptable hand-drying device not provided.					Fully equipped hand wash sinks, to include soap and paper towels not provided or conveniently located in all food preparation areas.					Failure to correct as pre-permit serious (PPS) on an initial inspection, re-inspection, or compliance inspection results in a follow up inspection, and/or closure. Inspector must call office to discuss closing or other enforcement measures.
5E+		Toilet facility not provided for employees or for patrons when required.					Toilet facility not provided for employees or for patrons when required.					Failure to correct as pre-permit serious (PPS) on an initial inspection, re-inspection, or compliance inspection results in a follow up inspection, and/or closure. Inspector must call office to discuss closing or other enforcement measures.
5F+		Insufficient or no refrigerated or hot holding equipment to keep potentially hazardous foods at required temperatures.					Refrigerated or hot holding equipment for PHFs not provided.					Failure to correct as pre-permit serious (PPS) on an initial inspection, re-inspection, or compliance inspection results in a follow up inspection, and/or closure. Inspector must call office to discuss closing or other enforcement measures.
5G+		Properly enclosed service/maintenance area not provided. (Mobile Vending Commissary)					Separate enclosed properly equipped cleaning and service area not provided.					Failure to correct as pre-permit serious (PPS) on an initial inspection, re-inspection, or compliance inspection results in a follow up inspection, and/or closure.
6I		Food not labeled in accordance with HACCP plan.										Food not labeled in accordance with HACCP plan. Inspector must call office to discuss corrective action or other enforcement measures.
7A		Duties of an officer of the department interfered with or obstructed.										Duties of an officer of the department interfered with or obstructed.
8A		Facility not vermin free.										General Violations Doors and door Doors and door thresholds

	proof. Harborage or conditions conducive to attracting vermin to the premises, and/or allowing vermin to exist.			thresholds not adequately pest proofed, and/or 1-2 openings in the facility facade (walls, floors, ceilings) and/or condition conducive to pest entry or breeding.	not adequately pest proofed, with quality materials, and/or three or more openings in the facility facade (walls, floors, ceilings) or condition conducive to pest entry or breeding.			10D	Mechanical or natural ventilation system not provided to prevent build-up of grease, heat, steam, condensation, vapors, odors, smoke and fumes, improperly installed or in disrepair.	One mechanical or natural ventilation system not provided or inadequate. Example: no ventilation provided in bathroom.	Two mechanical or natural ventilation systems not provided or inadequate. Example: no ventilation provided in bathroom and exhaust hood not sufficient to remove excess fumes in kitchen.	Three mechanical or natural ventilation systems not provided or inadequate. Example: no ventilation provided in bathroom, exhaust hood not sufficient to remove excess fumes in kitchen and grease collecting on walls.	Four mechanical or natural ventilation systems not provided or inadequate. Example: no ventilation provided in bathroom, exhaust hood not sufficient to remove excess fumes in kitchen, grease collecting on walls, and smoke from smokehouse drifting into dining area.
8B	Garbage receptacles not provided or inadequate, except that garbage receptacle may be uncovered during active use. Garbage storage area not properly constructed or maintained, grinder or compactor dirty.	Garbage equipment and facilities not maintained or provided. Example: tight fitting lid not provided for 32-gallon garbage can used to put garbage out overnight.	Garbage equipment and facilities not maintained or provided. Example: tight-fitting lids not provided for 32-gallon garbage cans used to put garbage out overnight and garbage grinder encrusted with old food.	Garbage equipment and facilities not maintained or provided. Example: tight-fitting lids not provided for two 32-gallon garbage cans used to put garbage out overnight and cardboard boxes, food wrappers and 15 empty carton of milk strewn in the backyard.	Garbage equipment and facilities not maintained or provided. Example: tight-fitting lids not provided for two 32-gallon garbage cans used to put garbage out overnight, garbage grinder encrusted with old food and cardboard boxes, food wrappers and 15 empty carton of milk strewn in the backyard.			10E	Accurate thermometer not provided in refrigerated or hot holding equipment.	One refrigeration or hot holding unit not provided with accurate thermometer to measure the temperature in the warmest part of the refrigerator or coolest part of the hot storage facility.	Two refrigeration or hot holding units not provided with accurate thermometers to measure the temperature in the warmest part of the refrigerator or coolest part of the hot storage facility.	Three refrigeration or hot holding units not provided with accurate thermometers to measure the temperature in the warmest part of the refrigerator or coolest part of the hot storage facility.	Four refrigeration or hot holding units not provided with accurate thermometers to measure the temperature in the warmest part of the refrigerator or coolest part of the hot storage facility.
8C	Pesticide use not in accordance with label or applicable laws. Prohibited chemical used/stored. Open bait station used.	One prohibited pesticide, chemical or bait station not used in accordance with label or applicable laws.	Two types of prohibited pesticides, chemicals or bait stations not used in accordance with label or applicable laws.	Three types of prohibited pesticides, chemicals or bait stations not used in accordance with label or applicable laws.	Four or more types of prohibited pesticides, chemicals or bait stations not used in accordance with label or applicable laws.	Failure to correct. Inspector must call office to discuss enforcement measures.		10F	Equipment not easily movable or sealed to floor, adjoining equipment, adjacent walls or ceiling.	One piece of equipment not properly mounted or easily movable.	Two pieces of equipment not properly mounted or easily movable.	Three pieces of equipment not properly mounted or easily movable.	Four or more pieces of equipment not properly mounted or easily movable.
9A	Labeled food product observed dented and not segregated from other consumable food items.	1-6 cans dented. Example: one can of tomato paste observed dented and stored on food storage shelf not marked to be returned to distributor.	7-12 cans dented. Example: seven cans of tomato paste observed dented and stored on food storage shelf not marked to be returned to distributor.	13-24 cans dented. Example: seven cans of tomato paste and six cans of soy sauce observed dented and stored on food storage shelf not marked to be returned to distributor.	25 or more cans dented. Example: seven cans of tomato paste, ten cans of soy sauce, and five cans of tuna fish observed dented and stored on food storage shelf not marked to be returned to distributor.			10G	Non-food contact surface improperly constructed, unacceptable material used. Non-food contact surface or equipment improperly maintained.	One non-food contact surface improperly constructed, unacceptable material used or improperly maintained. Example: wall in food preparation area made from brick.	Two non-food contact surfaces improperly constructed, unacceptable material used or improperly maintained. Example: wall in food preparation area made from brick and build-up of grease on ceiling.	Three non-food contact surfaces improperly constructed, unacceptable material used or improperly maintained. Example: wall in food preparation area made from brick, ceiling and floor underneath stove encrusted with old dried foods.	Four or more non-food contact surfaces improperly constructed, unacceptable material used, or improperly maintained. Example: wall in food preparation area made from brick, build-up of grease on ceiling and carpeted floor underneath stove encrusted with old dried foods.
9B	Thawing procedures improper.	One frozen food item improperly thawed. Example: chicken or 4lbs. of chicken breast observed improperly thawing.	Two frozen food items improperly thawed or the same type of food, improperly thawed in two different areas. Example: two chickens and beefsteak observed improperly thawing or chicken breast improperly thawed in sink and chicken legs thawing on kitchen counter.	Three frozen food items or improperly thawed or the same type of food, improperly thawed in three different areas. Example: four chickens, chicken breast, beefsteak, and shrimp observed improperly thawing or chicken breast improperly thawed in sink, chicken legs thawing on kitchen counter, and chicken breast thawing in bowl in food preparation area.	Four or more frozen food items improperly thawed or four or more of the same type of food improperly thawed in four different areas. Example: four chickens, chicken breast, beefsteak, and shrimp observed improperly thawing or chicken breast improperly thawed in sink, chicken legs thawing on kitchen counter, chicken breast thawing in bowl in food preparation area, and chicken wings thawing near the deep fat fryer.			10H	Food service operation occurring in room used as living or sleeping quarters.	Food service operation occurring in room used as living or sleeping quarters.	Food service operation occurring in two rooms used as living or sleeping quarters.	Food service operation occurring in three rooms used as living or sleeping quarters.	Food service operation occurring in four or more rooms used as living or sleeping quarters.
9C	Food contact surface not properly maintained.	One food contact surface not properly maintained. Example: one cutting board observed discolored.	Two food contact surfaces not properly maintained. Example: one cutting board observed discolored and one plastic cutting board observed pitted and scratched.	Three food contact surfaces not properly maintained. Example: three cutting boards observed pitted and scratched.	Four or more contact surfaces not properly maintained. Example: three cutting board observed pitted and scratched and four cutting boards at the bar area observed discolored.			10I	Proper sanitization not provided for utensil ware, washing operation.	Manual ware washing inadequate in that one immersion basket not provided or of incorrect size and manual ware washing procedure incorrect and	Manual ware washing inadequate in that one immersion basket not provided or of incorrect size, manual ware washing procedure incorrect and	Manual ware washing inadequate in that one immersion basket not provided or of incorrect size, manual ware washing procedure incorrect and	Minimum final rinse temperature of 170° F not maintained or mechanical dishwasher is not operated as per manufacturer's specifications (time or temperature or chemical concentration).
10A	Toilet facility not maintained and provided with toilet paper, waste receptacle and self-closing door.	One toilet facility not maintained and provided with toilet paper, waste receptacle and self-closing door.	Two toilet facilities not maintained and provided with toilet paper, waste receptacle and a self-closing door.	Three toilet facilities not maintained and provided with toilet paper, waste receptacle and a self-closing door.	Four or more toilet facilities not maintained and provided with toilet paper, waste receptacle and a self-closing door.			10J	Single service item reused, improperly stored, dispensed, not used when required.	Single service item reused, improperly stored, dispensed or not used when required. Example: drinking straws not properly protected from contamination.	Single service item reused, improperly stored, dispensed or not used when required. Example: drinking straws not properly protected and paper plates not protected from contamination.	Single service item reused, improperly stored, dispensed, not used when required. Example: drinking straws not properly protected from contamination and forks not protected from contamination.	Single service item reused, improperly stored, dispensed, not used when required. Example: drinking straws not properly protected from contamination and plastic forks reused.
10B	Plumbing not properly installed or maintained, anti-siphonage or backflow prevention device not provided where required, equipment or floor not properly drained, sewage disposal system in disrepair or not functioning properly.	One backflow prevention device not installed, equipment or floor not properly drained. Example: refrigerator condensation draining into a bucket.	Two backflow prevention devices not installed, or equipment or floor not properly drained. Example: refrigerator condensation draining into a bucket and air conditioner draining onto sidewalk.	Three backflow prevention devices not installed, or equipment or floor not properly drained. Example: refrigerator condensation draining into bucket, two air conditioners draining onto sidewalk and no vacuum breaker provided on the hose connected to faucet.	Four or more backflow prevention devices not installed or equipment or floor not properly drained. Example: refrigerator condensation draining into bucket, two air conditioners draining onto sidewalk and no vacuum breaker provided on the hose connected to faucet or ice machine.	Sewage disposal system in disrepair or not functioning properly, 5A also cited.		10K	"Wash hands" sign not posted at hand wash facility.	"Wash hands" sign not posted at hand wash facility.			
10C	Lighting inadequate, permanent lighting not provided in food preparation areas, ware washing areas, and storage rooms.	One instance of lighting inadequate.	Two instances of lighting inadequate.	Three instances of lighting inadequate.	Four or more instances of lighting inadequate.			10L	Toilet facility used by women does not have at least one covered garbage receptacle.	Toilet facilities used by women do not have at least one covered garbage receptacle.			
								10M	Bulb not shielded or shatterproof, in areas where there is extreme heat, temperature changes or where accidental contact may occur.	One instance lighting not shielded or shatterproof. Example: six unshielded bulbs in display refrigerator.	Two instances of lighting not shielded or shatterproof. Example: six unshielded bulbs in display refrigerator and unshielded bulb above the self-service buffet.	Three instances of lighting not shielded or shatterproof. Example: six unshielded bulbs under ventilation hood, and heat lamp above the sliced roast beef in the service area not shatterproof.	Four or more instances of lighting not shielded or shatterproof. Example: six unshielded bulbs under ventilation hood, heat lamp above the roast in the service area not shatterproof, and unshielded bulbs at salad bar.
								99B	General other.				

LOFT BOARD

NOTICE

REGULATORY AGENDA OF THE NEW YORK CITY LOFT BOARD PURSUANT TO SECTION 1042 OF THE CITY ADMINISTRATIVE PROCEDURE ACT

The Rules and Regulations of the New York City Loft Board are authorized pursuant to Section 282 of the Multiple Dwelling Law ("MDL") and are found in Title 29 of the Rules of the City of New York ("RCNY"). The Rules and Regulations are supplementary and include administrative procedure necessary to carry out the law.

Promulgation of the following rules and regulations of the New York City Loft Board is anticipated by the first day of July 2011.

1. Rules relating to the merger of the New York City Loft Board with the Department of Buildings.

This rule is necessary to clarify certain changes in the composition of the Loft Board brought about by the May 22, 2009 Executive Order 129, which, among other things, merged the New York City Loft Board with the New York City Department of Buildings. As a result, it is necessary to amend the Loft Board rules to conform to these Mayoral changes.

Persons Affected - Members of the Board
Relevant Law - MDL section 282
Anticipated Schedule - first half of FY '11
Contact - Martha Cruz, Deputy General Counsel (212) 566-5663

2. Rule relating to the Loft Board's issuance of Letters of No Objection.

This rule amends 29 RCNY § 2-01 (d) to add a section (4) relating to the Letter of No Objection Process for work in non-IMD spaces in IMD buildings.

Persons Affected - Owners of Interim Multiple Dwelling Buildings
Relevant Laws - MDL Section 282
Anticipated Schedule - first half of FY '11
Contact - Martha Cruz, Deputy General Counsel (212) 566-5663

SPECIAL MATERIALS

BUILDINGS

NOTICE

NYC Cool Roof is a green initiative to reduce energy costs, greenhouse gas emissions, and local temperatures by coating the roofs white. The NYC Cool Roof program will be rolled out across New York City beginning in Spring 2010. The goal for 2010 is to coat 1,000,000 square feet of rooftops. NYC Cool Roofs will publicize the benefits of cool roof coating throughout the city through the initiative's website and the press. The program will mobilize a mix of volunteers and green job training programs to coat non-profit and government roofs.

NYC Cool Roof seeks proposals from coating vendors and manufacturers to partner in the program by offering NYC Cool Roofs customers a discount on coating. Proposals should designate a reduced rate for buildings participating in NYC Cool Roofs program and how the reduced rate would be provided to private owners (i.e., purchased directly from web site or warehouse; rebate with certification that coating was used for NYC Cool Roofs). The program will be open to participation by multiple vendors. Partners will be appropriately acknowledged in promotional material for the program.

In order to participate, the following areas must be covered in your submission:

Coating Partners

Minimum Requirements of Coating:
 Requirements for the coating should be for coatings with:
 Minimum Cool Roof Rating Council Minimum 3 Year Aged Reflectivity (ASTM C-1549) of 0.7
 Minimum CRRC 3 Year Aged Emissivity (ASTM C-1371) of 0.8.

If Coating is new to the market and CRRC 3 Year Aged Reflectivity is Pending, we will accept:
 Minimum CRRC Initial Reflectivity (ASTM C-1549): 0.8
 Minimum CRRC Emissivity (ASTM C-1371): 0.85

Coating also must:
 Be water based

Proposals must include:

- Cost of discounted coating
- Coverage rate
- Specify compatible roof types
- Coating application process
- How materials can be purchased and how discount would be provided
- How application by volunteers and green job training program would impact warranty
- Training and technical consultation available
- Full details on product include Product Database (include initial and aged solar reflectance and thermal emittance if available) and Material Safety Data Sheets.

Other Partnership Opportunities:

- Provide estimates on coating materials, such as: Rollers
- 3/4" roller covers
- Roller handles
- Brushes
- Other needed coating application supplies

Cleaning Supplies:

- Pressure washers to prep roofs for application
- Sponges and rags
- Garbage bags
- Simple green cleaning fluid
- Hand cleaner
- Elbow length rubber gloves
- Scrubbing brushes
- Brooms

Measuring supplies:

- Chalk
- Chalk lines

Personal protection:

- Gloves
- Booties for walking through building

Firms interested in partnering with NYC Cool Roof should submit the required information to Tori Edmiston, NYC Department of Buildings, 280 Broadway, 7th Floor, New York, New York 10007. Questions may be directed to Ms Edmiston by email to vedmiston@buildings.nyc.gov, or by telephone at (212) 566-3341.

Submissions are due Monday, April 26, 2010, by 3:00 P.M. Eastern Daylight Time, for firms wishing to be visible on the website when the program launches in early May. However, partnership opportunities will remain open through the duration of the program, and firms wishing to participate should contact Ms Edmiston.