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THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

MARTHA K. HIRST, Commissioner, Department of Citywide Administrative Services.
ELI BLACHMAN, Editor of The City Record.

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BANKING COMMISSION

MEETING

PLEASE TAKE NOTICE THAT THERE WILL BE A Meeting of the Banking Commission on Wednesday, June 2, 2010 at 11:00 A.M. in Conference Room A, 66 John Street, 12th Floor, Manhattan.

m24-28

STATEN ISLAND BOROUGH PRESIDENT

PUBLIC MEETING

The Staten Island Borough Board, Wednesday, June 2, 2010, Conference Room 122 at 5:30 P.M. Staten Island Borough Hall, Stuyvesant Place, Staten Island, New York 10301.

m27-j2

CITY COUNCIL

PUBLIC HEARINGS

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

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the 16th Floor Hearing Room, 250 Broadway, New York City, New York 10007, commencing at 9:30 A.M. on Tuesday, June 1, 2010:

MESA COYOACAN

BROOKLYN CB - 1 20105445 TCK
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Tres De Mexico, LLC, d/b/a Mesa Coyoacan, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 372 Graham Avenue, Borough of Brooklyn.

300 WEST 46TH STREET

MANHATTAN CB - 4 20105458 TCM
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 300 West 46th St. Corp. d/b/a Brasserie Athenee, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 300 West 46th Street, Borough of Manhattan.

CROTONA REZONING

BRONX CB - 3 C 080157 ZMX
Application submitted by CBC Associates and the South

Bronx Overall Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d:

- changing from a C8-3 District to an R7-1 District property bounded by East 176th Street, Boston Road, East 175th Street, and Southern Boulevard; and
- establishing within the proposed R7-1 District a C2-4 District bounded by East 176th Street, Boston Road, East 175th Street, and Southern Boulevard;

as shown on a diagram (for illustrative purposes only) dated January 4, 2010 and subject to the conditions of CEQR Declaration E- 243.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the 16th Floor Hearing Room, 250 Broadway, New York City, New York 10007, commencing at 11:00 A.M. on Tuesday, June 1, 2010:

THE REFORMED CHURCH ON STATEN ISLAND
STATEN ISLAND CB - 1 20105516 HKR (N 100278 HKR)
Designation (List No. 427/LP-2384) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Reformed Church on Staten Island Sunday School Building and Cemetery, located at 54 Port Richmond Avenue (Block 1073, Lot 75), as an historic landmark.

JOSEPH B. AND JOSEPHINE H. BISSELL HOUSE
MANHATTAN CB - 5 20105517 HKM (N 100281 HKM)
Designation (List No. 427 /LP-2340) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Joseph B. and Josephine H. Bissell House, located at 46 West 55th Street (Block 1270, Lot 60), as an historic landmark.

THE BRILL BUILDING
MANHATTAN CB - 5 20105518 HKM (N 100280 HKM)
Designation (List No. 427/LP-2387) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Brill Building, located at 1619 Broadway (Block 1021, Lot 19), as an historic landmark.

THE UPPER EAST SIDE HISTORIC DISTRICT EXTENSION
MANHATTAN CB - 8 20105558 HKM (N 100282 HKM)
Designation (List No. 427, LP-2373) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Upper East Side Historic District Extension, as an historic district.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the 16th Floor Hearing Room, 250 Broadway, New York City, New York 10007, commencing at 1:00 P.M. on Tuesday, June 1, 2010:

PROVIDENCE HOUSE II

BROOKLYN CB - 3 C 100155 HAK
Application submitted by the Department of Housing

Preservation and Development (HPD):

- pursuant to Article 16 of the General Municipal Law of New York State for:
 - the designation of property located at 277, 275 and 273 Kosciuszko Street (Block 1781, Lots 60-62) as an Urban Development Action Area; and
 - an Urban Development Action Area Project for such area; and
- 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, Borough of Brooklyn.

PROVIDENCE HOUSE II

BROOKLYN CB - 3 C 100156 ZSK
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 Kosciuszko Street (Block 1781, Lots 60, 61, & 62), in an R6 District, Borough of Brooklyn.

Proposal subject to Council review and action pursuant to the Urban Development Action Area Act, Article 16 of the New York General Municipal Law, at the request of the Department of Housing Preservation and Development ("HPD"), which requests that the Council:

- Find that the present status of the disposition area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
- Approve the designation of the disposition area as an Urban Development Action Area pursuant to Section 693 of the General Municipal Law; and
- Approve the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

NO.	ADDRESS	BLOCK/ LOT	BORO	COMMUNITY PROGRAM BOARD
1.	441 De Witt Avenue	4318/31	Brooklyn	NYS Office of 5
	437 De Witt Avenue	4318/32		Mental Health
	435 De Witt Avenue	4318/33		Supportive Housing
	433 De Witt Avenue	4318/34		

m25-j1

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, June 9, 2010, commencing at 10:00 A.M.

BOROUGH OF BROOKLYN

No. 1 BROOKLYN TERMINAL MARKET

CD 18 C 090376 PPK
IN THE MATTER OF an application submitted by the Department of Small Business Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the disposition of city-owned property located at 8201 Foster Avenue (Block 7920),

Lots 20 and 25), in the Brooklyn Terminal Market, pursuant to zoning.

No. 2

470 VANDERBILT AVENUE OFFICE SPACE

CD 2 **N 100390 PKX**
IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 470 Vanderbilt Avenue (Block 2009, Lot 1) (Human Resources Administration).

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

m26-j9

COMMUNITY BOARDS

■ PUBLIC HEARINGS

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 04 - Tuesday, June 1, 2010, 7:00 P.M., VFW Post #150, 51-11 108th Street, Queens, NY

New York School Construction Authority:
 Notice has been filed for the proposed site selection of Block 1891, Lots 1, 12, 15, 20, and 22 and any other property in the immediate vicinity which may be necessary for the proposed project, for the construction of a new approximately 800-seat primary school facility in Community school District 24. The site is privately owned and is currently being used for surface parking. The site adjoins property that contains the Department of Education's IS 61 school building and grounds.

m26-j1

FRANCHISE AND CONCESSION REVIEW COMMITTEE

■ MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a Public Meeting on Wednesday, June 9, 2010 at 2:30 P.M., at 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan.

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contracts Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD users should call Verizon relay service.

m28-j9

LABOR RELATIONS

■ MEETING

The New York City Deferred Compensation Plan Board will hold its monthly meeting on Wednesday, June 2, 2010 from 10:00 A.M. to 1:00 P.M. The meeting will be held at 40 Rector Street, 3rd Floor, NYC.

m28-j2

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, **June 01, 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.

BINDING REPORT

BOROUGH OF MANHATTAN 10-7128 - Block 122, lot 1 - City Hall - Individual and Interior Landmark-African Burial Ground and Commons Historic District A Federal style government building designed by Mangin and McComb and built between 1802 and 1811. Application is to install rooftop mechanical equipment, modify interior and exterior stairs, install fire suppression equipment and alter an areaway.

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 10-3313 - Block 543, lot 58-129 MacDougal Street - 129 MacDougal Street House - Individual Landmark A Federal style house built in 1828-1829. Application is to alter a window on the front facade.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-8522 - Block 619, lot 52-341 Bleecker Street - Greenwich Village Historic District A vernacular frame house with brick façade built in 1820, and later altered. Application is to construct a rear yard addition, alter the rear façade, and excavate the cellar. Zoned C1-6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-8380 - Block 607, lot 27-122-132 West 12th Street - Greenwich Village Historic District An apartment house designed by H. I. Feldman and built in 1940-1941. Application is to replace windows.

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 10-7031 - Block 583, lot 42-55-57 Leroy Street - Greenwich Village Historic District Two Romanesque Revival style apartment houses built in 1887. Application is to remove the cornice and raise the parapet.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-7058 - Block 644, lot 54-7 9th Avenue - Gansevoort Market Historic District Two Greek Revival style rowhouses built in 1849. Application is to legalize and enlarge a fire escape.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-7703 - Block 745, lot 11-347 West 21st Street - Chelsea Historic District An Italianate style house built in 1846. Application is to alter the façade and construct rooftop and rear yard additions. Zoned R7B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-3959 - Block 848, lot 14-893 Broadway, aka 13 East 19th Street - Ladies' Miles Historic District A neo-Grec style converted shop and dwelling built in 1844, altered in 1873-74 and altered again in 1975. Application is to alter the facade and replace storefront infill.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-8141 - Block 1118, lot 52-56 West 66th Street - First Battery Armory-Individual Landmark An armory building designed by Horgan and Slattery and built in 1900-1903. Application is to replace ground floor infill, modify openings and the areaway and install a ramp, raise lot-line parapets and to install mechanical equipment and bulkheads. Zoned C4-7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-6407 - Block 1141, lot 26-115 West 69th Street - Upper West Side/Central Park West Historic District A Renaissance Revival style rowhouse with Romanesque Revival style elements designed by Thom & Wilson and built in 1891. Application is to construct a rear yard addition. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-6782 - Block 1216, lot 23-115 West 85th Street - Upper West Side/Central Park West Historic District A Queen Anne/Romanesque Revival style rowhouse designed by John G. Prague and built in 1890-91. Application is to alter the areaway and replace door and windows.

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.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4721 - Block 1906, lot 32-229 Lenox Avenue - Mount Morris Park Historic District A Beaux-Arts style house designed by Clarence True and built in 1899. Application is to construct a rear yard addition and reconstruct the rear yard façade. Zoned R7-3 & C1-4.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-7055 - Block 195, lot 39-150 Bond Street - Boerum Hill Historic District An Italianate style residence built in 1866-67. Application is to install mechanical equipment at the roof, reconstruct the garage facade, and repaint the facades.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 09-6601 - Block 312, lot 28-232 Court Street - Cobble Hill Historic District A mid-19th century Greek Revival style rowhouse. Application is to install storefront infill and signage.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BRONX 10-7906 - Block 2309, lot 1-112 Lincoln Avenue - Estey Piano Factory Building - Individual Landmark A factory building designed by A.B. Ogden & Son architects, and built in 1885-86, with later additions. Application is to amend Certificate of Appropriateness 10-5557 to construct a rear yard addition. Zoned M1-2/R6A.

m18-j1

MAYOR'S OFFICE OF CONTRACT SERVICES

■ NOTICE

NOTICE OF FRANCHISE AND CONCESSION REVIEW COMMITTEE PUBLIC HEARING ON AGENCY CONCESSION PLANS

Notice of a Franchise and Concession Review Committee (FCRC) Public Hearing on Agency Concession Plans for Fiscal Year 2011 pursuant to Section 1-10 of the Concession Rules of the City of New York (Concession Rules), to be held on June 7, 2010, commencing at 2:30 P.M., and located at 22 Reade Street, Barish Room, Manhattan. At this hearing, the FCRC will further solicit comments about the provisions of the Concession Rules from the vendor community, civic groups and the public at large.

The following agencies submitted an Annual Concession Plan: the Department of Parks and Recreation, the Department of Citywide Administration Services, the Department of Transportation, the Department of Corrections, the Department of Probation, the New York Police Department, the Department of Housing Preservation and Development, the Department of Homeless Services, the Department of Environmental Protection, the Department of Health and Mental Hygiene, the Department of Records and Information Services, the New York City Office of Chief Medical Examiner, the New York City Economic Development Corporation on behalf of the Department of Small Business Services, and NYC & Company on behalf of the Department of Small Business Services.

The portfolio of Agency Concession Plans covers significant and non-significant concessions expiring, continuing and anticipated for solicitation or initiation in Fiscal Year 2011. Furthermore, the portfolio covers:

- Department of Parks and Recreation: mobile food units, food service facilities, golf courses, driving ranges, marinas, tennis professionals, Christmas trees, parking lots, markets, concerts, newsstands, stables, gas stations, amusement venues, ice skating rinks, carousels, ferry services, bike rentals, circus, sailboat rentals, souvenirs and gifts.
- Department of Citywide Administrative Services: maritime and non-maritime occupancy permits.
- Department of Transportation: food kiosks, vending machines, pedestrian plazas, food courts.
- Department of Corrections: commissary services, food court, lockers.
- Department of Probation: advertising and marketing software.
- New York City Police Department: vending machines.
- Department of Housing Preservation and Development: vending machines.
- Department of Homeless Services: athletic facilities.
- Department of Environmental Protection: gas purification.
- Department of Health and Mental Hygiene: drug discount card program, café.
- Department of Records and Information Services: publication of record collections.
- New York City Office of the Chief Medical Examiner: DNA swab kit.
- New York City Economic Development Corporation on behalf of the Department of Small Business Service: parking lots, maritime and non-maritime occupancy permits.
- NYC & Company on behalf of the Department of Small Business Services: marketing, advertising, intellectual property & trademark merchandising.

Interested parties may obtain a copy of the Agency Concession Plans by contacting Adam Buchanan by phone at (212) 788-0023 or via email at abuchanan@cityhall.nyc.gov. Hard copies will be provided at a cost of \$.25 per page by check or money order made payable to the New York City Department of Finance. Upon request, a PDF version of the Agency Concession Plans is available free of cost. The FCRC shall consider the issues raised at the Public Hearing in accordance with the procedures set forth in the Charter under the City Administrative Procedure Act.

m21-j7

YOUTH AND COMMUNITY DEVELOPMENT

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held at the Department of Youth and Community Development, 156 William Street, 2nd floor, Borough of Manhattan, Wednesday, June 9, 2010, commencing at 10:00 A.M. on the following items:

IN THE MATTER OF two (2) proposed contracts between the Department of Youth and Community Development and the providers listed below to provide Out of School Time High School Transition programs in Queens. The term shall be from July 1, 2010 to June 30, 2012, with an option to renew for up to three additional years.

Provider

1. Central Queens YM & YWHA, Inc.
 67-09 108th Street, Forest Hills, NY 11375

PIN# 260110100047 **Amount** \$135,000

2. Goodwill Industries of Greater New York
 4-21 27th Avenue, Astoria, NY 11102

PIN# 260110100048 **Amount** \$135,000

The proposed contractors have been selected by means of the Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

Summary drafts of the contracts' scope, specifications and terms and conditions will be available for public inspection from Friday, May 28, 2010 to Wednesday, June 9, 2010, at The Department of Youth and Community Development, 156 William Street, 2nd Floor, New York, NY 10038, between the hours of 9:00 a.m. and 5:00 p.m. except holidays.

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 requests to speak should be sent to Mr. Vincent Perneti, Deputy Agency Chief Contracting Officer, 156 William Street, 2nd Floor, New York, NY 10038, vpnetti@dycd.nyc.gov. If the Department of Youth and Community Development receives no written requests to speak within the prescribed time, the Department reserves the right not to conduct the public hearing.

m28

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AUCTION

PUBLIC AUCTION SALE NUMBER 10001 - X

NOTICE IS HEREBY GIVEN of a public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, June 9, 2010 (SALE NUMBER 10001-X). 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 website, on the Friday prior to the sale date at:

<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.

m24-j9

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

■ AWARDS

Services (Other Than Human Services)

ANALYTICAL SERVICES – Negotiated Acquisition – PIN# 068-10-NEX0003 – AMT: \$300,000.00 – TO: University of Chicago - Chapin Hall, 1313 East 60th Street, Chicago, IL 60637. To provide management consulting and analytical services to ACS Division of Policy and Planning.

m28

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

GLOVES, RUBBER UTILITY – Competitive Sealed Bids – PIN# 8571000663 – DUE 06-16-10 AT 10:30 A.M.

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

Department of Citywide Administrative Services
1 Centre Street, Room 1800, New York, NY 10007.
Anna Wong (212) 669-8610, fax: (212) 669-7603
dcasdmssbids@dcas.nyc.gov

m28

LITTER BASKET – Competitive Sealed Bids – PIN# 8571000545 – DUE 06-23-10 AT 10:30 A.M.

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

Department of Citywide Administrative Services
1 Centre Street, Room 1800, New York, NY 10007.
Anna Wong (212) 669-8610, fax: (212) 669-7603,
dcasdmssbids@dcas.nyc.gov

m28

■ 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.

jy17-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.

jy17-j4

DESIGN & CONSTRUCTION

■ AWARDS

Construction / Construction Services

RECONSTRUCTION OF COLLAPSED OR OTHERWISE DEFECTIVE SANITARY, STORM AND COMBINED VITRIFIED CLAY PIPE SEWERS IN VARIOUS LOCATIONS, BROOKLYN – Competitive Sealed Bids – PIN# 8502009SE0022C – AMT: \$4,845,409.47 – TO: Maspeth Supply Co., LLC, 55-14 48th Street, Maspeth, New York 11378. Project ID: SEK201A12.

● **EAST 38TH STREET DEP FACILITY UPGRADE - PLUMBING WORK** – Competitive Sealed Bids – PIN# 8502008CT0002C – AMT: \$355,000.00 – TO: Lafata Corallo Plbg. and Htg. Inc., 1414 65th Street, Brooklyn, New York 11219. Project ID: EP06-38ST.

m28

EDUCATION

DIVISION OF CONTRACTS AND PURCHASING

■ SOLICITATIONS

Goods & Services

SEARCH ENGINE FOR THE NYC DEPARTMENT OF EDUCATION’S E-CATALOGUE – Request for Proposals – PIN# R0806040 – DUE 06-29-10 AT 1:00 P.M. – The New York City Department of Education (DOE) is seeking proposals from organizations experienced in implementing

Search Engine software and services. These proposals will cover the following areas relating to the Search Engine:

1. Integration and configuration of Search Engine Software with DOE’s internal e-Catalogue of commodities and services
2. Search Engine Software Support
3. Training of DOE developers and Business Users

The DOE anticipates entering into a requirements agreement with a Vendor for the implementation of Search Engine software and Services resulting from this solicitation. The contract term will be for 3 years with one option to extend for an additional 3 years at the DOE’s sole discretion. Pre-Proposal Conference: June 2, 2010 at 3:15 P.M. at 65 Court Street, 12th Floor, Brooklyn, NY 11201.

The formal announcement is at:

<https://vendorportal.nycenet.edu/vendorportal/login.aspx>
You can access this RFP and relevant files from this address:
<https://vendorportal.nycenet.edu/vendorportal/login.aspx>

If you have questions regarding download of the files, you can call (718) 935-2300, or send an email to vendorhotline@schools.nyc.gov. Specific questions about this RFP should be sent to dcpit@schools.nyc.gov

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

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

m28

OFFICE OF EMERGENCY MANAGEMENT

■ INTENT TO AWARD

Services (Other Than Human Services)

EMERGENCY HAZARDS PLANNING AND PREPAREDNESS STUDIES – Government to Government – PIN# 01710T0001 – DUE 06-08-10 AT 9:00 A.M. – The New York City Office of Emergency Management (NYCOEM) intends to enter into a government-to-government purchases with the United States Army Corps of Engineers (USACE) to provide assistance with hurricane and other hazards planning and preparedness studies.

Qualified vendors may express their interest in providing such services in the future by contacting Erika Yan at procurement@oem.nyc.gov

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

Office of Emergency Management, 165 Cadman Plaza East, Brooklyn, NY 11201. Erika Yan (718) 422-4845,
procurement@oem.nyc.gov

m24-28

FINANCIAL INFORMATION SERVICES AGENCY

■ SOLICITATIONS

Goods & Services

ALTERNATE DATA CENTER – Negotiated Acquisition – PIN# 12711CM00077 – DUE 06-15-10 AT 10:00 A.M. – FISA intends to enter into negotiations with vendors for the design, provision and ongoing operation of an Alternate Data Center (ADC) (PIN 12711CM00077). Submissions and the resulting negotiations will be conducted in phases. Vendors who respond to the attached solicitation will be evaluated. Those vendors that are determined by the City to meet the specified qualifications will receive additional information with set time frames in which to respond. As a result of the City’s evaluation of the second phase responses, the City may enter into limited contracts with multiple vendors one of which may be extended to cover the full project.

The projected start date of the limited contracts which may be with multiple vendors is approximately 12/15/2010. The projected project end date including approximately five years of ongoing operation of the ADC is 2017, with the possibility of renewal(s) at the City’s discretion for approximately 10 additional years.

Interested vendors should respond to this solicitation in accordance with the details contained in the attached solicitation.

These dates are subject to unilateral change by the City.

As described in Section 3-04 (b)(2)(ii) of the PPB Rules the basis for the determination of the Negotiated Acquisition procurement method is that there is a limited number of vendors available and able to perform the work required in this project.

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.

Financial Information Services Agency, 450 West 33rd Street, 4th Floor, New York, NY 10001.
Marisol Cintron (212) 857-1540, fax: (212) 857-1004,
ADC2010@fisa.nyc.gov

m24-28

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

BEEKLEY CORPORATION X-RAY SKIN MARKERS – Competitive Sealed Bids – PIN# QHN2010-1101QHC – DUE 06-21-10 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, 2nd Floor, Jamaica, NY 11432.
 Boris Goltzman (718) 883-6000, fax: (718) 883-6222,
 boris.goltzman@nychhc.org*

m28

Goods & Services

KOLIBRI NAVIGATION STATION – Competitive Sealed Bids – PIN# 00011110124 – DUE 06-09-10 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.
*Bellevue Hospital Center, Purchasing, 462 First Avenue, Room# 12 East 32, New York, NY 10016.
 Melissa Cordero (212) 562-2016, fax: (212) 562-2779,
 melissa.cordero@bellevue.nychhc.org*

m28

COMPOSITION AND DELIVERY OF THREE HIP HOP SONGS – Competitive Sealed Bids – PIN# 11210049 – DUE 06-11-10 AT 3:00 P.M. – One (1) main and two (2) alternates.

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, 2A2, Bronx, NY 10451. Paula Briggs (718) 579-5276, fax: (718) 579-4788,
 paula.briggs@nychhc.org*

m28

HOMELESS SERVICES

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

Goods

XRF TESTING OF MOVE-OUT APARTMENTS FOR LEAD BASED PAINTED COMPONENTS – Competitive Sealed Bids – DUE 06-18-10 – PIN# 26658 Due at 10:00 A.M. PIN# 26659 Due at 10:05 A.M. PIN# 26660 Due at 10:10 A.M. PIN# 26661 Due at 10:15 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Housing Authority, 90 Church Street, 12th Fl., New York, NY 10007. Wanda Mealing (212) 306-6619.

m28

MAINTENANCE PAINTING OF APARTMENTS AT TILDEN HOUSES, QUEENS – Competitive Sealed Bids – PIN# 26694 – DUE 06-22-10 AT 10:00 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.
Housing Authority, 90 Church Street, 12th Fl., New York, NY 10007. Wanda Mealing (212) 306-6619.

m28

HUMAN RESOURCES ADMINISTRATION

CONTRACTS

AWARDS

Human/Client Service

ENGAGING LOW INCOME NON-CUSTODIAL FATHERS – Contract Change – PIN# 06910H069302 – AMT: \$1,600,000.00 – TO: Center for Employment Opportunities, 32 Broadway, 15th Floor, New York, NY 10004. Revised contract term: 02/25/2010 - 02/24/2013.

m28

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

AWARDS

Services (Other Than Human Services)

BILLING AND CUSTOMER INFORMATION TRACKING SYSTEM - CITYWIDE – Intergovernmental Purchase – Judgment required in evaluating proposals - PIN# 85809OGS0011 – AMT: \$15,833,729.58 – TO: International Business Machines (IBM) Corp., 590 Madison Ave., 16th Floor, New York, NY 10022.

m28

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)

OPERATION AND MAINTENANCE OF A SEASONAL CAFE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M89-SB – DUE 07-15-10 AT 3:00 P.M. – Parks is seeking proposals for the operation and maintenance of a seasonal cafe at the Union Square Park Pavilion, with an option to develop, operate and maintain a small scale, satellite kiosk at the Licensed Premises.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021.
 Alexander Han (212) 360-1397, fax: (212) 360-3434
 alexander.han@parks.nyc.gov*

m18-j1

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

SOLICITATIONS

Construction/Construction Services

ASTRO TURF FOOTBALL FIELD – Competitive Sealed Bids – PIN# SCA10-10694D-2 – DUE 06-11-10 AT 12:00 P.M. – Project Range: \$2,500,000.00 to \$2,640,000.00. Pre-Bid Meeting: June 3, 2010 at 10:00 A.M. NYC School Construction Authority, Plans Room Window, Room# 1046, 30-30 Thomson Avenue, 1st Floor, Long Island City, New York 11101. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Anthony Largie (718) 752-5842
 alargie@nysca.org*

m26-j2

EXT MASONRY/PARAPETS/FLOOD ELIMINATION – Competitive Sealed Bids – PIN# SCA10-13173D-1 – DUE 06-15-10 AT 11:30 A.M. – IS 139 (Bronx). Project Range: \$14,300,000.00 to \$15,060,000.00. Non-refundable bid documents charge: \$250.00, certified check or money order only. Make checks payable to the New York City School Construction Authority.

Limited list bids will only be accepted from the following Construction Managers/Prime General Managers: Minelli Construction Co., Inc.; Whitestone Construction Corp.; C and L Contracting Corp.; Nicholson and Galloway, Inc.; Kafka Construction, Inc.; Navillus Tile, Inc.; Stonewall Contracting Corporation; Adam's European Contracting, Inc.; Abax Incorporated; Western Waterproofing Co., Inc.; Admiral Construction LLC. 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*

m25-j1

CONTRACT SERVICES

SOLICITATIONS

Construction/Construction Services

FENCING/PAVED AREAS - BLACKTOP – Competitive Sealed Bids – PIN# SCA10-13184D-1 – DUE 06-09-10 AT 12:00 P.M. – PS 96 (Manhattan). Project Range: \$1,240,000.00 - \$1,310,000.00. Pre-bid Meeting: May 28, 2010 at 216 East 120th Street, New York, NY 10035. 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*

m24-28

TRANSPORTATION

DIVISION OF TRAFFIC

SOLICITATIONS

Construction Related Services

DECORATIVE STREET LIGHTING, QUEENS – Competitive Sealed Bids – PIN# 84110MBTR487 – DUE 06-24-10 AT 11:00 A.M. – Installing, removing, or relocating equipment furnished by the City, or by the contractor, and for performing other electrical work in connection with decorative street lighting, in Borough of Queens. A Pre-Bid Meeting (Optional) will be held on Tuesday, June 8, 2010 at 10:00 A.M. at 34-02 Queens Blvd. - 2nd Floor Conference Room, Long Island City, NY 11101. This procurement subject to participation goals for MBE and/or WBE as required by Local 129 of 2005. A deposit of \$50.00 in the form of a certified check or money order made payable to New York City Department of Transportation is required to obtain Contract/Bid Documents. NO CASH ACCEPTED. Refund will be made only for Contract/Bid Proposal Documents that are returned in its original condition within 10 days after bid opening. Any persons delivering bid document must enter the building located on the South Side of the Building facing the Vietnam Veterans Memorial. All visitors must go through the buildings security screening process. Bidders should allow extra time and ensure that proper government issued photo identification (ii Drivers License, Passport, Identification Card) is available upon request. Please ensure that your company's address, telephone, and fax numbers are submitted by your company (or messenger service) when picking up contract documents during the Hours of 9:00 A.M. - 3:00 P.M. ONLY. For additional please contact Frank Caiazzo at (718) 786-4061. Vendor Source ID#: 68505.

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 Transportation, Contract Management Unit, Office of the Agency Chief Contracting Officer 55 Water Street, Ground Floor, New York, NY 10041.
 Frank Caiazzo (718) 786-4061, fcaiazzo@dot.nyc.gov*

m28

TRIBOROUGH BRIDGE & TUNNEL AUTHORITY

SOLICITATIONS

Construction/Construction Services

RFEI - CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR PROJECT TN-85C SUSPENDED SPAN DECK REPAIRS AT THE THROGS NECK BRIDGE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# PSC102874000 – DUE 06-22-10 AT 3:30 P.M. – Estimated range is \$2.5M - \$4.5M. Request for Expressions of Interest, for more information please visit our website at www.mta.info

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.
*Triborough Bridge and Tunnel Authority, 3 Stone Street Bid Suite, NY, NY 10004. Victoria Warren (646) 252-6101
 fax: (646) 252-6108, vprocure@mtabt.org*

m28

RFEI - CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR PROJECT BB-45 – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# PSC102873000 – DUE 06-15-10 AT 3:30 P.M. – Request for Expressions of Interest for Construction Management and Inspection Services for Project BB-45, replacement and electrical switchgear and power distribution system at the Brooklyn Battery Tunnel.

Please visit our website at www.mta.info for more information.

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.
*Triborough Bridge and Tunnel Authority, 3 Stone Street Bid Suite, New York, NY 10004.
 Victoria Warren (646) 252-6101, fax: (646) 252-7077
 vprocure@mtabt.org*

m28

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.

OFFICE OF THE ACTUARY

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, June 10, 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 a proposed contract between the New York City Office of the Actuary and Buck Consultants, LLC, One Pennsylvania Plaza, New York, NY 10119-4798, for the provision of actuarial consulting services. The amount of the contract shall not exceed \$2,000,000. The contract term shall be from July 1, 2010 to June 30, 2011. PIN#: 0082011001.

The proposed contractor has been selected by means of Negotiated Acquisition Extension, pursuant to Section 3-04 (b) (2) (iii) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Office of the Actuary, 75 Park Place, 9th Floor, New York, NY 10007, on Weekdays, excluding Holidays, from May 28, 2010 to June 10, 2010, from 9:00 A.M. to 5:00 P.M.

IN THE MATTER of a proposed contract between the New York City Office of the Actuary and Buck Consultants, LLC, One Pennsylvania Plaza, New York, NY 10119-4798, for the provision of actuarial valuation software and supporting services. The amount of the contract shall not exceed \$355,000. The contract term shall be from July 1, 2010 to June 30, 2011. PIN#: 0082011002.

The proposed contractor has been selected by means of Negotiated Acquisition Extension, pursuant to Section 3-04 (b) (2) (iii) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Office of the Actuary, 75 Park Place, 9th Floor, New York, NY 10007, on Weekdays, excluding Holidays, from May 28, 2010 to June 10, 2010, from 9:00 A.M. to 5:00 P.M.

CITYWIDE ADMINISTRATIVE SERVICES

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, June 10, 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 a proposed contract between the Department of Citywide Administrative Services of the City of New York and NetCom Information Technology, Inc., 20 West 33 Street, 4th Floor, New York, NY 10001, to provide Citywide Web-based Information Technology and Other Training Services. The contract amount shall be \$1,500,000. The contract term shall be 730 Consecutive Calendar Days from the written notice to commence work with one one-year renewal option. PIN#: 85610P0011002.

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

A draft copy of the proposed contract is available for public inspection at the Department of Citywide Administrative Services, Office of Contracts, 1 Centre Street, 18th Floor North, New York, NY 10007, from May 28, 2010 to June 10, 2010, Monday to Friday, excluding Holidays, from 10:00 A.M. to 3:00 P.M. Contact Erkan Solak at (212) 669-3530 or email: esolak@dcas.nyc.gov.

IN THE MATTER of a proposed contract between the Department of Citywide Administrative Services of the City of New York and New Horizons Computer Learning Centers (“NH CLC”), 43 West 42nd Street, New York, NY 10036, to provide Citywide Live/Classroom-Based Information Technology Training Services. The contract amount shall be \$5,500,000. The contract term shall be 730 Consecutive Calendar Days from the written notice to commence work with one one-year renewal option. PIN#: 85610P0011001.

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

A draft copy of the proposed contract is available for public inspection at the Department of Citywide Administrative Services, Office of Contracts, 1 Centre Street, 18th Floor North, New York, NY 10007, from May 28, 2010 to June 10, 2010, Monday to Friday, excluding Holidays, from 10:00 A.M. to 3:00 P.M. Contact Erkan Solak at (212) 669-3530 or email: esolak@dcas.nyc.gov.

CULTURAL AFFAIRS

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, June 10, 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 a proposed contract between the Department of Cultural Affairs of the City of New York and Mind-Builders Creative Arts Center, Inc., 3415 Olinville Avenue, Bronx, New York 10467, for the Lease of Temporary Space in the Convent/Community Music School at The Church of St. Brendan at 260 East 207th Street, in the Borough of The Bronx, New York. The contract amount shall be \$130,000.00. The contract term shall be two (2) years from the date of registration. PIN#: 12610L0001001.

The proposed contractor is being funded through City Council Discretionary Funds Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Cultural Affairs, Contracting Unit, 31 Chambers Street, 2nd Floor, New York, NY 10007, from May 28, 2010 to June 10, 2010, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M. Please contact Louise Woehrl at (212) 513-9310 to arrange a visitation.

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 requests to speak should be sent to: Louise Woehrl, ACCO, at the Department of Cultural Affairs, 31 Chambers Street, 2nd Floor, New York, NY 10007, lwoehrl@culture.nyc.gov. If the Department of Cultural Affairs receives no written requests to speak within the prescribed time, the Department of Cultural Affairs reserves the right not to conduct the public hearing.

DESIGN & CONSTRUCTION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, June 10, 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 a proposed contract between the Department of Design and Construction of the City of New York and JWP Engineering and Land Surveyor, P.C., 7 Centre Drive, Suite 8, Monroe, NJ 08831, for HWP2010R, Resident Engineering Inspection Services for the Construction of Pedestrian Ramps, Borough of Staten Island. The contract amount shall be \$747,558.00. The contract term shall be 395 Consecutive Calendar Days from the date of written notice to proceed. PIN#: 8502010HW0043P.

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

A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Professional Contracts Section, 30-30 Thomson Avenue, Fourth Floor, Long Island City, New York 11101, from May 28, 2010 to June 10, 2010, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M. Contact Belkis Palacios at (718) 391-1866.

IN THE MATTER of a proposed contract between the Department of Design and Construction of the City of New York and Mega Engineering, Inc., 29 Pangborn Place, Hackensack, NJ 07601, for HWP2010CW, Resident Engineering Inspection Services for the Construction of Pedestrian Ramps, Citywide. The contract amount shall be \$748,112.00. The contract term shall be 395 Consecutive Calendar Days from the date of written notice to proceed. PIN#: 8502010HW0044P.

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

A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Professional Contracts Section, 30-30 Thomson Avenue, Fourth Floor, Long Island City, New York 11101, from May 28, 2010 to June 10, 2010, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M. Contact Belkis Palacios at (718) 391-1866.

IN THE MATTER of a proposed contract between the Department of Design and Construction of the City of New York and Sam Schwartz Engineering, 611 Broadway, New York, NY 10012, for HWP2010MX, Resident Engineering Inspection Services for the Construction of Pedestrian Ramps, Boroughs of Manhattan and The Bronx. The contract amount shall be \$753,492.00. The contract term shall be 395 Consecutive Calendar Days from the date of written notice to proceed. PIN#: 8502010HW0042P.

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

A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Professional Contracts Section, 30-30 Thomson Avenue, Fourth Floor, Long Island City, New York 11101, from May 28, 2010 to June 10, 2010, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M. Contact Belkis Palacios at (718) 391-1866.

IN THE MATTER of a proposed contract between the Department of Design and Construction of the City of New York and Tectonic Engineering & Surveying Consultants P.C., 29-16 40th Avenue, Long Island City, NY 11101, for HWS2010X, Resident Engineering Inspection Services for Prior Notice Sidewalks, Borough of The Bronx. The contract amount shall be \$738,503.00. The contract term shall be 390 Consecutive Calendar Days from the date of written notice to proceed. PIN#: 8502010HW0048P.

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

A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Professional Contracts Section, 30-30 Thomson Avenue, Fourth Floor, Long Island City, New York 11101, from May 28, 2010 to June 10, 2010, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M. Contact Maritza Ortega at (718) 391-1542.

IN THE MATTER of a proposed contract between the Department of Design and Construction of the City of New York and TRC Engineers, Inc., 1430 Broadway, 10th Floor,

New York, NY 10018, for HWS2010M, Resident Engineering Inspection Services for Prior Notice Sidewalks, Borough of Manhattan. The contract amount shall be \$745,508.00. The contract term shall be 390 Consecutive Calendar Days from the date of written notice to proceed. PIN#: 8502010HW0049P.

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

A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Professional Contracts Section, 30-30 Thomson Avenue, Fourth Floor, Long Island City, New York 11101, from May 28, 2010 to June 10, 2010, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M. Contact Maritza Ortega at (718) 391-1542.

OFFICE OF EMERGENCY MANAGEMENT

■ PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, June 10, 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 a proposed contract between the New York City Office of Emergency Management and Siemens Industry, Inc., 19 Chapin Road, Pine Brook, NY 07058, to provide software maintenance, technical support and customer support for the Siemens Apogee Building Automation System. The contract amount shall not exceed \$140,406.00. The contract term shall be from January 1, 2009 to December 31, 2012 and will contain two three-year options to renew from January 1, 2013 to December 31, 2015 and from January 1, 2016 to December 31, 2018. PIN #: 01709BUILDSYS.

The proposed contractor has been selected as a Sole Source Procurement, pursuant to Section 3-05 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Office of Emergency Management, 165 Cadman Plaza East, Brooklyn, NY 11201, on business days, from May 28, 2010 to June 10, 2010, excluding 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 business days after the publication of this notice. Written requests to speak should be sent to Erika Yan, 165 Cadman Plaza East, Brooklyn, New York, NY 11201, or to procurement@oem.nyc.gov. If OEM does not receive any written requests to speak within the prescribed time, OEM reserves the right not to conduct the public hearing.

HEALTH AND MENTAL HYGIENE

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, June 10, 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 a proposed contract between the Department of Health and Mental Hygiene and the Contractor listed below, for a citywide congregate supportive housing program. The contract term shall be from April 1, 2010 to June 30, 2012 and will contain two three-year options to renew from July 1, 2012 to June 30, 2015 and from July 1, 2015 to June 30, 2018.

Contractor/Address	E-PIN	Amount
The Fortune Society 39 West 19th Street New York, NY 10011	81610P00180001 DOHMH ID - 08PO076319R0X00	\$1,866,000

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

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, NY 10013, from May 28, 2010 to June 10, 2010, excluding Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 P.M.

AGENCY RULES

BUILDINGS

■ NOTICE

NOTICE OF ADOPTION OF RULE

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of the Department of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter, that the Department of Buildings hereby adopts the amendments to section 102-01 of subchapter B of Chapter 100 of Title 1 of the Official Compilation of the Rules of the City of New York, regarding violation reclassification.

This rule was first published on April 8, 2010 and a public hearing thereon was held on May 11, 2010.

Dated: May 19, 2010
New York, New York

/s/
Robert D. LiMandri
Commissioner

Section 1. Subparagraph (i) of paragraph (2) of subdivision (f) of section 102-01 of subchapter B of chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

(2) Aggravated penalties of the second order. Aggravated penalties of the second order ("Agg. II") shall be imposed in the following instances:

(i) When the respondent or defendant is found in violation of any law or rule enforced by the Department where the violation of law is accompanied by or results in an accident, or poses a substantial risk thereof; is accompanied by, or results in a fatality or serious injury, or poses a substantial risk thereof; or where the violating condition affects a significant number of people; or

§2. Subdivision (j) of section 102-01 of subchapter B of chapter 100 of Title 1 of the Rules of the City of New York is amended by adding, in numerical order, new entries relating to Sections 5-02 and 101-07 of Title 1 of the Rules of the City of New York, Section 28-406.1 of the New York City Administrative Code, and New York City Building Code Sections 903.6, 905.11, 1704.4, and 1905.6.3.2, as follows:

Section of Law	Classification	Violation Description
1 RCNY 5-02	Class 2	Failure to meet the requirements of licensing/identification/qualification as required by 1 RCNY 5-02.
1 RCNY 101-07	Class 2	Failure of approved agency to comply with requirements of 1 RCNY 101-07.
28-406.1	Class 1	Unlicensed concrete testing activity.
BC 1704.4	Class 2	Failure to perform special inspections and verifications for concrete construction as required by section and Table 1704.4.
BC 1905.6.3.2	Class 2	Failure to comply with ASTM C31 standards for concrete cylinder test samples.
BC 903.6	Class 2	Failure to paint dedicated sprinkler piping/valves in accordance with section.
BC 903.6	Class 2	Failure to provide/maintain painting certification of sprinkler and combination sprinkler/standpipe systems in accordance with section.
BC 905.11	Class 2	Failure to paint dedicated standpipe/valves in accordance with section.
BC 905.11	Class 2	Failure to provide/maintain painting certification of standpipe and combination sprinkler/standpipe systems in accordance with section.

Statement of Basis and Purpose

The foregoing rule amendments are promulgated pursuant to the authority of the Commissioner of Buildings under Sections 643 and 1043(a) of the New York City Charter. The Department is amending the definition of an Aggravated II condition found in Subparagraph (i) of paragraph (2) of subdivision (f) of section 102-01 of subchapter B of chapter 100 of Title 1 of the Rules of the City of New York. The intent of this amendment is to include in the Aggravated II definition conditions that pose significant potential risks of serious injuries or fatalities but may not have resulted in such serious injuries or fatalities.

The amendment to subdivision (j) of Section 102-01 of the Department's rules relating to concrete testing results from the Department's intent to better enforce the law and rules related to the monitoring of concrete operations within the City of New York. Recently, serious allegations of inappropriate conduct against concrete testing laboratories have resulted in criminal convictions. The Department is increasing its oversight of these companies and their operations throughout the City.

The amendments to subdivision (j) of Section 102-01 of the Department's rules regarding painting of standpipes and sprinklers result from the enactment of Local Law 58 of 2009 which became effective on March 2, 2010.

Local Law 58 amends the Building Code by adding new sections 903.6, which governs the painting of dedicated sprinkler piping and requires that such painting be certified as completed in accordance with the law, and 905.11, which governs the painting of dedicated standpipe and handles of valves, and requires that such painting be certified as completed in accordance with the law.

FINANCE

NOTICE

NOTICE OF RULEMAKING

Pursuant to the power vested in me as Commissioner of Finance by sections 389(b) and 1043 of the New York City Charter and section 11-208.1(g) of the Administrative Code of the City of New York, I hereby promulgate the within Amendments to Rules Relating to the Filing of Income and Expense Statements. This amendment was published in proposed form on April 12, 2010. A hearing for public comment was held on May 13, 2010.

S/S
David M. Frankel
Commissioner of Finance

Note: New matter underscored; old matter in brackets [] to be deleted.

Amendments to Rules Relating to the Filing of Income and Expense Statements

Section 1. Paragraph (1) of subdivision (b) of section 33-02 of 19 RCNY Chapter 33 (Rules Relating to the Filing of Income and Expense Statements) is amended to read as follows:

(1) Income and expense statements shall be submitted electronically in the format prepared by the Department of Finance and located on the Department of Finance Internet website and in accordance with the instructions for submission of the income and expense statement found on the website. [The only acceptable substitute for required lease information is a computerized rent roll containing the same information as is required in the form.]

§2. A new paragraph (5) is added to subdivision (c) of section 33-02 of such rules to read as follows:

(5) In addition to the income and expense statement, owners of income-producing property as to which the final actual assessed value for the tax year during which the statement is filed is \$750,000 or greater must file an addendum thereto, in a format determined by the Commissioner of Finance, containing rent roll information for the month of April of the year during which the income and expense statement is required to be filed. The addendum required by this paragraph shall be considered to be a part of the income and expense statement and any filing requirement contained in these rules for the income and expense statement shall also be applicable to the addendum.

§3. Paragraph (2) of subdivision (e) of section 33-02 of such rules is amended to read as follows:

(2) Notwithstanding the submission of a form RPIE by an owner, for purposes of § 33-03 of these rules, the term "failure to file an income and expense statement" may include, but not be limited to:

(i) failure to file in the electronic format prepared by the Department of Finance, or, in the event that the electronic filing requirement is waived by the Commissioner under § 33-02(b)(2) of these rules, failure to use the forms prepared by the Department of Finance;

(ii) failure to submit a separate income and expense statement for each parcel (consolidated statements may be submitted only for contiguous condominium lots operated as a single entity);

(iii) failure to complete forms in a legible manner;

(iv) failure to submit an addendum, when required under §33-02(c)(5) of these rules;

(v) failure to file a substantially complete and accurate income and expense statement which shall include but shall not be limited to:

(A) failure to provide data for the appropriate accounting period; and

(B) failure to provide a complete and accurate and itemized list of income and expense data; or

[(v)] (vi) in the event that the electronic filing requirement is waived by the Commissioner under § 33-02(b)(2) of these rules, failure to use the forms prepared by the Department of Finance, or failure to submit an income and expense statement containing the original signature of the owner(s) (the signature of an agent is not acceptable unless a power of attorney is attached to the statement).

BASIS AND PURPOSE OF AMENDMENTS

Section 11-208.1 of the Administrative Code of the City of New York requires that owners of income producing real property in New York City file income and expense statements relating to the property each year no later than September 1. The information provided on the statements is used by the Department of Finance in assessing real property in the City. Prior to amending the Rules Relating to the Filing of Income and Expense Statements in 2005 in an attempt to simplify filing requirements, the Department of Finance had required owners of nonresidential real property with an assessed valuation of \$1 million or greater to include with the income and expense statement an addendum with detailed rent roll information. The Department has since determined that this information would be helpful in determining accurate assessments, and these amendments to rules restore the addendum requirement as modified to require the addendum for any property that has an assessed valuation of \$750,000 or greater.

The rule amendment also clarifies the term failure to file an income and expense statement. As amended, the term failure to file an income and expense statement includes failure to file a substantially complete and accurate income expense statement and failure to provide a complete and accurate and itemized list of income and expense data.

NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED AMENDMENT TO THE RULES RELATING TO THE OFFICE OF THE CITY REGISTER

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Commissioner of Finance by sections 389 (b) and 1043 of the New York City Charter, and in accordance with section 1043 of the New York City Charter, that the New York City Department of Finance proposes to adopt the following proposed amendment to the Rules Relating to the Office of the City Register, which is necessary to carry out the powers and duties delegated to the Commissioner of Finance by section 1525 of the New York City Charter. This rulemaking proposal was not included in the regulatory agenda of the Department of Finance for fiscal year 2010 because the need for the amendment was not anticipated as of the required date for publication of the agenda.

Written comments regarding this proposed rule amendment must be submitted to the office of Beth Goldman, Deputy Commissioner for Legal Affairs, 345 Adams Street, 3rd Floor, Brooklyn, New York 11201 on or before June 28, 2010. Comments may be submitted electronically to GoldmanBeth@Finance.nyc.gov or to the NYC Rules website at rules@finance.nyc.gov.

A hearing for public comment will be held on June 28, 2010 at 345 Adams Street, 3rd floor, Brooklyn, New York at 11:00 A.M. Persons seeking to testify are requested to notify Joan Best at (718) 403-3669 at least three business days prior to the date scheduled for the hearing. 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 Joan Best at the foregoing number no later than two weeks prior to the hearing. Written comments and a summary of oral comments received at the hearing will be available for public review within a reasonable time after receipt at the office of Robert S. Dauman, Office of Legal Affairs, 345 Adams Street, 3rd floor, Brooklyn, New York 11201, between the hours of 9:00 A.M. and 5:00 P.M.

NOTE: New Matter is underlined; matter to be deleted is in [brackets]

Proposed Amendment to the Rules Relating to the Office of the City Register

Section 1. The Rules Relating to the Office of the City Register (19 RCNY Chapter 43) are amended to add a new section 43-02 to read as follows:

§43-02 Notice of Recording. (a) Registration to receive notice. An owner, (or owner's agent/attorney or designee of owner), lienor (or lienor's agent/attorney) or executor/administrator (or the agent/attorney of the executor/administrator) of the estate of the owner or lienor of real property located in the City of New York may register with the Department of Finance, in a format determined by the Commissioner of Finance, to receive notice from the Department that a deed-related or mortgage-related document, as described in subdivision (e) of this section, has been recorded against such property in the Office of the City Register or, in the county of Richmond, in the Office of the County Clerk. (b) Notice by Department of Finance. The Department of Finance, to the extent practicable, will send notice to the registrant, in the event that one or more of the documents described in subdivision (e) of this section has been recorded against such property in the Office of the City Register or, in the county of Richmond, in the Office of the County Clerk. In the discretion of the Department of Finance, such notice may be sent by electronic means unless the registrant specifically requests otherwise. (c) Nothing in this section shall be construed to create an enforceable right in any individual to receive the notice described in subdivision (b) of this section. The failure of the Department of Finance to provide the notice described in this section, or the failure of a property owner to receive such a notice, (1) shall not result in any liability of the City of New York, including the Department of Finance, or the Office of the Richmond County Clerk; (2) shall not prevent the levy, collection and enforcement of taxes on the affected property; (3) shall not invalidate any proceedings or filings with respect to the affected property; and (4) shall not prevent the City of New York, including the Department of Finance, or the Office of the Richmond County Clerk from taking any actions under or enforcing any provision of law or rule. (d) Notwithstanding any other provision of this section, the Department of Finance shall have the discretion to send the notice described in subdivision (a) of this section to individuals or entities that have not filed registrations under subdivision (a) of this section. (e) (1) Deed-related documents. For purposes of this section, a deed-related document shall include any document determined by the City Register to be deed-related, and includes, but is not limited to: (i) Air rights (ii) Condemnation proceeding documents; (iii) Condo declaration; (iv) Confirmatory deed; (v) Contract of sale; (vi) Correction deed; (vii) Court order; (viii) Deed; (ix) In rem deed; (x) Judgment; (xi) Life estate deed; (xii) Memorandum of contract; (xiii) Power of attorney; (xiv) Real estate investment trust deed; (xv) Revocation of power of attorney; (xvi) Sundry agreement; and (xvii) Unit assignment. (2) Mortgage-related documents. For purposes of this section, a mortgage-related document shall include any document determined by the City Register to be mortgage-related, and includes, but is not limited to: (i) Collateral mortgage; (ii) Mortgage; (iii) Mortgage and consolidation; (iv) Mortgage spreader agreement; (v) Satisfaction of mortgage; (vi) Subordination of mortgage; (vii) Sundry mortgage; and (viii) UCC-1 (financing statement). (f) Inclusion of information from the Office of the Richmond County Clerk in the notices to be provided pursuant to this section is conditioned upon the continued participation of such office in the program established in accordance with this section.

BASIS AND PURPOSE OF PROPOSED AMENDMENT

In some cases, persons attempt to convey real property that they do not actually own, or create the illusion of a mortgage or other type of interest by recording a fraudulent deed or other type of document in the Office of the City Register, or for property located in the county of Richmond, in the Office of the County Clerk. If the document is presented to the recording officer in recordable form, the recording officer is required by law to record it. In order to assist property owners in attempting to limit the harm caused to a property owner by the recording of a fraudulent document concerning the property, the Department of Finance will offer the owner or lienor of the property or the executor or administrator of the owner's estate the opportunity to register with the Department to receive notice in the event that a deed or mortgage or a related document has been recorded against the property in the Office of the City Register or, for property in the County of Richmond, with the County Clerk. In the event that a fraudulent document is recorded, this procedure will provide the rightful owner of the affected property or a lienor of the affected property or the executor or administrator of the owner's or lienor's estate with notice that will allow the owner or lienor, or other individual or entity, the opportunity to take the necessary action to limit harm to their interests. The Department has determined to promulgate the procedure as a rule in order to provide the broadest possible notice to affected parties.

S/S
David M. Frankel
Commissioner of Finance

FIRE

NOTICE

Notice of Repeal of Existing Fire Department Rules and Promulgation of New Fire Department Rules (Chapters 1, 4, 8, 9, 14, 34 and 48 of Title 3 of the Rules of the City of New York, and Amendments to Fire Department Rules 3 RCNY §§109-02, 113-02, 113-03, 113-05, 115-01, 202-01, 303-01, 408-01, 907-01, 912-01, 1703-01, 3508-01, 4601-01, 4809-01 and 4833-01.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Fire Commissioner of the City of New York by Section 489 of the New York City Charter and Chapter 1 of the New York City Fire Code, codified in Title 29 of the New York City Administrative Code, and in accordance with the requirements of Section 1043 of the New York City Charter, that the New York City Fire Department hereby repeals the rules listed below.

NOTICE IS FURTHER GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Fire Commissioner of the City of New York by Section 489 of the New York City Charter and Chapter 1 of the New York City Fire Code, codified in Title 29 of the New York City Administrative Code, and in accordance with the requirements of Section 1043 of the New York City Charter, that the New York City Fire Department hereby promulgates the rules listed below. New material is underlined. Material to be deleted is [bracketed].

A public hearing was held on Wednesday, April 14, 2010. The repeal of existing Fire Department rules and the promulgation of Fire Department rules shall take effect on July 1, 2010.

The Notice of Repeal of Existing Fire Department Rules and Promulgation of Fire Department Rules will be available for at least 90 days on the Fire Department Internet Home Page at:

www.nyc.gov/fdny

INTRODUCTION

This is the fourth and final installment of a series of rulemaking proceedings to repeal and repromulgate all Fire Department rules in effect on June 30, 2008 ("existing rules"). The Fire Department is undertaking to repeal and repromulgate all of its existing rules in connection with the enactment of the new New York City Fire Code, which took effect on July 1, 2008.

The rules have been renumbered to parallel the new Fire Code sections. For example, §404-02, relating to Office Building Emergency Action Plans, corresponds to Fire Code §404 (FC404), which governs Emergency Action Plans. The rules have also been revised to conform to the terminology of the new Fire Code, and, as necessary, revised to amend or clarify various requirements. Except as otherwise indicated in the statement of basis and purpose for each chapter of the rules, the provisions of these rules are substantially equivalent to the existing rules.

In addition, certain rules are substantively new. Such new rules are addressed in the statement of basis and purpose for each chapter.

This installment of the rules includes Chapter 48, entitled "Pre-Existing Facilities." This chapter does not correspond to any FC chapter but, as explained in R102-01, consolidates requirements for facilities, or parts thereof, and conditions that were lawfully existing on July 1, 2008, the effective date of the Fire Code, and that, pursuant to FC102.3, may be continued in compliance with laws, rules, regulations and permit conditions pre-dating the Fire Code. The latter digits of the rule section number indicate the FC chapter to which the rule corresponds. For example, R4809-01 relates to the design and installation requirements of fire protection systems in pre-existing facilities that do not comply with Fire Code requirements.

As set forth in 3 RCNY §202-01, "FC" refers to the Fire Code and "R" to the rules. *Italicized* words refer to terms defined in the Fire Code or the rules. Where no rules are being promulgated pursuant to a section of the Fire Code, the corresponding section of the rules is marked "reserved."

Chapter 1 of Title 3 of the Rules of the City of New York

ADMINISTRATION

- §113-10 Construction Site Fire Safety Manager Training Courses
- §113-11 Construction Site Fire Safety Manager Certificate of Fitness
- §113-12 Building Operation, Maintenance and Recordkeeping Training Courses

Chapter 4 of Title 3 of the Rules of the City of New York

EMERGENCY PLANNING AND PREPAREDNESS

- §403-02 Theater Inspections, Maintenance and Recordkeeping
- §404-01 Fire Safety and Evacuation Plans
- §404-02 Office Building Emergency Action Plans
- §404-03 Fire Safety Requirements for Sidewalk Cafes and Similar Public Gathering Places

Chapter 8 of Title 3 of the Rules of the City of New York

INTERIOR FURNISHINGS, DECORATIONS AND SCENERY

- §805-02 Flame-Retardant Scenery

Chapter 9 of Title 3 of the Rules of the City of New York

FIRE PROTECTION SYSTEMS

- §901-04 Buildings Temporarily Occupied as Emergency Shelters

Chapter 14 of Title 3 of the Rules of the City of New York

FIRE SAFETY DURING CONSTRUCTION, ALTERATION AND DEMOLITION

- §1408-01 Construction Site Fire Safety Manager

Chapter 34 of Title 3 of the Rules of the City of New York

FLAMMABLE AND COMBUSTIBLE LIQUIDS

- §3405-02 Storage, Handling and Use of Concentrated Alcohol-Based Hand Rubs

Chapter 48 of Title 3 of the Rules of the City of New York

PRE-EXISTING FACILITIES

- §4804-01 Pre-Existing Emergency Planning and Preparedness
- §4809-01 Fire Protection Systems in Pre-Existing Facilities

- §4833-01 Storage of Explosives and Special Effects in Pre-Existing Facilities

Section 1. The following provisions of Title 3 of the Rules of the City of New York are hereby repealed:

- 3 RCNY §6-01, entitled "Fire Drill and Evacuation in Office Buildings and Buildings Classified as Occupancy Group E (Business)"
- 3 RCNY §6-02, entitled "Office Building Emergency Action Plans"
- 3 RCNY §18-01, entitled "Fireworks Displays Fired from Shore Front"
- 3 RCNY §18-02, entitled "Fireworks Displays from Offshore"
- 3 RCNY §18-03, entitled "Exemptions from Classification as Fireworks"
- 3 RCNY §21-07, entitled "Transporting and Dispensing Gasoline to Storage Tanks of Motor Vehicles Imported by Ship to This Country"
- 3 RCNY §31-04, entitled "Theatre Inspection Log Book"
- 3 RCNY §34-02, entitled "Life Safety Requirements for Schools with Physically Handicapped Students"
- 3 RCNY §35-01, entitled "Fire Protection of Sidewalk Cafes"
- 3 RCNY §39-01, entitled "Filing and Approval of a Fire Safety Plan for Buildings Containing Transient Occupants Such as Hotels and Motels"
- 3 RCNY §39-02, entitled "Buildings Temporarily Occupied, in Whole or in Part, as Shelter for the Homeless, Excluding Hotels and Motels"
- 3 RCNY §39-03, entitled "Fire Prevention Requirements for Day Care Service Occupancies"
- 3 RCNY §41-01, entitled "Installation of Watchman's Time Detector Systems and Watchman Service"

Section 2. Chapter 1 of Title 3 of the Rules of the City of New York is hereby amended by amending subdivision (b) of §109-02, subdivision (c) of §§ 113-02, 113-03 and 113-05, and subdivision (g) of 115-01, and adding three new sections, §§ 113-10, 113-11 and 113-12, to read as follows:

CHAPTER 1 ADMINISTRATION

- §113-10 Construction Site Fire Safety Manager Training Courses
- §113-11 Construction Site Fire Safety Manager Certificates of Fitness
- §113-12 Building Operation, Maintenance and Recordkeeping Training Courses

§ 109-02 Consolidation of Administrative Code Provisions For Enforcement Purposes

- (b) Violation Categories. The following violation categories are established for the aforementioned enforcement purposes:

Violation Category 12: Fire Protection Systems

Failure to provide and/or maintain *fire protection systems*, including *sprinkler systems* and other *fire extinguishing systems*, *standpipe systems*, *fire pumps*, *fire alarm systems*, and/or other devices, and equipment associated with *fire protection systems*, or to prevent *unnecessary alarms* and *unwarranted alarms*, in violation of FC 901.6; 901.7; 903.5; 903.6; 904.5; 904.6; 904.7; 904.8; 904.9; 904.10; 904.12; 905.12; 907.20; 908.10; 909.1; 909.2; 910.5; 912.6; 913.5; 914.2; and 3406.4; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

§ 113-02 Fire Safety Director Certificates of Fitness

- (c) Qualifications. In addition to the qualifications set forth in FC113, applicants for fire safety director *certificates of fitness* shall possess and demonstrate to the satisfaction of the *Department* the following qualifications:

- (7) At time of renewal of such certificate during the period from October 1, 2010 through September 30, 2014, successful completion of a continuing education course that addresses issues of building operation, maintenance and recordkeeping. Such course shall be conducted by an educator or educational institution or program accredited by the *Department* pursuant to R113-04 and R113-12.

§ 113-03 Fire Safety/EAP Director Certificates of Fitness

- (c) Qualifications. In addition to the qualifications set forth in FC113, applicants for fire safety/EAP director *certificates of fitness* shall possess and demonstrate to the satisfaction of the *Department* the following qualifications:

- (4) At time of renewal of such certificate during the period from October 1, 2010 through September 30, 2014, successful completion of a continuing education course that addresses issues of building operation, maintenance and recordkeeping. Such course shall be conducted by an educator or educational institution or program accredited by the *Department* pursuant to R113-04 and R113-12.

§ 113-05 Fire Safety Director Training Courses

- (c) Required Hours and Topics of Instruction
- (2) Training courses shall provide instruction in the following topics:
 - (G) Building operation, maintenance and recordkeeping, Building Code, Fire Code and rule requirements for building operation, maintenance and recordkeeping, as set forth in R113-12(c)(2).

§ 113-10 Construction Site Fire Safety Manager Training Courses

- (a) Scope. This section sets forth the minimum hours of classroom instruction and topics required for *Department* accreditation of training courses for *certificates of fitness* for construction site fire safety manager.

(b) General Provisions

- (1) General accreditation requirements. Construction site fire safety manager training courses shall comply with the general training school accreditation procedures, standards and requirements set forth in R113-04.
- (2) Instructor qualifications. Instruction in construction site fire safety manager training courses shall be conducted by persons with fire code, fire prevention/suppression, construction, engineering or other appropriate experience or expertise that qualifies them to teach the respective instructional topics of the training course.

(c) Required Hours and Topics of Instruction

- (1) Training courses shall, at a minimum, provide not less than seven (7) hours of instruction.
- (2) Training courses shall provide instruction in the following topics, and such other topics as the *Department* may from time to time designate by written notice to accredited training course providers:
 - (A) Introduction to the Fire Code and Fire Department Rules, including their organization and terminology.
 - (B) Fire Code *construction site* provisions (FC Chapter 14 and 3 RCNY Chapter 14).
 - (C) All *construction site* fire safety requirements, as set forth in 3 RCNY 140101(c).

(d) Course Administration and Completion

- (1) Students must attend all training classes to be eligible to take the training course's final examination.
- (2) Students shall be allowed two (2) opportunities to pass the final examination. Students who fail the final examination on the second attempt shall be required to reattend the course in its entirety.

§ 113-11 Construction Site Fire Safety Manager Certificates of Fitness

- (a) Scope. This section sets forth standards, requirements and procedures for issuance of a *certificate of fitness* to perform the duties of a construction site fire safety manager.

- (b) General Provisions. Applicants for construction site fire safety manager *certificates of fitness* shall meet the minimum qualifications and comply with the general requirements for a *certificate of fitness* set forth in FC113 and R113-01.

- (c) Qualifications. In addition to the qualifications set forth in FC113 (including receipt of a passing grade on the *Department's* written examination), applicants for construction site fire safety manager *certificate of fitness* shall possess and demonstrate to the satisfaction of the *Department* the physical ability to perform the duties of the position and the following qualifications:

- (1) Certification or experience. Applicants shall hold or possess:
 - (A) A site safety manager or site safety coordinator certificate issued by the *Department of Buildings* pursuant to BC3310.5 and *Department of Buildings* rule 1 RCNY 10408; or
 - (B) At least three (3) years of full-time experience within the past six (6) years prior to the date of the application:
 - (1) working for a governmental agency or a construction, design or consulting firm;
 - (2) at construction sites upon which "major buildings" (as that term is defined in BC3310.2) are being constructed; and
 - (3) with responsibility for construction site safety and/or supervision of construction; or
 - (C) At least eight (8) years of full-time experience within the past 12 years prior to the date of the application working for a governmental agency with responsibility for conducting and/or supervising fire code or fire safety inspections or enforcement; or
 - (D) At least ten (10) years of full-time experience within the past 15 years prior to the date of the application working as a firefighter or fire officer in a paid fire department.
- (2) Training Course. Applicants shall successfully complete a *construction site fire safety manager* training course conducted by an educator or educational

institution or program accredited by the Department pursuant to R113-04 and 113-10.

(d) Application Procedures. Application for a construction site fire safety manager certificate of fitness shall be made in accordance with R113-01.

§ 113-12 Building Operation, Maintenance and Recordkeeping Training Courses

(a) Scope. This section sets forth the minimum hours of classroom instruction and topics required for Department accreditation of training courses for building operations, maintenance and recordkeeping.

(b) General Provisions

(1) General accreditation requirements. Building operation, maintenance and recordkeeping training courses shall comply with the general training school accreditation procedures, standards and requirements set forth in R113-04.

(2) Instructor qualifications. Instruction in building operation, maintenance and recordkeeping training courses shall be conducted by persons with fire code, fire prevention, fire suppression, or other appropriate experience or expertise that qualifies them to teach the respective instructional topics of the training course.

(c) Required Hours and Topics of Instruction

(1) Training courses shall, at a minimum, provide not less than seven (7) hours of live instruction.

(2) Training courses shall provide instruction in the following Fire Code, Building Code, and rule requirements associated with building operations and maintenance:

(A) permits and certificates of fitness

(B) emergency planning and preparedness

(C) emergency power systems, including Chapter 8 of NFPA 110, and NFPA 111

(D) elevator in readiness

(E) refrigerating systems, including operator inspection after repair, monthly testing, and operator logbook.

(F) flame-resistant decorations

(G) fire alarm systems, including Chapter 10 of NFPA 72

(H) sprinkler systems, including Chapters 5, 8 and 9 of NFPA 25

(I) standpipe systems, including Chapters 6, 8 and 9 of NFPA 25

(J) out-of-service sprinkler, standpipe and fire alarm systems, including impairment coordinator, fire guard and notification requirements

(K) portable fire extinguishers

(L) commercial cooking systems

(M) smoke control systems

(N) non-water fire extinguishing systems

(O) means of egress, including Building Code required exit and elevator signage, and photoluminescent pathway markings

(P) hot work operations

(Q) fumigation and insecticidal fogging operations

(R) painting of sprinkler and standpipe system piping and valve handles in both new and existing buildings, as set forth in BC903.6 and 905.11.

(d) Course Administration and Completion

(1) Students must attend all seven (7) hours of training to be eligible to take the training course's final examination.

(2) Students shall be allowed two (2) opportunities to pass the final examination. Students who fail the final examination on the second attempt shall be required to reattend the course in its entirety.

§ 115-01 Company Certificates

* * *

(g) General Insurance Requirements

([A] 1) Except as may be otherwise required by the Fire Code or the rules, applicants for, and holders of, a company certificate shall maintain a liability insurance policy in an amount not less than five hundred thousand dollars (\$500,000), issued by an approved insurance company that is licensed to do business in New York State and has an A.M. Best rating of A- or better.

([B] 2) Such liability policy shall provide insurance coverage in the event of any death, injury, damage or other loss to persons or property arising from the conduct of the business or activity requiring the company certificate. Such coverage shall be at least as broad as that set forth in the [most recent] edition of ISO Form CG 0001 most recently published as of the time coverage is obtained, and shall include completed operations.

([C] 3) The Department may relieve the holder of a company certificate of the obligation to maintain the liability insurance policy required by this section if the certificate holder makes a written request to the Department to place its company certificate in "Not in Use" (inactive) status, and the Department grants such request. The holder of the company certificate shall not engage in any business or activity requiring the company certificate while its certificate is in such "Not in Use" status, and shall not resume any such business or activity unless and until a written request has been made to the Department to restore such company certificate to active status, together with proof of compliance with the liability insurance policy required by the Fire Code, the rules or this section, and the certificate is restored by the Department to active status.

STATEMENT OF BASIS AND PURPOSE FOR CHAPTER 1 (ADMINISTRATION):

This chapter is amended to establish requirements for the construction site fire safety managers required by FC1408, and for a continuing education course for fire safety directors and fire safety/EAP directors. The chapter also amends the provisions of R109-02 relating to the prevention of unnecessary and unwarranted alarms.

The construction site fire safety director requirements are set forth in two new rules, §§113-10 and 113-11. Section 113-10 sets forth standards for Fire Department accreditation of the training courses that fire safety manager certificate of fitness applicants will be required to attend to familiarize them with the Fire Code, Fire Department rules and other fire safety requirements applicable to construction sites.

Section 113-11 sets forth the requirement that construction site fire safety managers obtain a Fire Department certificate of fitness, and the qualifications that applicants for such certificate must possess. In response to public comment that the work experience qualifications for construction site fire safety managers are excessive, this section has been amended to reduce the required years of experience from 4 to 3 years, consistent with the work experience required to qualify for a certificate of fitness for fire safety director.

Sections 113-02 and 113-03 are amended to require that fire safety directors and fire safety/EAP directors attend a continuing education course that addresses the issues of building operation, maintenance and recordkeeping. Such continuing education course will be in effect for one certificate renewal cycle, from October 1, 2010, through September 30, 2014. The required curriculum for such course is set forth in Section 113-12. In response to public comment that the rule should be more specific with respect to the required curriculum, Section 113-12 has been amended to identify specific portions of the Referenced Standards that are to be included in the continuing education course.

The Fire Department proposes to require such a continuing education course to ensure that building fire safety personnel are familiar with the new, comprehensive building operation, maintenance requirements of the Fire Code.

With respect to future applicants for the fire safety director and fire safety/EAP certificate of fitness, the Fire Department proposes to amend Section 113-05, which sets forth the required curriculum for fire safety director training courses, to include building operation, maintenance requirements as part of the regular course curriculum. Accordingly, newly-licensed fire safety and fire safety/EAP directors will receive this training as part of the fire safety director training course, and will not be required to attend the continuing education course required by Sections 113-02 and 113-03.

Section 109-02 is amended to clarify that the failure to prevent unnecessary and unwarranted alarms pursuant to FC907.20.6 and R907-01(c), will be enforced as a Violation Category 12 violation. This is not a substantive change inasmuch as FC907.20 had already been consolidated as part of this violation category.

Section 115-01 has been added to the rule promulgation for the sole purpose of correcting the numbering of several provisions. The numbering has been conformed in accordance with standard numbering protocol for Fire Department rules.

Section 3. Chapter 2 of Title 3 of the Rules of the City of New York is hereby amended by amending subdivision (c) of §202-01, to add, in alphabetical order, the following definition:

§202-01 Definitions

(c) Definitions * * *

Concentrated alcohol-based hand rub. See R3405-02(b).

Section 4. Chapter 3 of Title 3 of the Rules of the City of New York is hereby amended by amending subdivision (b) of §303-01, to read as follows:

§ 303-01 Liquid-Fueled Tar Kettles and Asphalt Melters

* * *

(b) General Provisions

(2) Storage, handling and use. Liquid fueled tar kettles and asphalt melters that utilize a combustible liquid as a fuel shall be stored, handled and used in the same manner as LPG-fueled tar kettles, in compliance with FC303 and R[3507]3809 01(j)(2)(F).

STATEMENT OF BASIS AND PURPOSE FOR CHAPTER 1 (GENERAL PRECAUTIONS AGAINST FIRE):

Section 303-01 has been added to this rule promulgation for the sole purpose of correcting an erroneous cross-reference to another provision of the rules. R303-01(b)(2) makes reference to requirements for LPG-fueled tar kettles, but the provision erroneously references R3507, which relates to CNG storage, handling and use. The reference has been corrected to refer to R380901(j)(2)(F), which governs LPG-fueled tar kettles,

Section 5. Chapter 4 of Title 3 of the Rules of the City of New York is hereby amended by adding four new sections, §§403-02, 404-01, 404-02, and 404-03, and amending

subdivision (c) of §408-01, to read as follows:

CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS

- §401-402 Reserved
§403-01 Fire Safety Precautions at Street Fairs and Similar Outdoor Public Gatherings
§403-02 Theater Inspections, Maintenance and Recordkeeping [§404-407 Reserved]
§404-01 Fire Safety and Evacuation Plans
§404-02 Office Building Emergency Action Plans
§404-03 Fire Safety Requirements for Sidewalk Cafes and Similar Public Gathering Places
§405-407 Reserved
§408-01 Residential Buildings With Non-Sequential or Non-Standard Floor Numbering
§408-02 Residential Fire Safety Guides and Notices

§ 403-02 Theater Inspections, Maintenance and Recordkeeping

(a) Scope. This section sets forth maintenance requirements for performing arts and motion picture theaters, including fire safety inspection and recordkeeping requirements. The requirements of this section shall be in addition to any applicable periodic inspection, testing or other maintenance requirements of the Fire Code or the rules.

(b) General Provisions

(1) Regular inspections required. Every performing arts and motion picture theater, including concert halls and television and radio studios admitting an audience, shall be periodically inspected for fire safety in compliance with the requirements of this section.

(2) Audience announcements

(A) Location of exits. When required by FC403.4, announcements informing the audience of the location of exits shall be made in compliance with the requirements of that section.

(B) Emergencies. A member of the FSP staff of a performing arts theater shall be designated to make announcements during the performance or other event in case of a fire or other emergency, to inform the audience of the nature of the emergency and prevent panic.

(3) Fire emergency reporting signage. Signage shall be provided in compliance with the requirements of FC408.14.

(c) Fire Safety Inspection Requirements

(1) Daily inspections. A fire safety inspection shall be conducted in a performing arts or motion picture theater on any day on which the theater is to be used and occupied for a performance or other audience event. Such inspections shall verify compliance with the following requirements:

(A) Means of egress, including exit access, exits and exit discharges, shall be inspected daily to ensure that they are unobstructed, that there are no impediments to their immediate use and that door hardware and other devices and components are in good working order.

(B) Automatic fire doors shall be inspected to ensure that there are no obstructions to their closing, or otherwise rendered inoperable.

(C) Standpipe and sprinkler systems, including fire pumps and water storage tanks, shall be inspected to ensure they are in good working order.

(D) Portable fire extinguishers shall be inspected to ensure that they are readily available for use as required by FC906.

(E) If special effects are to be used during the performance, all of the conditions of the permit, including, where applicable, a fire watch and/or additional portable fire extinguishers, are in place.

(F) Manual fire alarm boxes located on the stage of performing arts theaters shall be tested by activating the alarm. Prior notification shall be made to the central station monitoring the fire alarm system.

(G) The means by which skylights and other stage smoke vents may be manually activated are fully operational and/or readily available.

(H) All areas of the theater, including the backstage, under the stage, and outdoor areas near the fresh air intakes for the building's ventilation system, shall be inspected to ensure that there is no accumulation of rubbish or other combustible waste that, if ignited, could cause a fire or smoke condition.

(2) Performance inspections. Fire safety inspections shall be conducted during each performance or other audience event. Such inspection shall verify compliance with the following requirements:

(A) The prohibition against smoking in the theater.

(B) Aisles and passageways are unobstructed and standee areas are maintained in accordance with FC403.3.

(C) All proscenium wall doors in a performing art theater are kept closed.

(D) At the conclusion of the performance or audience event in a performing arts theater, the flame-resistant stage curtain

and stage trap doors are closed, and stage elevators are returned to the stage floor level.

- (3) Regular inspections. Theaters shall be operated and maintained in accordance with Fire Code requirements, including conducting the periodic inspection and testing of fire protection systems required by FC901.6 and FC311.2.2. *Out-of-service fire alarm, sprinkler or standpipe systems* shall be reported immediately to the Department.

(d) Recordkeeping Requirements

- (1) Logbook required. Every performing arts and motion picture theater shall provide and maintain at an approved location a logbook in compliance with the requirements of this section, for the purposes of documenting compliance with the fire safety inspections required by this section and the FSP staff training required by FC406.
- (2) Format. The logbook shall be a bound journal with consecutively numbered pages, unless the Department has authorized or approved an alternative form of electronic recordkeeping. The front cover shall be marked: "Theater Inspection Logbook" and the name of the theater. A copy of this section shall be affixed to the inside front cover of the logbook.
- (3) Entries. Entries shall be made in the logbook as follows:
- (A) Inspections. An entry including the following information shall be made to document each inspection conducted in compliance with the requirements of R403-01(c) or other provision of the Fire Code or rules:
- (1) the name and signature of person who conducted the inspection;
- (2) the date and time of the inspection;
- (3) the results of inspection, including any deficiencies found and any corrective action taken; and
- (4) the name of person designated to make emergency announcements pursuant to R403-01(b)(2)(B).
- (B) Fire safety plan and FSP staff training. Entries relating to the fire safety and evacuation plan and FSP staff training shall be made in compliance with the requirements of R404-01(s).
- (4) Retention. Pursuant to FC107.7, the logbook shall be kept at the premises for a period of at least three (3) years, and shall be made available for inspection by any Department representative.

§404-01 Fire Safety and Evacuation Plans

- (a) Scope. This section sets forth standards, requirements and procedures for the preparation, content, submission, acceptance and amendment of fire safety and evacuation plans; designation, qualifications and training of FSP staff, and their duties and responsibilities; education of building occupants, including the conduct of drills; recordkeeping; obligations of building occupants and employers of building occupants; and provision of assistance to building occupants with special needs.
- (b) Definitions. The following terms shall, for purposes of this section and R404-02, have the meanings shown herein:

Assembly area. A designated outdoor area to which building occupants are directed to report upon implementation of a partial evacuation or evacuation in accordance with a fire safety and evacuation plan or an emergency action plan.

Building occupants. All persons in the building, including employees, building personnel and visitors.

Deputy fire safety/EAP director. One (1) or more employees designated by the owner as qualified and trained to perform the duties of such position in accordance with the requirements of this section and R404-02, and who possesses the requisite qualifications and training, as set forth in R113-03.

Evacuation. The emptying of a building of all building occupants in response to a fire or an emergency.

Fire safety/EAP director. The employee designated by the owner to perform duties of such position in accordance with the requirements of this section and R404-02, and who possesses the requisite qualifications and training, as set forth in R113-03.

In-building relocation. The controlled movement of building occupants from an endangered area of a building to an in-building relocation area within the same building in response to a fire or an emergency.

In-building relocation area. A designated indoor area to which building occupants may be relocated in accordance with a fire safety and evacuation plan or an emergency action plan.

Owner. The fee owner or lessee of the building, or other person or entity having charge thereof.

Partial evacuation. The emptying of a building of some but not all building occupants in response to a fire or an emergency.

Shelter in place. The precaution of directing building occupants to remain inside the building, at their present location, in response to a fire or an

emergency.

(c) General Requirements

- (1) Applicability. This section applies to the buildings and occupancies set forth in FC404.2.1.
- (2) Owner obligations
- (A) Preparation of fire safety and evacuation plan. An owner shall cause a fire safety and evacuation plan to be prepared for each occupancy or building, submitted for Department review and acceptance (when required by the Fire Code and rules), and periodically reviewed and amended, in compliance with the requirements of this section. The fire safety and evacuation plan shall be in the form set forth in Appendices A, B, C and D to this section, as applicable.
- (1) Floor plans. Each fire safety and evacuation plan shall include floor plans for the building or occupancy. The floor plans shall be submitted to the Department and maintained at the premises in accordance with R404-01(c)(2)(D) and (d)(7).
- (2) Building information card. When required by this section, a building information card, in the format set forth in R404-01 Appendix B, shall be maintained at the fire command center, to serve as a ready reference for firefighting and other emergency response personnel. The building information card shall be 11" x 17" in size, double-sided and laminated, and contain a color-coded plot plan and elevation of the building, and detailed building information.
- (3) Floor postings. When required by this section, signs identifying FSP staff shall be conspicuously posted on each floor, and maintained at an approved location on the premises, where they shall be made available for inspection by Department representatives. Such signs shall conform to the format set forth in R404-01 Appendix C.
- (4) Building profile. When required by this section, a building profile, in the format set forth in R404-01 Appendix D, shall be prepared and submitted to the Department to serve as a ready reference for Department oversight of emergency preparedness and for use in connection with Department fire safety inspections.
- (B) Designation of FSP staff. Pursuant to FC401.6, an owner shall designate in the fire safety and evacuation plan FSP staff responsible for the implementation of such plan, with the authority, duties and responsibilities set forth therein.
- (C) Cooperation of building occupants. When the owner becomes aware that a building occupant is neglecting or failing to cooperate with his or her duties, responsibilities or obligations to comply with the provisions of this section or the fire safety and evacuation plan, the owner shall notify the employer of such individual. If the employer fails to timely correct the condition the owner shall notify the Department.
- (D) Plan submission, acceptance and/or maintenance on premises. When required by FC404.6 or this section, an owner shall cause a fire safety and evacuation plan to be submitted to, and acceptance obtained from, the Department, in compliance with the requirements of FC404.6. A paper copy of the fire safety and evacuation plan for the premises, including floor plans, shall be maintained on the premises, at an approved location, and shall be made available for inspection by any Department representative. Where a building is provided with a fire command center, the fire safety and evacuation plan shall be maintained at that location.
- (E) Fire drills. An owner shall cause fire drills to be conducted in accordance with FC405, if required by FC405.2. FSP drills shall be in the form of live instruction except as otherwise authorized by this section.
- (F) FSP staff training. An owner shall cause FSP staff to be trained in accordance with FC406 and this section. FSP staff training shall be in the form of live instruction except as otherwise authorized by this section.
- (G) Recordkeeping. An owner shall cause records to be maintained in accordance with FC405.5 and FC406.2.
- (H) Fire emergency reporting signage. Signage shall be provided in the lobby or entrance hall of each building in compliance with the requirements of FC408.14.
- (3) Obligations of building occupants and their employers. All building occupants and employers of building occupants shall comply with the directions of the FSP staff upon implementation of the fire safety and evacuation plan, and otherwise fulfill their obligations in accordance with FC405.2 and R404-01(t).
- (4) Authority to implement the fire safety and evacuation plan
- (A) The fire safety and evacuation plan shall be immediately implemented and building occupants directed to shelter in place, relocate within the building,

partially evacuate or evacuate, whenever such action is deemed necessary to ensure the safety of building occupants.

- (B) The ability of the fire safety director or other FSP staff designated to implement the fire safety and evacuation plan shall not be subordinated to the authority of any other person or impaired by any notification procedure established by the owner. The fire safety director, or other FSP staff designated to perform such duty, shall determine the safest and most efficient course of action consistent with the fire safety and evacuation plan, depending on the nature of the fire or fire related emergency.
- (C) The authority of the fire safety director to implement the fire safety and evacuation plan, as set forth in FC Chapter 4, this section and in the plan itself, shall be assumed by a deputy fire safety director in the absence of the fire safety director, or, if no fire safety director or deputy fire safety director is required to be on duty, by a fire safety building evacuation supervisor. In buildings and occupancies not requiring a fire safety director, the owner shall designate one (1) or more FSP staff members responsible for initiating implementation of the fire safety and evacuation plan and one (1) or more alternate FSP staff members to perform such function in the absence of the primary designees.
- (5) Compliance with orders of lawful authorities. The owner, fire safety director and all other FSP staff and building occupants shall comply with the orders of the Department or other incident commander or emergency response personnel should such incident commander or emergency response personnel be present at the building.
- (6) Official notifications of fires and implementation of fire safety and evacuation plan.
- (A) In accordance with FC401.3, any fire shall be immediately reported to 911.
- (B) The fire safety director, or other FSP staff designated to perform such duty, shall immediately report to 911 a determination to implement the fire safety and evacuation plan.
- (C) The fire safety director, or other FSP staff designated to perform such duty, shall immediately notify pre-determined representatives of other occupancies in a building of combustible construction.
- (7) Communications with building occupants
- (A) The fire safety director, or other FSP staff designated to perform such duty, shall be responsible for communicating information and directions to building occupants whenever the fire safety and evacuation plan is implemented, including during any fire drill.
- (B) Implementation of the fire safety and evacuation plan or the conduct of a FSP drill shall be communicated to the appropriate building occupants by the sounding of an alarm or alert tone followed by an announcement. The announcement shall include the following information:
- (1) whether the announcement is being made in connection with a fire condition or a FSP drill, and, if in connection with a fire condition:
- (a) where the fire condition exists; and
- (b) which floors or other parts of the building are affected and what action is to be taken in response to the fire condition.
- The announcement shall be repeated or updated on a frequent basis, to inform and reassure building occupants.
- (d) Content of Fire Safety and Evacuation Plans. Each fire safety and evacuation plan prepared pursuant to this section shall include all of the information set forth in FC404.3.1 and the following information:
- (1) Types of Responses to Fire Condition
- (A) The fire safety and evacuation plan shall set forth the circumstances and procedures for the sheltering in place, in-building relocation, partial evacuation and/or evacuation of building occupants in response to a fire condition.
- (B) The fire safety and evacuation plan shall address how such measures will be implemented during regular business hours, and at times other than regular business hours, when FSP staff may be absent from the building.
- (2) Designation of FSP Staff. The fire safety and evacuation plan shall designate FSP staff, as set forth in FC401.6 and this section.
- (3) Designation of fire command center. Where a building is provided with a fire command center, the fire safety and evacuation plan shall designate such fire command center as the location from which the fire safety director or other FSP staff shall coordinate implementation of the fire safety and evacuation plan or conduct a FSP drill.
- (4) Use of elevators. The fire safety and evacuation plan shall prohibit the use of

elevators to implement the *fire safety and evacuation plan*, except in buildings where a fire safety director or deputy fire safety director is on duty, and under the following circumstances:

- (A) Where such use is conducted or authorized by firefighting personnel.
- (B) Where such use is made necessary by fire, heat or smoke conditions in stairwells, preventing or hindering the *evacuation, partial evacuation or in-building relocation of building occupants*, and the fire safety director determines that the elevators can be safely used, subject to the following provisions:
- (1) Elevators which operate in a shaft that does not serve (stop at) the fire floor or have openings on the fire floor may be used. Elevators serving (stopping at) the fire floor or having openings on the fire floor shall not be used under any circumstances.
- (2) Only elevators provided with two-way voice communication to the *fire command center* in accordance with *Building Code* requirements may be used for these purposes.
- (3) Movement of elevators shall be controlled either by operation in manual mode by an *FSP staff* member or at the elevator control panel in the lobby, under the direct supervision of the fire safety director.
- (5) Maintenance program. The *fire safety and evacuation plan* shall indicate the *certificate of fitness* holder or other building personnel (by job title) responsible for inspecting, testing and otherwise overseeing the maintenance of the building's *fire protection systems* and the other equipment and operations affecting building fire safety, as set forth in the appendices to this section.
- (6) Assistance to building occupants with special needs
- (A) The *fire safety and evacuation plan* shall establish procedures for identifying in advance *building occupants* who require assistance to participate in the *fire safety and evacuation plan* because of an infirmity, disability or other special need, and procedures for providing such assistance. Assistance that may be required may include implementing procedures or modifying equipment to ensure receipt of announcements, designating areas for assistance, and designating persons to provide assistance.
- (B) The *owner* shall make the procedure for requesting such assistance known to all *building occupants* and employers of *building occupants*.
- (C) A list of the *building occupants* who have requested such assistance, and their regular work location (or other location where they may be found), shall be maintained at the *fire command center* or other location required by R404-01(c)(2)(D), and made available to *Department* representatives or emergency response personnel, upon request.
- (D) The *FSP staff* shall periodically review the list of such *building occupants* on the floors or other areas of the building in which they perform their duties, so as to familiarize themselves with the *building occupants* requiring assistance to participate in the *fire safety and evacuation plan*.
- (7) Floor plans
- (A) Format and content. The *fire safety and evacuation plan* shall include, for each floor of the building (including any floors below grade), a current floor plan bearing the signature and seal of a *registered design professional*, containing the information required by FC404.3.1(4), marked to reflect exit routes, *in-building relocation areas*, and other information contained in the *fire safety and evacuation plan* amenable to graphic representation.
- (B) Incorporation of emergency action plan information. For *office buildings*, the floor plans required by this section shall incorporate the additional items of information required by R404-02(d)(7) for *office building emergency action plans*.
- (C) Sprinkler and standpipe system riser diagram. The information required by FC404.3.1(4.12) with respect to the *sprinkler system, standpipe system* and fire department connections shall be set forth on a separate riser diagram, which shall include the following information and depict its location:
- (1) Water supply
- (a) City water main supply, including diameter of service pipe.
- (b) Fire department connections.
- (c) Gravity tanks and pressure tanks, indicating the total capacity and quantities available for fire reserve.
- (d) Fire pumps, including *gpm* capacity and whether automatic or manual
- (e) Booster pumps (special service pumps), including *gpm* capacity
- (2) Piping and piping components
- (a) Risers, including diameters
- (b) Riser cross connections
- (c) Check valves and control valves
- (d) Dry pipe and pre-action valves
- (e) Riser section valves
- (f) *Sprinkler system* floor control valves
- (g) Pressure-reducing valves
- (h) Fire hose racks.
- (i) Roof manifolds
- (e) Specific Requirements – Assembly Occupancies
- Reserved
- (f) Specific Requirements – Atriums, Covered Malls and Mercantile
- Reserved
- (g) Specific Requirements – Dormitories
- Reserved
- (h) Specific Requirements – Educational Facilities
- Reserved
- (i) Specific Requirements – Emergency Shelters
- (1) Fire Safety and Evacuation Plan.
- Reserved
- (2) FSP Staff
- (A) Fire safety coordinator
- (1) Qualifications. The fire safety coordinator shall satisfactorily complete an *approved* course for fire safety coordinator, hold a fire safety coordinator *certificate of fitness* and possess the qualifications set forth in FC113 and R113-01.
- (2) Duties and responsibilities. The fire safety coordinator shall perform the duties and have the responsibilities set forth in FC401.6.8.2.
- (B) Deputy fire safety coordinator
- (1) Qualifications. The deputy fire safety coordinator shall satisfactorily complete an *approved* course for fire safety coordinator, hold a fire safety coordinator *certificate of fitness* and possess the qualifications set forth in FC113 and R113-01.
- (2) Duties and responsibilities. The deputy fire safety coordinator shall perform the duties and have the responsibilities set forth in FC401.6.8.2.
- (j) Specific Requirements – High-Hazard Occupancies
- Reserved
- (k) Specific Requirements – Hotel/Motel Occupancies. Hotel/Motel occupancies shall additionally comply with the following requirements:
- (1) Fire safety and evacuation plan. Except as otherwise provided in R404-01(g) and (m), a *fire safety and evacuation plan*, that conforms to the format for such plans annexed to this section as Appendix A-1 shall be prepared for each hotel, motel or other Group R-1 occupancy. Such format shall be used on or after January 1, 2011 when submitting for *Department* acceptance any amendment to an existing *fire safety and evacuation plan*, other than *FSP staff* changes. The *fire safety and evacuation plan* shall include the following appendices:
- (A) a building information card conforming to the format annexed to this section as Appendix B-1, which shall be maintained at the *fire command center* and made available to any *Department* representative or emergency response personnel upon request and
- (B) a building profile conforming to the format annexed to this section as Appendix D.
- (2) FSP Staff
- (A) FSP Staff required. The *owner* of a hotel or motel (*Occupancy Group R-1*) building or occupancy shall designate a fire safety director, deputy fire safety directors and a fire brigade. Such staff shall perform the duties and responsibilities set forth in this section.
- (B) Fire safety director
- (1) Qualifications. The fire safety director shall hold a fire safety director *certificate of fitness* and possess the qualifications set forth in FC113 and R113-03.
- (2) Duties and responsibilities. The fire safety director shall:
- (a) have the duties and responsibilities as set forth in FC401.6.5;
- (b) supervise and train the deputy fire safety directors, and other *FSP staff* pursuant to FC406.2, including conducting initial and periodic refresher training to maintain the state of readiness of such staff;
- (c) select qualified building personnel for the fire safety brigade, organize, train and supervise the fire safety brigade, and be responsible for the state of readiness of the fire safety brigade;
- (d) immediately report to 911 any fire and any determination to implement the *fire safety and evacuation plan*;
- (e) in the event of a fire in or affecting the building, report to the *fire command center* or designated alternative location, and, if appropriate, implement the *fire safety and evacuation plan* in accordance with its terms and the provisions of this section, and notify arriving emergency response personnel and incident commander of the situation and the building response thereto;
- (f) in the event of a fire in or affecting the building, be responsible for communicating all information and directions to *building occupants* necessary to implement the *fire safety and evacuation plan*; and
- (g) notify the *owner* of any *building occupant* that neglects or fails to cooperate with *fire safety and evacuation plan* duties, responsibilities or obligations required by this section.
- (C) Deputy fire safety director
- (1) Qualifications. The deputy fire safety director shall hold a fire safety director *certificate of fitness* and possess the qualifications set forth in FC113 and R113-03.
- (2) Duties and responsibilities. The deputy fire safety director shall:
- (a) in the absence of the fire safety director, perform the duties of the fire safety director, as circumstances warrant, except that the fire safety director shall personally supervise all *FSP staff* training; and
- (b) in the presence of the fire safety director, assist the fire safety director in carrying out the requirements of the *fire safety and evacuation plan* and this section, as circumstances warrant.
- (D) Fire safety brigade
- (1) Qualifications. All fire safety brigade members shall receive training in the *fire safety and evacuation plan* from the fire safety director in accordance with FC406.2.
- (2) Duties and responsibilities. Members of the fire safety brigade shall:
- (a) perform their designated assignments, as set forth in the *fire safety and evacuation plan* or as directed by the fire safety director; and
- (b) in the event of a fire, immediately report to the designated locations, as set forth in the *fire safety and evacuation plan* or directed by the fire safety director, to be ready to undertake their designated assignments.
- (3) FSP staff training. The *FSP staff* training required by FC406 shall be in the form of live instruction, but may be supplemented by video presentations and/or distribution of other educational materials. Training may be conducted in the form of computerized training, without live instruction, provided that such computerized training is interactive, includes an evaluation of the *FSP staff* members' understanding of the training materials, and is not conducted in lieu of live instruction for more than one-half (½) of the required *FSP staff* training sessions per year.
- (l) Specific Requirements – Hospitals and Other Health Care Facilities
- Reserved
- (m) Specific Requirements – Lodging Houses
- Reserved
- (n) Specific Requirements – Office Buildings. Office building occupancies, except those provided with an *approved central station-monitored interior fire alarm system* as set forth in R404-01(o), shall additionally comply with the following requirements:
- (1) Fire safety and evacuation plan. A *fire safety and evacuation plan* shall be prepared for each *office building* that conforms to the format for such plans annexed to this section as Appendix A-2, which sets forth a combined format for *office building fire safety and evacuation plans* and *emergency action plans*. Such combined format shall also be used on or after January 1, 2011 when submitting for *Department* acceptance any amendment to an existing *fire safety and evacuation plan* or *emergency action plan*, other than *FSP staff* or *EAP staff* changes. The combined *fire safety and evacuation/emergency action plan* shall include the following appendices:
- (A) a building information card conforming to the format annexed to this section as Appendix B-2 which shall be maintained at the *fire command center* and made available to any *Department* representative or emergency response personnel upon request; and
- (B) a building profile conforming to the format annexed to this section as Appendix D.

- (2) FSP staff
- (A) FSP staff required. The owner of a *Occupancy Group B office building* shall designate the following *FSP staff*, which shall have the following duties and responsibilities:
- (1) a *fire safety/EAP director* and a sufficient number of *deputy fire safety/EAP directors* to ensure that a *deputy fire safety/EAP director* is present to perform the duties of the *fire safety/EAP director* at all times that a *fire safety/EAP director* is required to be on duty, but is absent;
- (2) at least one (1) person as a *fire safety building evacuation supervisor*, and qualified to serve in such position, shall be present and on duty in the building at all times when a *fire safety/EAP director* is not required to be on duty, but there are occupants in the building. The *fire safety building evacuation supervisor* at such times shall exercise the authority and responsibility of the *fire safety/EAP director* to implement the *fire safety and evacuation plan*;
- (3) at least one (1) *fire safety warden* for each floor of the building. *Fire safety wardens* shall be on duty on each floor during *regular business hours* for such floor;
- (4) at least one (1) *deputy fire safety warden* for each employer of *building occupants* on a floor. If the floor area occupied by an employer of *building occupants* on a single floor exceeds 7,500 square feet, a *deputy fire safety warden* shall be designated for each 7,500 square feet or portion thereof. At least the minimum required number of *deputy fire safety wardens*, with the training required for the position, shall be on duty on each floor during the *regular business hours* of such employer;
- (5) at least one (1) male and one (1) female *fire safety searcher* for each employer of *building occupants* on a floor. Such *fire safety searchers* shall be on duty on each floor during the *regular business hours* of such employer; and
- (6) the members of a *fire safety brigade*. The *fire safety brigade* shall consist of *building personnel*, *office employees* or other *building occupants* designated to assist in the implementation of the *fire safety and evacuation plan*, including persons assigned to assist *building occupants* that require assistance to participate in the plan. *Fire safety brigade members* shall be on duty during *regular business hours*. The *fire safety/EAP director* and *deputy fire safety/EAP directors* shall not be designated as *fire safety brigade members*.
- (B) *Fire safety director*
- (1) *Qualifications*. The *fire safety/EAP director* shall hold a *fire safety/EAP director certificate of fitness* and possess the qualifications set forth in R113-03.
- (2) *Duties and responsibilities*. The *fire safety/EAP director* shall:
- (a) be present and on duty in the building during *regular business hours*;
- (b) be fully familiar with the provisions of the *fire safety and evacuation plan*;
- (c) supervise and train the *deputy fire safety/EAP directors*, *fire safety building evacuation supervisors*, *fire safety wardens*, *deputy fire safety wardens*, *fire safety searchers*, *fire safety brigade members* and other *FSP staff* pursuant to FC406.2 and this section, including conducting initial and periodic refresher training to maintain the state of readiness of such staff;
- (d) be responsible for a daily check of the availability of *fire safety wardens* and *deputy fire safety wardens*, and make such notifications or temporary assignments as are necessary to ensure adequate *fire safety staffing*;
- (e) select qualified *building personnel* for the *fire safety brigade*, organize, train and supervise the *fire safety brigade*, and be responsible for the state of readiness of the *fire safety brigade*;
- (f) immediately report to 911 any fire and any determination to implement the *fire safety and evacuation plan*;
- (g) in the event of a fire in or affecting the building, report to the *fire command center* or designated alternative location, and, if appropriate, implement the *fire safety and evacuation plan* in accordance with its terms and the provisions of this section, and notify arriving emergency response personnel and incident commander of the situation and the building response thereto;
- (h) in the event of a fire in or affecting the building, be responsible for communicating all information and directions to *building occupants* to implement the *fire safety and evacuation plan*;
- (i) conduct the *fire drills*;
- (j) ensure that the required notices are posted on the floors and that the required recordkeeping is maintained;
- (k) with respect to the implementation of *fire safety and evacuation plans* and the conduct of *fire drills*, comply with the requirements of FC Chapter 4 and the rules; and
- (1) notify the owner of any *building occupant* that neglects or fails to cooperate with *fire safety and evacuation plan* duties, responsibilities or obligations required by this section.
- (C) *Deputy fire safety/EAP director*
- (1) *Qualifications*. The *deputy fire safety/EAP director* shall hold a *fire safety/EAP director certificate of fitness* and possess the qualifications set forth in R113-03. The *deputy fire safety/EAP director* shall receive training in the *fire safety and evacuation plan* from the *fire safety/EAP director*.
- (2) *Duties and responsibilities*. The *deputy fire safety/EAP director* shall:
- (a) in the absence of the *fire safety/EAP director*, perform the duties of the *fire safety/EAP director*, as circumstances warrant, except that the *fire safety/EAP director* shall personally supervise all *FSP staff* training; and
- (b) in the presence of the *fire safety/EAP director*, assist the *fire safety/EAP director* in carrying out the requirements of the *fire safety and evacuation plan* and this section, as circumstances warrant.
- (D) *Fire safety building evacuation supervisor*
- (1) *Qualifications*. The *fire safety building evacuation supervisor* shall receive training in the *fire safety and evacuation plan* from the *fire safety/EAP director* as set forth in FC Table 406.2(2).
- (2) *Duties and responsibilities*. The *fire safety building evacuation supervisor* shall:
- (a) in the absence of the *fire safety/EAP director* and *deputy fire safety/EAP director*, perform the duties of the *fire safety/EAP director*, as circumstances warrant; and
- (b) in the presence of the *fire safety/EAP director*, assist the *fire safety/EAP director* in carrying out the requirements of the *fire safety and evacuation plan* and this section, as circumstances warrant.
- (E) *Fire safety wardens*
- (1) *Qualifications*. The *fire safety warden* shall receive training in the *fire safety and evacuation plan* from the *fire safety/EAP director* in accordance with FC406.2.
- (2) *Duties and responsibilities*. The *fire safety warden* shall:
- (a) be familiar with the *fire safety and evacuation plan*, including general *sheltering in place*, *in-building relocation*, *partial evacuation* and *evacuation procedures*, the exit and *in-building relocation routes* to be utilized for the floor, the location of *in-building relocation areas*; and the means of communicating with the *fire safety/EAP director*;
- (b) in the event of a fire on the floor or immediately affecting *building occupants* on the floor, notify the *fire safety/EAP director* and *building occupants* on the floor of the fire and initiate appropriate action;
- (c) in the event of a fire not on the floor or not immediately affecting *building occupants* on the floor, establish communication with the *fire safety/EAP director* and, if possible, await direction from the *fire safety/EAP director*;
- (d) keep the *fire safety/EAP director* informed of his or her location and the progress of the implementation of *fire safety and evacuation plan* measures;
- (e) confirm the *in-building relocation* or *evacuation* of the floor or portion thereof by directing *deputy fire safety wardens* and/or other *FSP staff* designated as *fire safety searchers* to search all areas of the floor to be relocated in building or evacuated; to do so by visual inspection, not merely by the lack of a voice response; and to notify any remaining *building occupants* that they must immediately comply with the applicable *fire safety and evacuation plan* procedures;
- (f) determine whether the stairwells are safe to enter before directing *building occupants* to use them, and, if unsafe, notify the *fire safety/EAP director*;
- (g) instruct *building occupants* not to use elevators; and
- (h) perform such other duties as set forth in the *fire safety and evacuation plan*, or as directed to do so by the *fire safety/EAP director*.
- (F) *Deputy fire safety wardens*
- (1) *Qualifications*. The *deputy fire safety warden* shall receive training in the *fire safety and evacuation plan* from the *fire safety director* in accordance with FC406.2.
- (2) *Duties and responsibilities*. The *deputy fire safety wardens* shall:
- (a) in the absence of the *fire safety warden*, perform the duties of the *fire safety warden*, as circumstances warrant; and
- (b) when the *fire safety warden* is present, assist the *fire safety warden* in carrying out the requirements of the *fire safety and evacuation plan* and this section, by searching all areas of the floor to be relocated in building or evacuated, and notifying any remaining *building occupants* that they must immediately comply with the applicable *fire safety and evacuation plan* procedures, and by performing such other duties as assigned by the *fire safety and evacuation plan* or directed by the *fire safety warden*.
- (G) *Fire safety brigade members*
- (1) *Qualifications*. All *fire safety brigade members* shall receive training in the *fire safety and evacuation plan* from the *fire safety/EAP director* in accordance with FC406.2.
- (2) *Duties and responsibilities*. Members of the *fire safety brigade* shall:
- (a) perform their designated assignments, as set forth in the *fire safety and evacuation plan* or as directed by the *fire safety/EAP director*;
- (b) in the event of a fire, immediately report to the floor below the fire floor to assist in the *evacuation* and to provide information about the fire back to the *fire command center*;
- (c) prior to arrival of firefighting personnel, attempt to control the size and limit the spread of the fire, by use of portable fire extinguishers or by closing fire doors or other doors, provided that the size and location of the fire do not pose an immediate danger to the brigade members taking such actions; and
- (d) upon arrival of firefighting personnel, all brigade members, except the brigade member assigned to report to the floor below the fire floor, shall report to the *fire command center* for further instructions.
- (H) *Fire safety searchers*
- (1) *Qualifications*. All *fire safety searchers* shall receive training in the *fire safety and evacuation plan* from the *fire safety/EAP director*. Such training shall be for the same duration and frequency as required for *fire brigade members* pursuant to FC406.2.
- (2) *Duties and responsibilities*. *Fire safety searchers* shall:
- (a) in the absence of the *deputy fire safety warden*, perform the duties of the *deputy fire safety deputy warden*; and
- (b) in the presence of the *fire safety warden*, assist the *fire safety warden* in carrying out the requirements of the *fire safety and evacuation plan* and this section, by searching all areas of the floor to be relocated in building or evacuated, notifying any remaining *building occupants* that they must immediately comply with the applicable *fire safety and evacuation plan* procedures, and performing such other duties as assigned by the *fire safety and evacuation plan* or directed by the *fire safety warden*.
- (I) *Identification of FSP staff*. Upon implementation of the *fire safety and evacuation plan* and during *FSP drills*, the *fire safety/EAP director* and all *FSP staff* shall identify themselves to *building occupants* and others by donning a vest, armband or other form of identification indicating their role.
- (3) *FSP staff training*. The *FSP staff* training required by FC406 shall be in the form of live instruction, but may be supplemented by video presentations and/or distribution of other educational materials. Training may be conducted in the form of computerized training, without live instruction, provided that such computerized training is interactive, includes an evaluation of the *FSP staff members'* understanding of the training materials, and is not conducted in lieu of live instruction for more than one-half (1/2) of the required *FSP staff* training sessions per year.
- (4) *FSP drills*. The *FSP drills* required by FC406 shall be in the form of live instruction, but may be supplemented by video presentations and/or distribution of other educational materials. Such instructional drills may be conducted in the form of computerized training, without live instruction, provided that such computerized training is interactive, includes an evaluation of the participants' understanding of the training materials, and is not conducted in lieu of live instruction for more than one-half (1/2) of the required *FSP drills*.
- (5) *FSP staff floor postings*. Notices identifying the *FSP Staff* shall be conspicuously posted on each floor, and kept at the *fire command center*, where they shall be made available for inspection by *Department representatives*. The format of such notices shall be as set forth in R404-01 Appendix C-2.
- (O) *Specific Requirements – Other Buildings and Occupancies*. The following buildings and occupancies shall additionally comply with the following requirements:

- (1) Office buildings with approved interior fire alarm systems. A fire safety and evacuation plan that conforms to the format for such plans annexed to this section as Appendix A-3 shall be prepared for each office building which has been permitted to have an approved central station-monitored interior fire alarm system in accordance with Department of Buildings Technical Policy and Procedure Notice #1/03 in lieu of installing a mini-Class E fire alarm system that would have otherwise been required pursuant to 1968 Building Code §27-972(h). The fire safety and evacuation plan shall include a building profile conforming to the format annexed to this section as Appendix D. Such format shall be used on or after January 1, 2011 when submitting for Department acceptance any amendment to an existing fire safety and evacuation plan. Fire drills required by FC405.2 shall be conducted in such buildings by a certificate of fitness holder for fire drill conductor.
- (p) Department Review and Acceptance. When required by the Fire Code or rule or directed by the Department, fire safety and evacuation plans shall be filed in accordance with the following provisions:
 - (1) Filing for Department review. The fire safety and evacuation plan for a building shall be filed by the owner, or with the owner's written approval, with the Bureau of Fire Prevention at Fire Department Headquarters, together with the applicable application form and fee. Unless otherwise specified by the Department, the filing shall consist of one (1) paper copy of the plan (including all applicable appendices), and one (1) compact disk containing the floor plans, in either DWG or DWF format.
 - (2) Acceptance. The Department will issue a letter accepting a fire safety and evacuation plan that the Department determines is complete and, in the Department's judgment, satisfactorily sets forth the circumstances and sufficiently details the procedures by which building occupants will be directed to shelter in place, relocate in building, partially evacuate or evacuate the building.
 - (3) Notice and correction of deficiencies. The Department will issue a letter of deficiency for a fire safety and evacuation plan that the Department determines is incomplete or deficient in any material respect. Such plan shall be amended and resubmitted to the Department within 30 days after the date of the letter of deficiency, unless the letter of deficiency authorizes a greater period of time. An amended fire safety and evacuation plan filed with the Department after the allowed time shall be treated as a new (original) filing.
 - (4) Filing of accepted plan. After all deficiencies have been addressed and the applicant notified that the plan has been accepted, three (3) paper copies of the fire safety and evacuation plan (including all applicable appendices), at least one (1) of which shall contain an original owner certification, and two (2) compact disks containing the fire safety and evacuation plan, utilizing standard, commercially-available software acceptable to the Department, and the floor plans, in either DWG or DWF format, shall be filed with the Department.
 - (5) Plan review fee. Fire safety and evacuation plans filed for Department review and acceptance shall be accompanied by the plan review fee set forth in FC Appendix A.
- (q) Periodic Review and Amendment
 - (1) The owner shall cause the fire safety and evacuation plan to be reviewed at least annually. An entry shall be made in the FSP logbook that such review has been conducted and whether amendment of the plan is required.
 - (2) The fire safety and evacuation plan shall be amended to reflect significant changes in building operation or staff responsibilities, or in the design and arrangement or use and occupancy of the building, that affect the fire safety and evacuation plan. Such amendments shall be submitted in a timely manner, but in no event later than the occupancy of the part of the building that has been reconfigured for an existing or new employer of building occupants.
 - (3) Changes in the fire safety director or other FSP staff designated in the fire safety and evacuation plan, excluding fire safety wardens and deputy fire safety wardens, shall be reported to the Department by filing a change in FSP staff amendment on not less than a semi annual basis, using the forms set forth in the appendices to this section.
- (r) Time for implementation. Within 30 days from the

- date of Department acceptance of the fire safety and evacuation plan, an owner shall have in place trained FSP staff and otherwise be capable of implementing the fire safety and evacuation plan at the premises and otherwise complying with the requirements of this section.
- (s) Recordkeeping Requirements
 - (1) Logbook required. An FSP logbook shall be maintained at an approved location on the premises (where the building is provided with one, at the fire command center) for purposes of documenting compliance with the requirements of the Fire Code and this section relating to the fire safety and evacuation plan, including any fires or other incidents, identification of FSP staff on duty at the premises, and the conduct of fire drills and FSP staff training. The FSP logbook may be consolidated with the EAP logbook required pursuant to R40402(m).
 - (2) Format. The FSP logbook shall be a bound journal with consecutively numbered pages, unless the Department has approved an alternative form of electronic recordkeeping. The front cover shall be marked: "FSP Logbook" and the address of the building.
 - (3) Entries. The entries made in the FSP logbook shall include the following information.
 - (A) FSP staffing. Identification of the fire safety / EAP director and deputy fire safety / EAP director(s) on duty each day or shift during regular business hours.
 - (B) Fires and other incidents. The occurrence of any fire, activation of the fire alarm system, or other fire-related incident.
 - (C) Implementation of the fire safety and evacuation plan. Entries shall be made of any evacuation, partial evacuation or other implementation of the fire safety and evacuation plan, including the affected floors, inbuilding relocation areas to which they were directed or other directions given.
 - (D) Fire drills. FSP logbook entries shall include:
 - (1) the date and time of drill;
 - (2) the person(s) conducting the drill;
 - (3) the FSP staff members participating in the drill;
 - (4) identification of the floors and the number of building occupants participating in drill;
 - (5) the type of drill conducted (live or computerized instruction);
 - (6) the special needs addressed;
 - (7) the problems encountered; and
 - (8) for a partial evacuation or evacuation, the weather conditions and time required to accomplish the evacuation.
 - (E) FSP staff training:
 - (1) the date of training session;
 - (2) the person(s) conducting the training session, including if required by FC401.6.1, the person's certificate of fitness number;
 - (3) the persons attending the training session; and
 - (4) the type of training session conducted (live or computerized instruction).
 - (F) FSP staff practical (on-site) examinations, where required.
 - (G) FSP amendments.
 - (H) The name, address, and certificate of fitness or other license number of any contractor responsible for inspecting, testing and/or otherwise maintaining the building's fire protection systems and the other equipment and operations affecting building fire safety, as set forth in the appendices to this section.
 - (4) Retention. Pursuant to FC107.7, the FSP logbook shall be kept at the premises for a period of at least three (3) years, and shall be made available for inspection by any Department representative.
 - (t) Obligations of Building Occupants and Employers of Building Occupants
 - (1) Building occupants. All building occupants:
 - (A) shall comply with the directions of the fire safety director and FSP staff upon an announcement that the fire safety and evacuation plan has been implemented, including any shelter in place, in-building

- relocation, partial evacuation or evacuation directed by the fire safety director or other designated FSP staff.
- (B) shall cooperate with and participate in fire drills; and
- (C) are encouraged to identify themselves to the appropriate building staff if they would require assistance in the event of an in-building relocation, partial evacuation or evacuation.
- (2) Employers of building occupants. All employers of building occupants shall:
 - (A) promptly distribute to building occupants who are their employees any educational materials regarding the fire safety and evacuation plan provided to the employer by the owner;
 - (B) comply with the requirements of the fire safety and evacuation plan and R404-01(t)(1), and instruct their employees who are building occupants to do so;
 - (C) assign or allow responsible employees to serve as FSP staff, and require such employees to conscientiously perform their duties in accordance with the fire safety and evacuation plan; and
 - (D) establish and maintain a system of assigning responsibility for accounting for employees present in the building so that an accounting can be made in the event of an in-building relocation, partial evacuation or evacuation.

APPENDIX A-1

FIRE SAFETY AND EVACUATION PLAN FORMAT

HOTEL/MOTEL (R-1) OCCUPANCIES

The Fire Safety and Evacuation Plan required by New York City Fire Code (FC) Section FC404.2.1 and Fire Department rule (R) 3 RCNY 404-01 shall include the text of and conform in all respects to this format. Instructions, shown in italics, should not be included in the plan. Such format shall be used for any new fire safety and evacuation plan submitted for Department acceptance on or after January 1, 2011, and any amendment to an existing fire safety and evacuation plan, other than FSP staff changes, adopted on or after such date.

The Fire Safety and Evacuation Plan may make reference at any point to additional accompanying attachments, tables and/or other supporting information or documentation, including the attachments and tables prescribed by the format for various Fire Safety and Evacuation Plan information.

A copy of the Fire Safety and Evacuation Plan, Building Information Card and floor plans shall be kept at the fire command center (commonly referred to as the fire command station).

Questions regarding the format and submission of the Fire Safety and Evacuation Plan may be directed to the Emergency Planning and Preparedness Unit of the Bureau of Fire Prevention at Fire Department Headquarters.

1. Owner's Certification

I hereby certify that this Fire Safety and Evacuation Plan is in compliance with the requirements of FC404.2.1 and R404-01. This Fire Safety and Evacuation Plan sets forth the circumstances and procedures for the sheltering in place, in building relocation, partial evacuation or evacuation of building occupants in response to a fire.

Owner's signature

Date

"Owner" is defined in R404-01(b) as "the fee owner or lessee of the building, or other person or entity having charge thereof."

2. Building Information

2.1 Name of hotel/motel and complete building address

2.2 Building owner information

- 2.2.1 Name
- 2.2.2 Mailing address
- 2.2.3 Building Identification Number
- 2.2.4 Telephone number(s)
- 2.2.5 Cellular telephone number(s)
- 2.2.6 Fax number(s)
- 2.2.7 E-mail address

2.3 Height of building, and number of stories above and below grade

2.4 Lawful use and occupancy
Attach a copy of current Certificate of Occupancy (or Schedule A if building is under construction) for the building. The information contained in this plan should be consistent with the Certificate of Occupancy.

2.5 Indicate individual floor occupancy loading in Appendix A-1, Table 2. List all building floors in Appendix A-1, Table 2, including all below-grade floors. Floors that have no occupants, such as

mechanical equipment room floors, and floors that are not part of the FSP, such as residentially occupied floors, shall have such information noted in the table for such floor.

2.6 Fire Command Center

2.6.1 Location

Specify the floor on which the fire command center is located, its location on such floor, and the building entrance most accessible to the fire command center.

2.6.2 Building communications

Indicate the areas of the building with which the fire command center has communications capabilities, including elevator cars, fire pump rooms, mechanical equipment rooms, elevator control rooms, and individual floors. Only include communications equipment installed in accordance with the Building Code, and indicate if such communication capabilities are one-way or two-way.

2.7 Signage

2.7.1 Elevator lobbies. Floor number signs, elevator bank designation signs, and floor diagram signs (showing the route of egress) have been provided at elevator lobbies in compliance with the requirements of the New York City Building Code.

2.7.2 Stairwells. Stairwell identification signs have been posted on the corridor sides of stairwell doors and floor number signs have been posted on the stairwell side of stairwell doors in compliance with the requirements of the New York City Building Code.

2.7.3 Guest room doors. Signs with floor diagrams have been posted on or immediately adjacent to every required egress door from each guest room in compliance with the requirements of the FC408.8.1.

3. FSP Staff Designations, Duties and Responsibilities

3.1 Fire Safety Director

3.1.1 Identify and provide required information on Appendix A-1, Attachment 1, regarding the individual designated as Fire Safety Director.

3.1.2 Detail the duties and responsibilities of the Fire Safety Director.
List duties and responsibilities set forth in R404-01(k)(2)(B) and FC401.6.5, and any additional duties or responsibilities not specified in such section. If no additional duties or responsibilities are assigned, indicate same in the plan.

3.1.3 Indicate how the Fire Safety Director will be identifiable during drills and emergencies. *(e.g., cap, vest or armband)*

3.2 Deputy Fire Safety Director

3.2.1 Identify and provide required information on Appendix A-1, Attachment 2 regarding the individuals designated as Deputy Fire Safety Director.
The fire safety director or an individual designated as a deputy fire safety director must be on duty in the building at all times. The building's fire safety director and individuals designated as a deputy fire safety director must be indicated on Appendix A-1, Attachment 1 and 2, respectively.

3.2.2 Detail the duties and responsibilities for each Deputy Fire Safety Director
List duties and responsibilities set forth in R404-01(k)(2)(C), and any additional duties or responsibilities not specified in such section. Any duties and responsibilities stated elsewhere in the FSP shall also be listed in this section. If no additional duties or responsibilities are assigned, indicate same in the plan.

3.2.3 Indicate how the Deputy Fire Safety Director will be identifiable during emergencies. *(e.g., cap, vest or armband)*

3.3 Fire Safety Brigade.

3.3.1 Identify and provide required information on Appendix A-1, Table 1, regarding the individuals designated as Fire Safety Brigade members.
Provide such information in Appendix A-1, Table 1.

3.3.2 Detail the duties and responsibilities for each Fire Safety Brigade member

List the general duties and responsibilities set forth in R404-01(k)(2)(D) in this section. In Appendix A-1, Table 1 list specific duties and responsibilities for each brigade member.

3.3.3 Indicate how the Fire Safety Brigade members will be identifiable during emergencies. *(e.g., cap, vest or armband)*

4. Fire Safety and Evacuation Instructions

4.1 General Statement. The following factors shall be expeditiously determined and considered in implementing the fire safety and evacuation plan in the event of a fire in the building:

4.1.1 Location of the fire (floors and areas on floors).

4.1.2 Severity of the fire.

4.1.3 Floors affected by smoke conditions.

4.1.4 Stairwells affected by smoke conditions.

4.1.5 Floors occupied at the time of the fire and the number of building occupants in such areas.

4.2 Implementation of Fire Safety and Evacuation Plan

4.2.1 Call 911 and report fire and (if known) fire location.

4.2.2 Mobilize FSP safety brigade.

4.2.3 Identify stairwell(s) for evacuation of building occupants and stairwell(s) for use by responding firefighting personnel.

4.2.4 Make announcement to building occupants informing them of the fire condition and its location. Instruct them not to use the elevators unless directed to do so by firefighting personnel.

4.2.5 Instruct building occupants on the fire floor and the floor above the fire floor to immediately leave these floors, and evacuate the building or relocate to another safe location within the building at least two (2) floors below the fire floor. Identify the stairwell(s) or other routes of egress for their use and direct them to use only those stairwell(s) or routes of egress. Instruct building occupants to close guest room doors and stairwell doors behind them.

Indicate in Appendix A-1, Table 3 the route to in-building relocation areas. Indicate in Appendix A-1, Table 4 in building relocation areas. Make reference in this section to these tables.

4.2.6 Instruct building occupants on the floor below the fire floor to immediately leave the floor, and evacuate the building or relocate to another safe location within the building below the fire floor if the building is provided with a fire alarm system designed to automatically alert building occupants on the floor below the fire floor, or which can be and has been programmed to provide such alert on such floor. Buildings not provided with such automatic fire alarm system shall evacuate the floor below the fire floor if the building is designed or equipped to alert building occupants on that floor by voice announcements and activation of visible alarm notification appliances. Identify the stairwell(s) or other routes of egress for their use and direct them to use only those stairwell(s) or routes of egress. Instruct building occupants to close guest room doors and stairwell doors behind them.

Indicate in Appendix A-1, Table 3 the route to in-building relocation areas. Indicate in Appendix A-1, Table 4 in building relocation areas. Make reference in this section to these tables.

4.2.7 Building occupants may be instructed to exit the stairwell at a designated floor if the stairwell is needed for responding firefighting personnel.

4.2.8 Instruct fire safety brigade to assist building occupants with special needs who are unable to use the stairwell or other designated route of egress without assistance.

4.2.9 Unless fire and smoke conditions warrant otherwise, instruct building occupants on other floors to *shelter in place* and not

move around the building, pending further direction from the fire safety director or firefighting personnel.

4.2.10 Monitor the progress of the fire and smoke conditions by monitoring the fire alarm control panel and maintaining regular communication with FSP brigade.

4.3 Use of Elevators. Elevators shall not be used to implement the fire safety and evacuation plan, except under the following circumstances:

4.3.1 Where such use is conducted or authorized by firefighting personnel.

4.3.2 Where such use is made necessary by fire, heat or smoke conditions in stairwell, preventing or hindering the evacuation or in-building relocation of building occupants, and the fire safety director or deputy fire safety director determines that the elevators can be safely used, subject to the following provisions:

4.3.2.1 Elevators which operate in a shaft that does not serve (stop at) the fire floor or have openings on the fire floor may be used. Elevators serving (stopping at) the fire floor or having openings on the fire floor shall not be used under any circumstances.

4.3.2.2 Only elevators provided with two-way voice communication to the fire command center in accordance with Building Code requirements may be used for these purposes.

4.3.2.3 Movement of elevators shall be controlled either by operation in manual mode by an FSP staff member or at the elevator control panel in the lobby, under the direct supervision of the fire safety director.

4.4 Procedures for identifying building occupants who require assistance, and the procedures for providing such assistance
Include in statement that a list of such occupants shall be prepared and maintained at the fire command center. Also state in this plan that fire brigade members will be designated to assist such occupants. Elevator(s) shall not be designated as a procedure for movement of such building occupants. Fire brigade members designated for such purpose shall be identified on Appendix A1, Table 1.

5. Building Maintenance Program

The fire safety and evacuation plan shall indicate the type of system, maintenance required, and personnel responsible for inspecting, testing and otherwise overseeing the maintenance of the following fire protection systems and the other equipment and operations affecting building fire safety (mark "N/A" if the building is not provided with such a system):

5.1 Sprinkler and standpipe systems

5.1.1 Maintenance required. Comply with FC901.6 (referencing National Fire Protection Association Standard 25), and 3 RCNY Chapter 9 (including maintenance of sprinkler system pressure tanks, standpipe system pressure reducing devices, and periodic testing of fire department connections). *Include any additional maintenance procedures.*

5.1.2 Responsible personnel

Indicate the name and number of the certificate of fitness holder (if applicable) or other building personnel (by job title). If inspection, testing or other maintenance is to be performed by a contractor, indicate as much in the plan, and identify the contractor in the FSP logbook.

5.2 Fire alarm systems

5.2.1. Maintenance required. Comply with FC901.6 (referencing National Fire Protection Association Standard 72), and 3 RCNY Chapter 9 (including fire alarm recordkeeping and smoke detector maintenance, testing and recordkeeping). *Include any additional maintenance procedures.*

5.2.2 Responsible personnel

Indicate the name and number of the certificate of fitness holder (if applicable) or other building personnel (by job title). If inspection, testing or other maintenance is to be performed by a contractor, indicate as much in the plan, and identify the contractor in the FSP logbook.

plan, including Appendix A-2, Table 1 and 7, shall be referenced in this section, but need not be repeated. If no additional duties or responsibilities are assigned, indicate same in the plan.

3.4.3 Indicate how the Fire Safety and EAP Wardens will be identifiable during drills and emergencies. (e.g., cap, vest or armband)

3.5 Deputy Fire Safety and EAP Warden

3.5.1 Identify and provide required information on Appendix A-2, Table 2, regarding the individuals designated as Deputy Fire Safety and EAP Warden. *Deputy Fire Safety and EAP Wardens must be indicated on Appendix A-2, Table 2, for all regular business hours identified in Section 2.8.1 of this plan.*

3.5.2 Detail the duties and responsibilities for each Deputy Fire Safety and EAP Warden. *List the duties and responsibilities set forth in R404-01(n)(2)(F)(2) and R40402(h)(5)(B), and any additional duties or responsibilities not specified in such sections. Any duties and responsibilities stated elsewhere in the plan, including Appendix A-2, Tables 2 and 7, shall be referenced in this section, but need not be repeated. If no additional duties or responsibilities are assigned, indicate same in the plan.*

3.5.3 Indicate how the Deputy Fire Safety and EAP Wardens will be identifiable during drills and emergencies. (e.g., cap, vest or armband)

3.6 Fire Safety and EAP Searchers

3.6.1 Identify and provide required information on Appendix A-2, Table 2A, regarding the individuals designated as Fire Safety and EAP Searchers. *Fire Safety and EAP Searchers must be indicated on Appendix A-2, Table 2A, for all regular business hours identified in Section 2.8.1 of this plan.*

3.6.2 Detail the duties and responsibilities for each Fire Safety and EAP Searcher. *List duties and responsibilities set forth in R404-01(n)(2)(H)(2) and R404-02(h)(8)(B), and any additional duties or responsibilities not specified in such sections. Any duties and responsibilities stated elsewhere in the plan, including Appendix A-2, Tables 2A and 7, shall be referenced in this section, but need not be repeated. If no additional duties or responsibilities are assigned, indicate same in the plan.*

3.6.3 Indicate how the Fire Safety and EAP Searchers will be identifiable during drills and emergencies. (e.g., cap, vest or armband)

3.7 Fire Safety and EAP Brigade

3.7.1 Identify and provide required information on Appendix A-2, Table 3, regarding the individuals designated as Fire Safety and EAP Brigade members. *Fire Safety and EAP Brigade members must be indicated on Appendix A-2, Table 3, for all regular business hours identified in Section 2.8.1 of this plan.*

3.7.2 Detail the duties and responsibilities for each Fire Safety and EAP Brigade member. *List duties and responsibilities set forth in R404-01(n)(2)(G)(2) and R404-02(h)(6)(B), and any additional duties or responsibilities not specified in such sections. Any duties and responsibilities stated elsewhere in the plan, including Appendix A-2, Table 3 and 7, shall be referenced in this section, but need not be repeated. If no additional duties or responsibilities are assigned, indicate same in the plan.*

3.7.3 Indicate how the Fire Safety and EAP Brigade members will be identifiable during drills and emergencies. (e.g., cap, vest or armband)

3.8 Critical Operations Staff (Building Personnel)

3.8.1 Identify and provide required information on Appendix A-2, Table 4, regarding the individuals designated as Critical Operations Staff (Building Personnel). *Building personnel who are being designated as Critical Operations Staff based on the fact that their duties are critical to the implementation of the EAP, such as the operation of building service equipment, must be included on Appendix A-2, Table 4, for all regular business hours identified in Section 2.8.1 of this plan. Building personnel identified as EAP Brigade members in Appendix A-2, Table 3, shall not be designated as Critical Operations Staff.*

3.8.2 Detail the duties and responsibilities of each member of the Critical Operations Staff (Building Personnel). *List the duties and responsibilities set forth in R404-02(h)(7)(B), and any additional duties or responsibilities not specified in such section. Any duties and responsibilities stated elsewhere in the plan, including Appendix A-2, Table 7, shall be referenced in this section, but need not be repeated. If no additional duties or responsibilities are assigned, indicate same in the plan.*

3.8.3 Indicate how the Critical Operations Staff (Building Personnel) will be identifiable during drills and emergencies.

(e.g., cap, vest or armband)

3.9 Critical Operations Staff (Office Employees)

3.9.1 Identify and provide required information on Appendix A-2, Table 5, regarding the individuals designated as Critical Operations Staff (Office Employees). *Critical Operations Staff (Office Employees) are not EAP staff members and have no responsibilities with respect to implementing the EAP. They should be included in the EAP and exempted from participation in EAP drills and/or delayed in participating in the implementation of the EAP only if the employer can demonstrate that the employee is performing a public safety function or essential service for the employer in which there is a compelling public interest in maintaining even in the event of an emergency. (See R404-02(d)(2)(G)). The basis for designating an office employee as Critical Operations Staff must be documented in writing and made available for inspection by Department representatives, upon request.*

4. Fire Safety and Evacuation Instructions

4.1 General Statement. The following factors shall be expeditiously determined and considered in implementing the fire safety and evacuation plan in the event of a fire in the building:

4.1.1 Location of the fire (floors and areas on floors).

4.1.2 Severity of the fire.

4.1.3 Floors affected by smoke conditions.

4.1.4 Stairwells affected by smoke conditions.

4.1.5 Floors occupied at the time of the fire and the number of building occupants in such areas.

4.2 Implementation of Fire Safety and Evacuation Plan

4.2.1 Call 911 and report fire and (if known) fire location.

4.2.2 Mobilize FSP safety brigade.

4.2.3 Identify stairwell(s) for evacuation of building occupants and stairwell(s) for use by responding firefighting personnel.

4.2.4 Make announcement to building occupants informing them of the fire condition and its location. Instruct them not to use the elevators unless directed to do so by firefighting personnel.

4.2.5 Instruct building occupants on the fire floor and the floor above the fire floor to immediately leave these floors, and evacuate the building or relocate to another safe location within the building below at least two (2) floors below the fire floor. Identify the stairwells(s) or other routes of egress for their use and direct them to use only those stairwells(s) or routes of egress. Instruct building occupants to close stairwell doors behind them.

Indicate in Appendix A-2, Table 8B the route to in-building relocation areas. Indicate in Appendix A-2, Table 8A in-building relocation areas. Make reference in this section to these tables.

4.2.6 Instruct building occupants on the floor below the fire floor to immediately leave the floor, and evacuate the building or relocate to another safe location within the building below the fire floor, if the building is provided with a fire alarm system designed to automatically alert building occupants on the floor below the fire floor, or which can be and has been programmed to provide such alert on such floor. Buildings not provided with such automatic fire alarm system shall evacuate the floor below the fire floor if the building is designed or equipped to alert building occupants on that floor by voice announcements and activation of visible alarm notification appliances. Identify the stairwell(s) or other routes of egress for their use and direct them to use only those stairwell(s) or routes of egress. Instruct building occupants to close stairwell doors behind them.

Indicate in Appendix A-2, Table 8B the route to in-building relocation areas. Indicate in Appendix A-2, Table 8A in-building relocation areas. Make reference in this section to these tables.

4.2.7 Building occupants may be instructed to exit the stairwell at a designated floor if the stairwell is needed for responding firefighting personnel.

4.2.8 Instruct fire safety brigade to assist building occupants with special needs who are unable to use the stairwells or other designated route of egress without assistance.

4.2.9 Unless fire and smoke conditions warrant otherwise, instruct building occupants on other floors to shelter in place and not move around the building, pending further direction from the fire safety director or firefighting personnel.

4.2.10 Monitor the progress of the fire and smoke conditions by monitoring the fire alarm control panel and maintaining regular communication with FSP brigade.

4.3 Use of Elevators. Elevators shall not be

used to implement the fire safety and evacuation plan, except under the following circumstances:

4.3.1 Where such use is conducted or authorized by firefighting personnel.

4.3.2 Where such use is made necessary by fire, heat or smoke conditions in stairwells, preventing or hindering the evacuation or in-building relocation of building occupants, and the fire safety/EAP director or deputy fire safety/EAP director determines that the elevators can be safely used, subject to the following provisions:

4.3.2.1 Elevators which operate in a shaft that does not serve (stop at) the fire floor or have openings on the fire floor, may be used. Elevators serving (stopping at) the fire floor or having openings on the fire floor shall not be used under any circumstances.

4.3.2.2 Only elevators provided with two-way voice communication to the fire command center in accordance with Building Code requirements may be used for these purposes.

4.3.2.3 Movement of elevators shall be controlled either by operation in manual mode by an FSP staff member or at the elevator control panel in the lobby, under the direct supervision of the fire safety/EAP director.

4.4 Procedures for accounting for building occupants after completing in-building relocation or partial evacuation *Include a statement which provides the specific methods to be used to account for building occupants after completing in-building relocation/partial evacuation is implemented, and who will communicate such information back to the fire command center, and how it will be communicated.*

4.5 Procedures for identifying building occupants who require assistance, and the procedures for providing such assistance *Include in statement that a list of such occupants shall be prepared and maintained at the fire command center. Also state in this plan that fire brigade members will be designated to assist such occupants. Elevator(s) shall not be designated as a procedure for movement of such building occupants. Fire brigade members designated for such purpose shall be identified on Appendix A2, Table 3.*

5. Emergency Action Plan for Explosions

5.1 General Statement. *Provide a general statement regarding explosions and implementation of the EAP. Such general statement shall include the following: that 911 will be notified; EAP staff and office personnel critical operations staff will be notified and consulted; elevators will be recalled to their lobby level; electro-magnetic door locks shall be released; available information will be analyzed to decide the most appropriate action (shelter-in-place, in-building relocation, partial evacuation and/or full evacuation) consistent with the EAP; and building occupants will be notified, via an emergency announcement, where and what has occurred, what provisions of the EAP are being implemented and why. For example, if an announcement is made to shelter in place, building occupants should be informed not to move about the building while a threat within the building is being assessed or addressed, or that the nature of a threat outside of the building makes leaving the building inadvisable. Set forth below are the procedures that will be implemented during regular business hours in the event of an explosion in or proximate to the building, or the threat thereof. Include the specific information requested. Where not applicable enter "N/A."*

5.1.1 Shelter in Place

5.1.1.1 General Procedures. *Provide a statement and explanation of the specific procedures that will be implemented. Procedures identified in Section 5.1 of this plan should not be repeated in this section. A statement to the following effect shall be included as part of this section: "When shelter in place is implemented pursuant to this EAP building occupants will be told to remain at their present location."*

5.1.1.2 Building Components or Systems.

5.1.1.2.1 Access to and egress from the building, including entrances, exits and stairwells. *Provide such information in Appendix A-2, Table 7, Section 2, and make reference to such table in this section. Also, provide in this section any applicable information not included in such table.*

5.1.1.2.2 Elevator operation. *Provide such information in Appendix A-2, Table 7, Section 3, and make reference to such table in this section. Also, include statements that all elevators will be recalled to their lobby level where they will be assessed by EAP staff for safe use; that only elevators provided with two-way voice communication to the fire command center in accordance with the Building Code requirements will be used; and that such elevators, if deemed necessary, will be operated only in manual mode by trained EAP staff. Identify specific elevator(s) (bank letters and car numbers) which will*

- be used for such purpose.*
- 5.1.1.2.3 **Ventilation system operation.**
Provide such information in Appendix A-2, Table 7, Section 5, and make reference to such table in this section.
- 5.1.1.2.4 **Openable windows.**
Include a statement regarding the securing of openable windows.
- 5.1.1.2.5 **Interior doors, including fire doors.**
Include a statement that the electro-magnetic door release mechanisms (if present) will be manually released to ensure all re-entry doors are unlocked.
- 5.1.1.2.6 **Electrical, natural gas, steam and other utility operations.**
Provide such information in Appendix A-2, Table 7, Section 4, and make reference to such table in this section.
- 5.1.1.2.7 **Fuel oil storage systems and associated pumps and piping.**
Provide such information in Appendix A-2, Table 7, Section 4, and make reference to such table in this section.
- 5.1.2 **In-Building Relocation**
- 5.1.2.1 **General Procedures.**
Provide a statement and explanation of the specific procedures that will be implemented. Procedures identified in Section 5.1 of this plan should not be repeated in this section. A statement and explanation to the following effect shall be included as part of this section: "When an in-building relocation is implemented pursuant to this EAP building occupants will be told to move to their pre-designated in-building relocation areas (IBRA) which are areas that are more sheltered than the normal work areas."
- 5.1.2.2 **Specific In-Building Relocation Requirements.**
- 5.1.2.2.1 **Designated in-building relocation areas.**
Provide such information in Appendix A-2, Table 8, and make reference to such table in this section.
- 5.1.2.2.2 **Designated routes by which building occupants would be directed to in-building relocation areas.**
Provide such information in Appendix A-2, Table 8 and make reference to such table in this section. If building occupants will be directed to IBRA's on a floor other than the floor of their normal work location, complete routes to such IBRA's shall be designated. If the building occupants on a single floor will be directed to IBRA's on more than one floor specify how such areas will be assigned, such as by employer, room numbers or portions of the floor area.
- 5.1.2.2.3 **Procedures for accounting for building occupants after completing in-building relocation.**
Include a statement which provides the specific methods to be used to account for persons in the IBRA after an in-building relocation is implemented, who will communicate such information back to the fire command center, and how it will be communicated.
- 5.1.2.2.4 **Procedures for identifying building occupants who require assistance, and the procedures for providing such assistance.**
Include in statement that a list of such occupants shall be prepared and maintained at the fire command center. Also state in this plan that person(s) will be designated to assist such occupants, the elevator(s) designated for use in their movement, and specific personnel designated to operate such elevator(s). Person designated to operate the elevator(s) shall also be identified on Appendix A-2, Tables 3 and 4, with that assignment listed. Additionally, an alternative procedure for movement of such building occupants in the event that designated elevators are inoperable or unsafe for use shall be provided.
- 5.1.2.3 **Building Components.**
- 5.1.2.3.1 **Access to and egress from the building, including entrances, exits and stairwells.**
Same instructions as Section 5.1.1.2.1 of this plan.
- 5.1.2.3.2 **Elevator operation.**
Same instructions as Section 5.1.1.2.2 of this plan.
- 5.1.2.3.3 **Ventilation system operation.**
Same instructions as Section 5.1.1.2.3 of this plan.
- 5.1.2.3.4 **Openable windows.**
Same instructions as Section 5.1.1.2.4 of this plan.
- 5.1.2.3.5 **Interior doors, including fire doors.**
Same instructions as Section 5.1.1.2.5 of this plan.
- 5.1.2.3.6 **Electrical, natural gas, steam and other utility operations.**
Same instructions as Section 5.1.1.2.6 of this plan.
- 5.1.2.3.7 **Fuel oil storage systems and associated pumps and piping.**
Same instructions as Section 5.1.1.2.7 of this plan.
- 5.1.3 **Partial Evacuation**
- 5.1.3.1 **General Procedures.**
Provide a statement and explanation of the specific procedures that will be implemented. Procedures identified in Section 5.1 of this plan should not be repeated in this section. A statement and explanation to the following effect shall be included as part of this section: "When the evacuation provision of the EAP is implemented, all building occupants will be told to evacuate the building and report to the pre-designated assembly area(s)."
- 5.1.3.2 **Specific Partial Evacuation Requirements.**
- 5.1.3.2.1 **Location of exits, stairwells and elevators.**
Provide such information in Appendix A-2, Table 9, and make reference to such table in this section.
- 5.1.3.2.2 **Primary and alternate exit routes.**
Provide such information in Appendix A-2, Table 9, and make reference to such table in this section.
- 5.1.3.2.3 **Assembly areas.**
Provide such information in Appendix A-2, Table 10, and make reference to such table in this section.
- 5.1.3.2.4 **Procedures for accounting for building occupants after completing a partial evacuation.**
Include a statement which provides the specific methods to be used to account for persons in the assembly areas after a partial evacuation is implemented, and who and how such information will be communicated back to the fire command center.
- 5.1.3.2.5 **Procedures for identifying building occupants who require assistance, and the procedures for providing such assistance.**
Same instructions as Section 5.1.2.2.4 of this plan.
- 5.1.3.3 **Building Components.**
- 5.1.3.3.1 **Access to and egress from the building, including entrances, exits and stairwells.**
Same instructions as Section 5.1.1.2.1 of this plan.
- 5.1.3.3.2 **Elevator operation.**
Same instructions as Section 5.1.1.2.2 of this plan.
- 5.1.3.3.3 **Ventilation system operation.**
Same instructions as Section 5.1.1.2.3 of this plan.
- 5.1.3.3.4 **Openable windows.**
Same instructions as Section 5.1.1.2.4 of this plan.
- 5.1.3.3.5 **Interior doors, including fire doors.**
Same instructions as Section 5.1.1.2.5 of this plan.
- 5.1.3.3.6 **Electrical, natural gas, steam and other utility operations.**
Same instructions as Section 5.1.1.2.6 of this plan.
- 5.1.3.3.7 **Fuel oil storage systems and associated pumps and piping.**
Same instructions as Section 5.1.1.2.7 of this plan.
- 5.2 **Set forth the procedures that will be implemented at times other than regular business hours, if different from those set forth above.**
During other than regular business hours it is often unlikely that a Fire Safety / EAP Director and all Brigade and Building Critical Operation Staff will be present in the building to implement the EAP. Provide a statement that describes the actions that will be taken when implementing the plan at such times and under such conditions. At a minimum, such statement shall indicate that the actions to be taken include an effort to account for building occupants, notifying
- 911, and making informative emergency announcements to the building occupants.*
6. **Emergency Action Plan for a Biological Incident or Release**
Follow the same instructions for a biological incident or release that are provided in the corresponding section of this plan for explosions (Section 5). Be sure to add any information and detail any changes necessary for planning for a biological incident or release.
- 6.1 **General Statement**
Set forth below are the procedures that will be implemented during regular business hours in the event of a biological incident or release in or proximate to the building, or the threat thereof.
- 6.1.1 **Shelter in Place**
- 6.1.1.1 **General Procedures.**
- 6.1.1.2 **Building Components or Systems**
- 6.1.1.2.1 **Access to and egress from the building, including entrances, exits and stairwells.**
- 6.1.1.2.2 **Elevator operation.**
- 6.1.1.2.3 **Ventilation system operation.**
- 6.1.1.2.4 **Openable windows.**
- 6.1.1.2.5 **Interior doors, including fire doors.**
- 6.1.1.2.6 **Electrical, natural gas, steam and other utility operations.**
- 6.1.1.2.7 **Fuel oil storage systems and associated pumps and piping.**
- 6.1.2 **In-Building Relocation**
- 6.1.2.1 **General Procedures.**
- 6.1.2.2 **Specific In-Building Relocation Requirements**
- 6.1.2.2.1 **Designated in-building relocation areas.**
- 6.1.2.2.2 **Designated routes by which building occupants would be directed to in-building relocation areas.**
- 6.1.2.2.3 **Procedures for accounting for building occupants after completing in-building relocation.**
- 6.1.2.3 **Building Components**
- 6.1.2.3.1 **Access to and egress from the building, including entrances, exits and stairwells.**
- 6.1.2.3.2 **Elevator operation.**
- 6.1.2.3.3 **Ventilation system operation.**
- 6.1.2.3.4 **Openable windows.**
- 6.1.2.3.5 **Interior doors, including fire doors.**
- 6.1.2.3.6 **Electrical, natural gas, steam and other utility operations.**
- 6.1.2.3.7 **Fuel oil storage systems and associated pumps and piping.**
- 6.1.3 **Partial Evacuation**
- 6.1.3.1 **General Procedures.**
- 6.1.3.2 **Specific Partial Evacuation Requirements**
- 6.1.3.2.1 **Location of exits, stairwells and elevators.**
- 6.1.3.2.2 **Primary and alternate exit routes.**
- 6.1.3.2.3 **Assembly areas.**
- 6.1.3.2.4 **Procedures for accounting for building occupants after completing a partial evacuation.**
- 6.1.3.3 **Building Components**
- 6.1.3.3.1 **Access to and egress from the building, including entrances, exits and stairwells.**
- 6.1.3.3.2 **Elevator operation.**
- 6.1.3.3.3 **Ventilation system operation.**
- 6.1.3.3.4 **Openable windows.**
- 6.1.3.3.5 **Interior doors, including fire doors.**
- 6.1.3.3.6 **Electrical, natural gas, steam and other utility operations.**
- 6.1.3.3.7 **Fuel oil storage systems and associated pumps and piping.**
- 6.1.4 **Evacuation.**
- 6.1.4.1 **General Procedures.**
- 6.1.4.2 **Specific Evacuation Requirements**
- 6.1.4.2.1 **Location of exits, stairwells and elevators.**
- 6.1.4.2.2 **Primary and alternate exit routes.**
- 6.1.4.2.3 **Assembly areas.**
- 6.1.4.2.4 **Procedures for accounting for building occupants after completing an evacuation.**
- 6.1.4.3 **Building Components**
- 6.1.4.3.1 **Access to and egress from the building, including entrances, exits and stairwells.**
- 6.1.4.3.2 **Elevator operations.**
- 6.1.4.3.3 **Ventilation system operation.**
- 6.1.4.3.4 **Openable windows.**
- 6.1.4.3.5 **Interior doors, including fire doors.**
- 6.1.4.3.6 **Electrical, natural gas, steam and other utility operations.**
- 6.1.4.3.7 **Fuel oil storage systems and associated pumps and piping.**
- 6.2 **Set forth the procedures that will be implemented at times other than regular business hours, if different from those set forth above.**
7. **Emergency Action Plan for a Chemical Incident or Release**
Follow the same instructions for a chemical incident or release that are provided in the corresponding section of this plan for explosions (Section 5). Be sure to add any information and detail any changes necessary for planning for a chemical incident or release.

7.1 General Statement
 Set forth below are the procedures that will be implemented during regular business hours in the event of a chemical incident or release in or proximate to the building, or the threat thereof.

7.1.1 Shelter in Place

7.1.1.1 General Procedures.

7.1.1.2 Building Components or Systems

7.1.1.2.1 Access to and egress from the building, including entrances, exits and stairwells.

7.1.1.2.2 Elevator operation.

7.1.1.2.3 Ventilation system operation.

7.1.1.2.4 Openable windows.

7.1.1.2.5 Interior doors, including fire doors.

7.1.1.2.6 Electrical, natural gas, steam and other utility operations.

7.1.1.2.7 Fuel oil storage systems and associated pumps and piping.

7.1.2 In-Building Relocation

7.1.2.1 General Procedures.

7.1.2.2 Specific In-Building Relocation Requirements

7.1.2.2.1 Designated in-building relocation areas.

7.1.2.2.2 Designated routes by which building occupants would be directed to in-building relocation areas.

7.1.2.2.3 Procedures for accounting for building occupants after completing in-building relocation.

7.1.2.3 Building Components

7.1.2.3.1 Access to and egress from the building, including entrances, exits and stairwells.

7.1.2.3.2 Elevator operation.

7.1.2.3.3 Ventilation system operation.

7.1.2.3.4 Openable windows.

7.1.2.3.5 Interior doors, including fire doors.

7.1.2.3.6 Electrical, natural gas, steam and other utility operations.

7.1.2.3.7 Fuel oil storage systems and associated pumps and piping.

7.1.3 Partial Evacuation

7.1.3.1 General Procedures.

7.1.3.2 Specific Partial Evacuation Requirements

7.1.3.2.1 Location of exits, stairwells and elevators.

7.1.3.2.2 Primary and alternate exit routes.

7.1.3.2.3 Assembly areas.

7.1.3.2.4 Procedures of accounting for building occupants after completing a partial evacuation.

7.1.3.3 Building Components

7.1.3.3.1 Access to and egress from the building, including entrances, exits and stairwells.

7.1.3.3.2 Elevator operation.

7.1.3.3.3 Ventilation system operation.

7.1.3.3.4 Openable windows.

7.1.3.3.5 Interior doors, including fire doors.

7.1.3.3.6 Electrical, natural gas, steam and other utility operations.

7.1.3.3.7 Fuel oil storage systems and associated pumps and piping.

7.1.4 Evacuation

7.1.4.1 General Procedures.

7.1.4.2 Specific Evacuation Requirements

7.1.4.2.1 Location of exits, stairwells and elevators.

7.1.4.2.2 Primary and alternate exit routes.

7.1.4.2.3 Assembly areas.

7.1.4.2.4 Procedures for accounting for building occupants after completing an evacuation.

7.1.4.3 Building Components

7.1.4.3.1 Access to and egress from the building, including entrances, exits and stairwells.

7.1.4.3.2 Elevator operation.

7.1.4.3.3 Ventilation system operation.

7.1.4.3.4 Openable windows.

7.1.4.3.5 Interior doors, including fire doors.

7.1.4.3.6 Electrical, natural gas, steam and other

utility operations.

7.1.4.3.7 Fuel oil storage systems and associated pumps and piping.

7.2 Set forth the procedures that will be implemented at times other than regular business hours, if different from those set forth above.

8. Emergency Action Plan Procedures for a Nuclear Incident or Release
 Follow the same instructions for nuclear incident or release that are provided in the corresponding section of this plan for explosions (Section 5). Be sure to add any information and detail any changes necessary for planning for a nuclear incident or release.

8.1 General Statement
 Set forth below are the procedures that will be implemented during regular business hours in the event of a nuclear incident or release in or proximate to the building, or the threat thereof.

8.1.1 Shelter in Place

8.1.1.1 General Procedures.

8.1.1.2 Building Components or Systems

8.1.1.2.1 Access to and egress from the building, including entrances, exits and stairwells.

8.1.1.2.2 Elevator operation.

8.1.1.2.3 Ventilation system operation.

8.1.1.2.4 Openable windows.

8.1.1.2.5 Interior doors, including fire doors.

8.1.1.2.6 Electrical, natural gas, steam and other utility operations.

8.1.1.2.7 Fuel oil storage systems and associated pumps and piping.

8.1.2 In-Building Relocation

8.1.2.1 General Procedures.

8.1.2.2 Specific In-Building Relocation Requirements

8.1.2.2.1 Designated in-building relocation areas.

8.1.2.2.2 Designated routes by which building occupants would be directed to in-building relocation areas.

8.1.2.2.3 Procedures for accounting for building occupants after completing in-building relocation.

8.1.2.3 Building Components

8.1.2.3.1 Access to and egress from the building, including entrances, exits and stairwells.

8.1.2.3.2 Elevator operation.

8.1.2.3.3 Ventilation system operation.

8.1.2.3.4 Openable windows.

8.1.2.3.5 Interior doors, including fire doors.

8.1.2.3.6 Electrical, natural gas, steam and other utility operations.

8.1.2.3.7 Fuel oil storage systems and associated pumps and piping.

8.1.3 Partial Evacuation

8.1.3.1 General Procedures.

8.1.3.2 Specific Partial Evacuation Requirements

8.1.3.2.1 Location of exits, stairwells and elevators.

8.1.3.2.2 Primary and alternate exit routes.

8.1.3.2.3 Assembly areas.

8.1.3.2.4 Procedures of accounting for building occupants after completing a partial evacuation.

8.1.3.3 Building Components

8.1.3.3.1 Access to and egress from the building, including entrances, exits and stairwells.

8.1.3.3.2 Elevator operation.

8.1.3.3.3 Ventilation system operation.

8.1.3.3.4 Openable windows.

8.1.3.3.5 Interior doors, including fire doors.

8.1.3.3.6 Electrical, natural gas, steam and other utility operations.

8.1.3.3.7 Fuel oil storage systems and associated pumps and piping.

8.1.4 Evacuation

8.1.4.1 General Procedures

8.1.4.2 Specific Evacuation Requirements

8.1.4.2.1 Location of exits, stairwells and elevators.

8.1.4.2.2 Primary and alternate exit routes.

8.1.4.2.3 Assembly areas.

8.1.4.2.4 Procedures for accounting for

building occupants after completing an evacuation.

8.1.4.3 Building Components

8.1.4.3.1 Access to and egress from the building, including entrances, exits and stairwells.

8.1.4.3.2 Elevator operation.

8.1.4.3.3 Ventilation system operation.

8.1.4.3.4 Openable windows.

8.1.4.3.5 Interior doors, including fire doors.

8.1.4.3.6 Electrical, natural gas, steam and other utility operations.

8.1.4.3.7 Fuel oil storage systems and associated pumps and piping.

8.2 Set forth the procedures that will be implemented at times other than regular business hours, if different from those set forth above.

9. Emergency Action Plan for a Natural Disaster
 Follow the same instructions for a natural disaster that are provided in the corresponding section of this plan for explosions (Section 5). Be sure to add any information and detail any changes necessary for planning for a natural disaster.

9.1 General Statement
 Set forth below are the procedures that will be implemented during regular business hours in the event of a natural disaster.

9.1.1 Shelter in Place

9.1.1.1 General Procedures.

9.1.1.2 Building Components or Systems

9.1.1.2.1 Access to and egress from the building, including entrances, exits and stairwells.

9.1.1.2.2 Elevator operation.

9.1.1.2.3 Ventilation system operation.

9.1.1.2.4 Openable windows.

9.1.1.2.5 Interior doors, including fire doors.

9.1.1.2.6 Electrical, natural gas, steam and other utility operations.

9.1.1.2.7 Fuel oil storage systems and associated pumps.

9.1.2 In-Building Relocation

9.1.2.1 General Procedures.

9.1.2.2 Specific In-Building Relocation Requirements

9.1.2.2.1 Designated in-building relocation areas.

9.1.2.2.2 Designated routes by which building occupants would be directed to in-building relocation areas.

9.1.2.2.3 Procedures for accounting for building occupants after completing in-building relocation.

9.1.2.3 Building Components

9.1.2.3.1 Access to and egress from the building, including entrances, exits and stairwells.

9.1.2.3.2 Elevator operation.

9.1.2.3.3 Ventilation system operation.

9.1.2.3.4 Openable windows.

9.1.2.3.5 Interior doors, including fire doors.

9.1.2.3.6 Electrical, natural gas, steam and other utility operations.

9.1.2.3.7 Fuel oil storage systems and associated pumps and piping.

9.1.3 Partial Evacuation

9.1.3.1 General Procedures.

9.1.3.2 Specific Partial Evacuation Requirements

9.1.3.2.1 Location of exits, stairwells and elevators.

9.1.3.2.2 Primary and alternate exit routes.

9.1.3.2.3 Assembly areas.

9.1.3.2.4 Procedures of accounting for building occupants after completing a partial evacuation.

9.1.3.3 Building Components

9.1.3.3.1 Access to and egress from the building, including entrances, exits and stairwells.

9.1.3.3.2 Elevator operation.

9.1.3.3.3 Ventilation system operation.

9.1.3.3.4 Openable windows.

9.1.3.3.5 Interior doors, including fire doors.

9.1.3.3.6 Electrical, natural gas, steam and other utility operations.

9.1.3.3.7 Fuel oil storage systems and associated pumps and piping.

9.1.4 Evacuation

<p>9.1.4.1 <u>General Procedures</u></p> <p>9.1.4.2 <u>Specific Evacuation Requirements</u></p> <p>9.1.4.2.1 <u>Location of exits, stairwells and elevators.</u></p> <p>9.1.4.2.2 <u>Primary and alternate exit routes.</u></p> <p>9.1.4.2.3 <u>Assembly areas.</u></p> <p>9.1.4.2.4 <u>Procedures for accounting for building occupants after completing an evacuation.</u></p> <p>9.1.4.3 <u>Building Components</u></p> <p>9.1.4.3.1 <u>Access to and egress from the building, including entrances, exits and stairwells.</u></p> <p>9.1.4.3.2 <u>Elevator operation.</u></p> <p>9.1.4.3.3 <u>Ventilation system operation.</u></p> <p>9.1.4.3.4 <u>Openable windows.</u></p> <p>9.1.4.3.5 <u>Interior doors, including fire doors.</u></p> <p>9.1.4.3.6 <u>Electrical, natural gas, steam and other utility operations.</u></p> <p>9.1.4.3.7 <u>Fuel oil storage systems and associated pumps and piping.</u></p>	<p>10.1.3.3.2 <u>Elevator operation</u></p> <p>10.1.3.3.3 <u>Ventilation system operation</u></p> <p>10.1.3.3.4 <u>Openable windows</u></p> <p>10.1.3.3.5 <u>Interior doors, including fire doors</u></p> <p>10.1.3.3.6 <u>Electrical, natural gas, steam and other utility operations</u></p> <p>10.1.3.3.7 <u>Fuel oil storage systems and associated pumps and piping</u></p> <p>10.1.4 <u>Evacuation</u></p> <p>10.1.4.1 <u>General Procedures</u></p> <p>10.1.4.2 <u>Specific Evacuation Requirements</u></p> <p>10.1.4.2.1 <u>Location of exits, stairwells and elevators</u></p> <p>10.1.4.2.2 <u>Primary and alternate exit routes</u></p> <p>10.1.4.2.3 <u>Assembly areas</u></p> <p>10.1.4.2.4 <u>Procedures for accounting for building occupants after completing an evacuation</u></p> <p>10.1.4.3 <u>Building Components</u></p> <p>10.1.4.3.1 <u>Access to and egress from the building, including entrances, exits and stairwells</u></p> <p>10.1.4.3.2 <u>Elevator operation</u></p> <p>10.1.4.3.3 <u>Ventilation system operation</u></p> <p>10.1.4.3.4 <u>Openable windows.</u></p> <p>10.1.4.3.5 <u>Interior doors, including fire doors</u></p> <p>10.1.4.3.6 <u>Electrical, natural gas, steam and other utility operations</u></p> <p>10.1.4.3.7 <u>Fuel oil storage systems and associated pumps and piping</u></p>	<p><i>of the certificate of fitness holder (if applicable) or other building personnel (by job title). If inspection, testing or other maintenance is to be performed by a contractor, indicate as much in the plan, and identify the contractor in the FSP logbook.</i></p> <p>12.3 <u>Emergency power systems</u></p> <p>12.3.1 <u>Maintenance required. Comply with FC 604.3 and 604.4 (referencing National Fire Protection Association Standards 110 and 111). Include any additional maintenance procedures.</u></p> <p>12.3.2 <u>Responsible personnel</u> <i>Indicate the name and number of the certificate of fitness holder (if applicable) or other building personnel (by job title). If inspection, testing or other maintenance is to be performed by a contractor, indicate as much in the plan, and identify the contractor in the FSP logbook.</i></p>
<p>9.2 <u>Set forth the procedures that will be implemented at times other than regular business hours, if different from those set forth above.</u></p> <p>10. <u>Emergency Action Plan for Other Emergency</u> <i>Follow the same instructions for other emergencies that are provided in the corresponding section of this plan for explosions (Section 5). Be sure to add any information and detail any changes necessary for planning for other emergencies. Be sure to identify in Section 10.1 of this plan the type of other emergency, if any, that the plan covers.</i></p> <p>10.1 <u>General Statement</u> <i>Set forth below are the procedures that will be implemented during regular business hours in the event of emergency. Identify other emergency condition, if any.</i></p>	<p>10.2 <u>Set forth the procedures that will be implemented at times other than regular business hours, if different from those set forth above.</u></p> <p>11. <u>Consultation with Neighboring Buildings</u> <i>R404-02(i) requires that building owners consult with other office buildings (within 200') of their building to notify them of evacuation routes, assembly areas and evacuation drill schedules. This consultation must be documented in written form. Provide a copy of the letter(s) used to consult with neighboring buildings.</i></p> <p>11.1 <u>Identify all Neighboring Buildings consulted</u></p> <p>11.1.1 <u>Complete address of Neighboring Building</u> <i>Provide a list of all buildings consulted, including complete building address.</i></p> <p>11.1.2 <u>Owner of Neighboring Building</u></p> <p>12. <u>Building Maintenance Program</u> <i>The plan shall indicate the type of system, maintenance required, and personnel responsible for inspecting, testing and otherwise overseeing the maintenance of the fire protection systems and the other equipment and operations affecting building fire safety (mark "N/A" if the building is not provided with such a system).</i></p>	<p>12.4 <u>Phase I and Phase II elevator operations</u></p> <p>12.4.1 <u>Maintenance required. Comply with FC607.5. Include any additional maintenance procedures.</u></p> <p>12.4.2 <u>Responsible personnel</u> <i>Indicate the name and number of the certificate of fitness holder (if applicable) or other building personnel (by job title). If inspection, testing or other maintenance is to be performed by a contractor, indicate as much in the plan, and identify the contractor in the FSP logbook.</i></p>
<p>10.1.1 <u>Shelter in Place</u></p> <p>10.1.1.1 <u>General Procedures</u></p> <p>10.1.1.2 <u>Building Components or Systems</u></p> <p>10.1.1.2.1 <u>Access to and egress from the building, including entrances, exits and stairwells</u></p> <p>10.1.1.2.2 <u>Elevator operation</u></p> <p>10.1.1.2.3 <u>Ventilation system operation</u></p> <p>10.1.1.2.4 <u>Openable windows</u></p> <p>10.1.1.2.5 <u>Interior doors, including fire doors</u></p> <p>10.1.1.2.6 <u>Electrical, natural gas, steam and other utility operations</u></p> <p>10.1.1.2.7 <u>Fuel oil storage systems and associated pumps</u></p>	<p>12.1 <u>Sprinkler and standpipe systems</u></p> <p>12.1.1 <u>Maintenance required. Comply with FC901.6 (referencing National Fire Protection Association Standard 25), and 3 RCNY Chapter 9 (including maintenance of sprinkler system pressure tanks, standpipe system pressure reducing devices, and periodic testing of fire department connections). Include any additional maintenance procedures.</u></p> <p>12.1.2 <u>Responsible personnel</u> <i>Indicate the name and number of the certificate of fitness holder (if applicable) or other building personnel (by job title). If inspection, testing or other maintenance is to be performed by a contractor, indicate as much in the plan, and identify the contractor in the FSP logbook.</i></p>	<p>12.5 <u>Smoke control systems</u></p> <p>12.5.1 <u>Maintenance required. Comply with FC909.1. Include any additional maintenance procedures.</u></p> <p>12.5.2 <u>Responsible personnel</u> <i>Indicate the name and number of the certificate of fitness holder (if applicable) or other building personnel (by job title). If inspection, testing or other maintenance is to be performed by a contractor, indicate as much in the plan, and identify the contractor in the FSP logbook.</i></p>
<p>10.1.2 <u>In-Building Relocation</u></p> <p>10.1.2.1 <u>General Procedures</u></p> <p>10.1.2.2 <u>Specific In-building relocation Requirements</u></p> <p>10.1.2.2.1 <u>Designated in-building relocation areas. Designated routes by which building occupants would be directed to in-building relocation areas</u></p> <p>10.1.2.2.2 <u>Procedures for accounting for building occupants after completing in-building relocation</u></p> <p>10.1.2.3 <u>Building Components</u></p> <p>10.1.2.3.1 <u>Access to and egress from the building, including entrances, exits and stairwells</u></p> <p>10.1.2.3.2 <u>Elevator operation</u></p> <p>10.1.2.3.3 <u>Ventilation system operation</u></p> <p>10.1.2.3.4 <u>Openable windows</u></p> <p>10.1.2.3.5 <u>Interior doors, including fire doors</u></p> <p>10.1.2.3.6 <u>Electrical, natural gas, steam and other utility operations</u></p> <p>10.1.2.3.7 <u>Fuel oil storage systems and associated pumps and piping</u></p>	<p>12.2 <u>Fire alarm systems</u></p> <p>12.2.1 <u>Maintenance required. Comply with FC901.6 (referencing National Fire Protection Association Standard 72), and 3 RCNY Chapter 9 (including fire alarm recordkeeping and smoke detector maintenance, testing and recordkeeping). Include any additional maintenance procedures.</u></p> <p>12.2.2 <u>Responsible personnel</u> <i>Indicate the name and number</i></p>	<p>12.6 <u>Commercial cooking equipment systems</u></p> <p>12.6.1 <u>Maintenance required. Comply with FC904.11. Include any additional maintenance procedures.</u></p> <p>12.6.2 <u>Responsible personnel</u> <i>Indicate the name and number of the certificate of fitness holder (if applicable) or other building personnel (by job title). If inspection, testing or other maintenance is to be performed by a contractor, indicate as much in the plan, and identify the contractor in the FSP logbook.</i></p> <p>12.7 <u>Means of egress</u></p> <p>12.7.1 <u>Maintenance required. Comply with FC 1027.3 and 1027.4.</u></p> <p>12.7.2 <u>Responsible personnel</u> <i>Indicate the name and number of the certificate of fitness holder (if applicable) or other building personnel (by job title).</i></p>
<p>10.1.3 <u>Partial Evacuation</u></p> <p>10.1.3.1 <u>General Procedures</u></p> <p>10.1.3.2 <u>Specific Partial Evacuation Requirements</u></p> <p>10.1.3.2.1 <u>Location of exits, stairwells and elevators</u></p> <p>10.1.3.2.2 <u>Primary and alternate exit routes</u></p> <p>10.1.3.2.3 <u>Assembly areas</u></p> <p>10.1.3.2.4 <u>Procedures of accounting for building occupants after completing a partial evacuation</u></p> <p>10.1.3.3 <u>Building Components</u></p> <p>10.1.3.3.1 <u>Access to and egress from the building,</u></p>	<p>12.8 <u>Hot work operations</u></p> <p>12.8.1 <u>Maintenance required. Comply with FC Chapter 26 and R2605-01 (use of a flammable gas and oxygen in citywide hot work operations). Include any additional maintenance procedures.</u></p> <p>12.8.2 <u>Responsible personnel</u> <i>Indicate the name and number of the certificate of fitness holder (if applicable) or other building personnel (by job title).</i></p> <p>12.9 <u>Decorations</u></p> <p>12.9.1 <u>Maintenance required. Comply with FC805 and R805-01 (flame-resistant decorations). Include any additional maintenance procedures.</u></p> <p>12.9.2 <u>Responsible personnel</u> <i>Indicate the name and number</i></p>	<p>12.8 <u>Hot work operations</u></p> <p>12.8.1 <u>Maintenance required. Comply with FC Chapter 26 and R2605-01 (use of a flammable gas and oxygen in citywide hot work operations). Include any additional maintenance procedures.</u></p> <p>12.8.2 <u>Responsible personnel</u> <i>Indicate the name and number of the certificate of fitness holder (if applicable) or other building personnel (by job title).</i></p> <p>12.9 <u>Decorations</u></p> <p>12.9.1 <u>Maintenance required. Comply with FC805 and R805-01 (flame-resistant decorations). Include any additional maintenance procedures.</u></p> <p>12.9.2 <u>Responsible personnel</u> <i>Indicate the name and number</i></p>

of the certificate of fitness holder (if applicable) or other building personnel (by job title).

12.10 Portable fire extinguishers

12.10.1 Maintenance required. Comply with FC906 (referencing National Fire Protection Association Standard 10). Include any additional maintenance procedures.

12.10.2 Responsible personnel. Indicate the name and number of the certificate of fitness holder (if applicable) or other building personnel (by job title).

12.11 Accumulation of rubbish and combustible waste

12.11.1 Maintenance required. Comply with FC304. Include any additional maintenance procedures.

12.11.2 Responsible personnel. Indicate the name and number of the certificate of fitness holder (if applicable) or other building personnel (by job title).

13. Floor Plans. Annexed to this plan are floor plans complying with the requirements of R40401(d)(7). Evacuation routes shall be shown with the permanent partitions which create the corridors. Corridors, exit access, fire barriers and areas of refuge required to be depicted on such plan shall be defined as set forth in Sections 702 and 1002 of the 2008 Building Code.

14. Sprinkler and Standpipe System Riser Diagram. Annexed to this plan is a single sprinkler and standpipe system riser diagram complying with the requirements of R40401(d)(7)(C). Symbols used on the riser diagram shall conform to industry standards, and shall be listed on a legend table indicating their meaning. All floors of the building, including floors below grade, shall be shown on the diagram, except floors that are substantially similar need not be individually shown but may be identified on the riser diagram as typical.

15. Building Information Card. Annexed to this Fire Safety and Evacuation/EAP Plan, as Appendix B-2, is the Building Information Card complying with the requirements of R404-01(n)(1)(A). The Building Information Card (BIC) must conform to format of Appendix B-2.

16. Building Profile. Annexed to this Fire Safety and Evacuation Plan, as Appendix D, is the Building Profile complying with the requirements of R404-01(n)(1)(B). The Building Profile must conform to the format of Appendix D. Provide all of the information requested, without reference to other sections of the plan or the Building Information Card, even if the information requested is duplicative.

17. EAP Floor Staffing Charts

Annexed to this Fire Safety/Emergency Action Plan, as Appendix C-2, is a single (typical and accurate for the building) FS/EAP Staffing Chart complying with the requirements of R404-02(d)(9).

Combined Fire Safety/Emergency Action Plan (Appendix A-2)

Attachment 1

FIRE SAFETY/EAP DIRECTOR

BUILDING ADDRESS: _____

Fire Safety/EAP Director: _____

Name: _____

FDNY Certificate of Fitness No.: _____

Certificate of Fitness Type: 25 58 59 Check the box to indicate the certificate type as identified on the certificate of fitness.

Regular Work Location: _____

Regular Work Hours: _____

Telephone: _____

Cellular Telephone: _____

Fax: _____

E-Mail Address: _____

Other Contact Information: _____

Signature of Owner or Authorized Representative _____ Date _____

Combined Fire Safety/Emergency Action Plan (Appendix A-2)

Attachment 2

DEPUTY FIRE SAFETY/EAP DIRECTOR

BUILDING ADDRESS: _____

Deputy Fire Safety/EAP Director: Name: _____

FDNY Certificate of Fitness No.: _____

Certificate of Fitness Type: 25 58 59 Check the box to indicate the certificate type as identified on the certificate of fitness.

Regular Work Location: _____

Regular Work Hours: _____

Telephone: _____

Cellular Telephone: _____

Fax: _____

E-Mail Address: _____

Other Contact Information: _____

Signature of Owner or Authorized Representative _____ Date _____

Combined Fire Safety/Emergency Action Plan (Appendix A-2)

Attachment 3

FIRE SAFETY AND EAP BUILDING EVACUATION SUPERVISOR

BUILDING ADDRESS: _____

Building Evacuation Supervisor: Name: _____

Regular Work Location: _____

Regular Work Hours: _____

Telephone: _____

Cellular Telephone: _____

Fax: _____

E-Mail Address: _____

Other Contact Information: _____

Signature of Owner or Authorized Representative _____ Date _____

Complete a separate attachment for each Building Evacuation Supervisor. If the Fire Safety Building Evacuation Supervisor and the Emergency Action Plan Building Evacuation Supervisors are different individuals, complete a separate attachment for each, and indicate the plan for which such individual is designated. This attachment need not be completed if Attachment 1 and 2 designate a fire safety director or deputy fire safety director for all times when the building is occupied.

Combined Fire Safety/Emergency Action Plan (Appendix A-2)

Table 1

FIRE SAFETY AND EAP WARDENS

Table with 6 columns: Floor, Assignment Location, Name, Regular Days and Hours of work, Work Location Telephone No., Other Contact Information.

There shall be at least one Fire Safety Warden and at least one EAP Warden for each floor during regular business hours identified in Section 2.8.1 of this plan (two such wardens are required for floors >7500 sq ft). If the Fire Safety and EAP Wardens are different individuals, provide the names of all such individuals in the table and indicate the plan for which

such individual is designated. Complete for each floor.

Building Address Signature of Owner or Authorized Representative Date

Combined Fire Safety/Emergency Action Plan (Appendix A-2)

Table 2

DEPUTY FIRE SAFETY AND EAP WARDENS

Table with 6 columns: Floor, Assignment Location, Name, Regular Days and Hours of work, Work Location Telephone No., Other Contact Information.

There shall be at least one Deputy Fire Safety Warden and at least one Deputy EAP Warden for each floor during regular business hours identified in Section 2.8.1 of this plan (two such wardens are required for floors >7500 sq ft). If the Deputy Fire Safety and Deputy EAP Wardens are different individuals, provide the names of all such individuals in the table and indicate the plan for which such individual is designated. Complete for each floor.

Building Address Signature of Owner or Authorized Representative Date

Combined Fire Safety/Emergency Action Plan (Appendix A-2)

Table 2A

FIRE SAFETY AND EAP SEARCHERS

Table with 6 columns: Floor, Assignment Location, Name, Regular Days and Hours of work, Work Location Telephone No., Other Contact Information.

There shall be at least one male and one female Fire Safety Searcher and at least one male and one female EAP Searcher for each floor during regular business hours identified in Section 2.8.1 of this plan. If the Fire Safety and EAP Searchers are different individuals, provide the names of all such individuals in the table and indicate the plan for which such individual is designated. Complete for each floor.

alternate stairwell must be provided for each floor. In column 2 list the stairwell letter and the location that that stairwell terminates to provide egress from the building. List the same information for the alternate stairwell.

Building Address _____ Signature of Owner or Authorized Representative _____ Date _____

FIRE SAFETY AND EVACUATION PLAN APPENDIX B-1
HOTEL/MOTEL BUILDING INFORMATION CARD
(For use by Fire Department personnel)

1. BUILDING INFORMATION: BIN# _____
Address: _____
A/K/A: _____
Construction Class: _____
Hotel Floors: _____
Office Floors: _____
Other Residential Floors: _____
Retail Floors: _____
Public Assembly Areas: _____
Bldg. Population: Day _____ Night _____ Weekend _____

2. BUILDING STATISTICS:
Stories: _____ Height: _____ Width: _____
Type of Construction: _____
Truss Construction: Roof: Yes / No
Floors: Yes / No If yes, what floors: _____
Horizontal Connections: Passageway / Utility Pipe Chase Locations: _____
Roof setback levels: _____

3. STAIRWELLS:
Designation Floors Served Pressurized Standpipe

Re-entry floors: _____
Access /Convenience Stair Located Between Floors: _____

Roof Access Provided by Stairwells: _____

Fire Tower: Yes / No If yes, location: _____

4. ELEVATORS:
Bank Designation Car Numbers Floors Served

Freight Elevator Bank: _____
Sky Lobby: Yes / No If yes, location: _____

5. VENTILATION:
HVAC Zones: _____
Bldg. Management System (BMS): Yes / No
Location: On-site /
Off-site emergency number: _____
Smoke Management System /
Purge Capability: YES/NO Automatic / Manual
Location of Mechanical Rooms: _____

6. UTILITIES:
All Fuel Oil Tank Locations (Capacity): _____ (gal);
_____ (gal); _____ (gal); _____ (gal)
Natural Gas Service: Yes / No Shutoff location: _____
Emergency Generator Location: _____
Roof Storage: LPG _____ Diesel Fuel _____ Other _____

7. FIRE PROTECTION SYSTEMS:
Standpipe Locations: _____
Standpipe Isolation Valve Locations: _____
FD Connection Locations: _____
Building Fully Sprinkled: Yes / No
Partially Sprinkled: Floors: _____
PRV Valves Floor Locations: _____
Fire Pump Locations: _____
Non-water Fire Extinguishing Systems:
Locations: _____

8. HAZARDOUS MATERIALS:

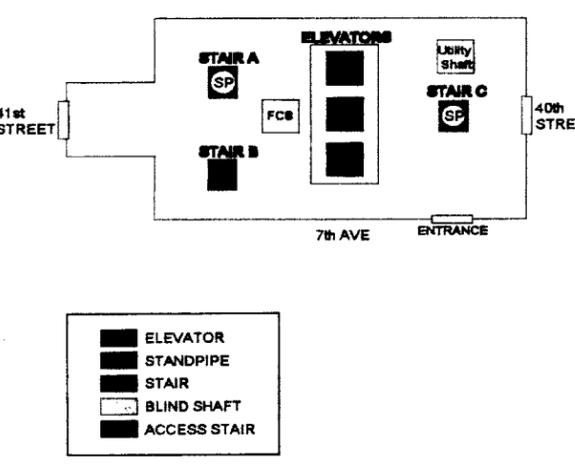
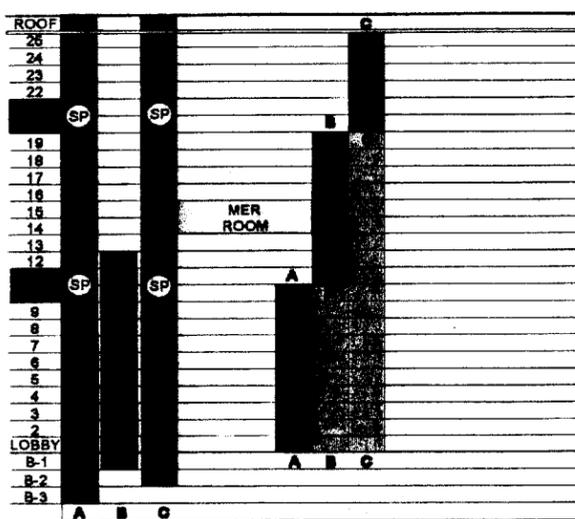
NAME OF PRODUCT/QUANTITY	LOCATION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Special Notes: _____

9. COMMUNICATIONS:
Number of Radios for FDNY Use: _____
24 hr Location: _____
Communications for FDNY Use: _____

10. TEMPORARY CONSIDERATIONS

11. BUILDING FIRE SAFETY INFORMATION:
Fire Safety Director: _____
Work: () - _____ - _____
Emergency: () - _____ - _____
Building Engineer: _____
Work: () - _____ - _____
Emergency: () - _____ - _____
Hotel/Motel Manager: _____
Work: () - _____ - _____
Emergency: () - _____ - _____



Fire Safety and Evacuation Plan (Appendix B-1)
Hotel/Motel Occupancies
Building Information Card

Instructions
A Building Information Card (BIC), in the format set forth as Appendix B-1, must be maintained at the fire command center, and made available to Fire Department representatives or emergency response personnel, upon request. The Building Information Card must be 11" x 17" in size, double sided. The BIC required to be maintained at the fire command center must be laminated; the one submitted for FSP plan approval does not.
Page 1 of the BIC requires detailed building information, including information regarding elevators, stairwells, water supply and utilities, fire extinguishing systems and ventilation systems.
Page 2 of the BIC requires a color-coded plot plan and elevation of the building that details bordering streets, entrances, floors, stairs, elevators, shafts, standpipes, and mechanical equipment room locations.

Page 1 (Written Information)
Page 1 of the Building Information Card requires written information about the building. Complete all sections of the form. No parts should be left blank; if any part does not apply, enter N/A.

Box 1 BUILDING INFORMATION
ADDRESS: Provide complete address (e.g. 9 MetroTech Center) A/K/A: Provide any other street addresses (e.g. 144 Tech Place)
CONSTRUCTION CLASS/TYP: For buildings constructed under the 1968 NYC Building Code or prior code provide the 1968 Building Code construction classification (see reference 1 below). For buildings constructed under the 2008 Building Code provide the 2008 Building Code construction type as set

forth in Building Code Section 602. Indicate the code used when completing the card (e.g. I-A (1968 Code) or II-A (2008 Code)).
HOTEL FLOORS: List all floors designated for Occupancy Group R-1 (hotel/motel) use (e.g., Flr 1-12)
OFFICE FLOORS: List all floors designated for Occupancy Group B office use (e.g. Flr 13-25).
OTHER RESIDENTIAL FLOORS: List all floors designated for Occupancy Group R-2 (apartment) use (e.g. Flr 26-39).
RETAIL FLOORS: List all floors with retail occupancy space.
PUBLIC ASSEMBLY AREAS: List all floors having public assembly areas. (e.g. Flr 1 theater; Flr 20 restaurant).
BUILDING POPULATION: DAY/NIGHT/WEEKEND: List the number of building employees and visitors in the building during the day, night and weekend. These numbers should coincide with information contained in Appendix A-1, Table 2.

Box 2 BUILDING STATISTICS
STORIES: List number of floors above and below grade.
HEIGHT: Provide building height in feet.
WIDTH: Provide building frontage width in feet.
TYPE OF CONSTRUCTION: List the predominate type of building material used in the construction of the building. (e.g. concrete and steel, concrete).
TRUSS CONSTRUCTION: ROOF / FLOORS: Circle "Yes" if roof is of truss construction; Circle "No" if it is not. Also, list all floors having any form of truss construction.
HORIZONTAL CONNECTIONS: List the location and type of any horizontal connection to an adjacent building (e.g. passage ways, utility pipe chase, cellars, etc.).
ROOF SETBACK LEVELS: A set back is an "area formed when the floor area of the building is reduced thus requiring the exterior wall of a building to be recessed." List all floor numbers having setbacks.

Box 3 STAIRWELLS
DESIGNATION: List the letter designations of all stairwells.
FLOORS SERVED: List the range of floors served for each stairwell.
PRESSURIZED: List any stairwell provided with stairwell pressurization.
STANDPIPES: List the stairwells that contain standpipe hose connections.
RE-ENTRY FLOORS: List all stairwell re-entry floors.
ACCESS/CONVENIENCE STAIRS: List the floors served. (e.g. Flr 2-3, 5-7). Include escalators.
ROOF ACCESS: List stairwells that have access to roof.
FIRE TOWER: List any stairwells that are fire towers.

Box 4 ELEVATORS
BANK: List the letter designations for all elevator banks.
CAR NUMBERS: List the individual elevator car numbers in each bank.
FLOORS SERVED: List floors served by each elevator.
FREIGHT ELEVATOR BANK: List bank and car numbers of freight elevators.
SKY LOBBY: A sky lobby is an elevator bank whose lowest terminal level is on an upper floor. Not all buildings have sky lobbies. If a sky lobby is provided, list each floor on which a sky lobby is located.

Box 5 VENTILATION
HVAC ZONES: List the zones or floors the HVAC system supplies. Several zones, such as "Flrs 1-10, 11-20, 20-35", or individual "package units" for each floor are examples.
BUILDING MANAGEMENT SYSTEM: If there is a building management system provide its location.
OFF-SITE EMERGENCY NUMBER: Provide telephone number.
SMOKE MANAGEMENT SYSTEM/PURGE CAPABILITY: Indicate Yes or No / Auto or Manual
LOCATION OF MECHANICAL ROOMS: Provide location(s).

Box 6 UTILITIES
ALL FUEL OIL TANK LOCATIONS: List the capacity and location of each tank.
NATURAL GAS SERVICE: Provide location of gas shutoff valve.
EMERGENCY GENERATOR LOCATION: Provide location of each emergency generator.
ROOF STORAGE: LPG/DIESEL/OTHER: Check appropriate box. If other, indicate type of fuel.

Box 7 FIRE PROTECTION SYSTEMS
STANDPIPE LOCATIONS: Provide locations of standpipes. Standpipes in stairwells should be depicted in the diagram on Page 2. If other than in a stairwell, give exact locations (e.g. across from "B" bank elevators; east side of building; etc.)
STANDPIPE ISOLATION VALVE LOCATIONS: Provide valve locations and floor (e.g. Flr 19 utility closet, Flr 10 "B" stairwell).
FD CONNECTION LOCATION: Provide location(s) of FD connection(s) on exterior of building. Indicate which street side and the number of connections found on that side. (e.g. (2) Sixth Ave side; (1) 37th St side).
BUILDING FULLY SPRINKLED: Indicate Yes or No
PARTIALLY SPRINKLED FLOORS: In a building that is not completely sprinkled, list any floors that are sprinkled.
PRV VALVE FLOOR LOCATIONS: Indicate location of pressure reducing valves.
FIRE PUMP LOCATIONS: List the floor(s) on which the fire pumps are installed.
NON-WATER FIRE EXTINGUISHING SYSTEMS: List type of system and location (e.g. Flr 1 restaurant wet chemical system; Flr 10 electrical closet carbon dioxide system)

Box 8 HAZARDOUS MATERIALS
NAME OF PRODUCT/QUANTITY: Provide information. If none, mark N/A.
LOCATION: Provide information. If none, mark N/A.

- Any storage location within the building that contains less than 5 gallons of flammable liquid, 25 gallons of combustible liquid or 55 gallons of corrosive material may be excluded.
- In addition to the name of product for each hazardous material, indicate its United States Department of Transportation classification.
- Hazardous material storage locations within the building identified elsewhere on the Building

Information Card, such as fuel oil storage, are not required to be listed in this box.

- Identify areas/rooms of special concern (such as medical facility (x-ray), U.P.S./battery rooms, transformer locations; cellular antennas, etc.) as special notes.

Box 9 COMMUNICATIONS

NUMBER OF RADIOS FOR FDNY USE: Indicate the number of building radios available for emergency responder use, if any. If none, mark N/A.

24 HOUR LOCATION: Indicate location and availability of radios (e.g. fire command center 24/7, fire command center 8:00 A.M. to 4:00 P.M.). If none, mark N/A.

COMMUNICATIONS FOR FDNY USE: Indicate any other means of communication available for emergency responder use (e.g. repeaters). If none, mark N/A.

Box 10 TEMPORARY CONSIDERATIONS

Fill in with erasable markings. This section is provided to allow the Building Information Card to be kept current to reflect such conditions as construction projects in progress, or out-of-service fire protection or life safety systems.

Box 11- BUILDING FIRE SAFETY INFORMATION

Provide the name and contact information (work and emergency telephone numbers) for the fire safety director, building engineer and hotel/motel manager.

REFERENCE # 1 (BOX 1)

1968 NYC Building Code Construction Classifications

Construction Group	Class
I - Noncombustible	I - A - (4-hr. protected)
	I - B - (3-hr. protected)
	I - C - (2-hr. protected)
	I - D - (1-hr. protected)
	I - E - (unprotected)
II - Combustible	II - A - (heavy timber)
	II - B - (protected wood joist)
	II - C - (unprotected wood joist)
	II - D - (protected wood frame)
	II - E - (unprotected wood frame)

Buildings or spaces of noncombustible construction (construction group I) are those in which the walls, exit ways, shafts, structural members, floors, and roofs are constructed of noncombustible materials and assemblies affording fire-resistance ratings. The noncombustible construction group I is broken down into five different classes, I-A, I-B, I-C, I-D and I-E as follows:

Construction class I-A. Includes buildings and spaces in which the bearing walls and other major structural elements are generally of four-hour fire-resistance rating.

Construction class I-B. Includes buildings and spaces in which the bearing walls and other major structural elements are generally of three-hour fire-resistance rating.

Construction class I-C. Includes buildings and spaces in which the bearing walls and other major structural elements are generally of two-hour fire-resistance rating.

Construction class I-D. Includes buildings and spaces in which the bearing walls and other major structural elements are generally of one-hour fire-resistance rating.

Construction class I-E. Includes buildings and spaces in which the bearing walls and other major structural elements generally have no fire-resistance rating.

Page 2 (Diagram)

Page 2 of the Building Information Card contains a color-coded plot plan and elevation of the building detailing bordering streets, entrances, floors, stairs, elevators, shafts, standpipes and mechanical equipment room locations. Provide a legend and layout conforming to the Appendix B-1 format.

The color-coded plot plan shall depict the following information:

- Floor plan of the lowest floor provided with fire apparatus access.
- Location of the fire command center. If the fire command center is located on a floor other than the lowest floor provided with fire apparatus access, indicate its position on the plot plan (which shows the lowest floor with fire apparatus access) but include in the legend the floor on which it is actually located.
- Bordering streets
- Entrances
- Shafts
- Location and designation of stairwells and elevators - Indicate stairwell and elevator designations (e.g. bank A, stairwell C).
- Indicate which stairwells contain standpipe connections.
- Fire towers
- Fire department connections
- Geographic north indicator

The elevation of the building shall depict the following information:

- All floors (except access stairs), including below grade floors, serviced by exit stairwells
- Access stairs
- Mechanical equipment rooms (MER) and the HVAC zones controlled from such MER
- Stairwells containing standpipe connections
- Floors serviced by each elevator bank and the cars

that service them (including below grade floors) and blind shafts

- Floors above ground level at which a stairwell terminates, or connects (by means of a horizontal exit passageway) to a different vertical shaft in which it continues to descend

The plot plan and elevation diagram shall be color-coded as follows:

- Elevators: blue;
- Standpipes: red;
- Stairwells: green;
- Blind shaft: pale blue;
- Access stairs/escalators: orange;
- Fire command center and mechanical equipment rooms: yellow

Note: Retain underlining of highlighted text in publication of final rule.

COMBINED FIRE SAFETY/EMERGENCY ACTION PLAN (APPENDIX B-2) OFFICE BUILDING INFORMATION CARD (For use by Fire Department personnel)

1. BUILDING INFORMATION: BIN# _____
 Address: _____
 A/K/A: _____
 Construction Class: _____
 Office Floors: _____
 Residential / Hotel Floors: _____
 Retail Floors: _____
 Public Assembly Areas: _____
 Location of Day Care Center: _____
 Bldg. Population: Day _____ Night _____ Weekend _____

2. BUILDING STATISTICS:
 Stories: _____ Height: _____ Width: _____
 Type of Construction: _____
 Truss Construction: Roof: Yes / No
 Floors: Yes / No If yes, what floors: _____
 Horizontal Connections: Passageway / Utility Pipe Chase
 Locations: _____
 Roof setback levels: _____

3. STAIRWELLS:
 Designation Floors Served Pressurized Standpipe
 Re-entry floors: _____
 Access /Convenience Stair Located Between Floors: _____
 Roof Access Provided by Stairwells: _____
 Fire Tower: Yes / No If yes, location: _____

4. ELEVATORS:
 Bank Designation Car Numbers Floors Served
 Freight Elevator Bank: _____
 Sky Lobby: Yes / No If yes, location: _____

5. VENTILATION:
 HVAC Zones: _____
 Bldg. Management System (BMS): Yes / No
 Location: On-site /
 Off-site emergency number: _____
 Smoke Management System /
 Purge Capability: Yes/No Automatic / Manual
 Location of Mechanical Rooms: _____

6. UTILITIES:
 All Fuel Oil Tank Locations (Capacity): _____ (gal);
 _____ (gal); _____ (gal); _____ (gal)
 Natural Gas Service: Yes / No Shutoff location: _____
 Emergency Generator Location: _____
 Roof Storage: LPG _____ Diesel Fuel _____ Other _____

7. FIRE PROTECTION SYSTEMS:
 Standpipe Locations: _____
 Standpipe Isolation Valve Locations: _____
 FD Connection Locations: _____
 Building Fully Sprinkled: Yes / No
 Partially Sprinkled: Floors _____
 PRV Valves Floor Locations: _____
 Fire Pump Locations: _____
 Non-water Fire Extinguishing Systems:
 Locations: _____

8. HAZARDOUS MATERIALS:

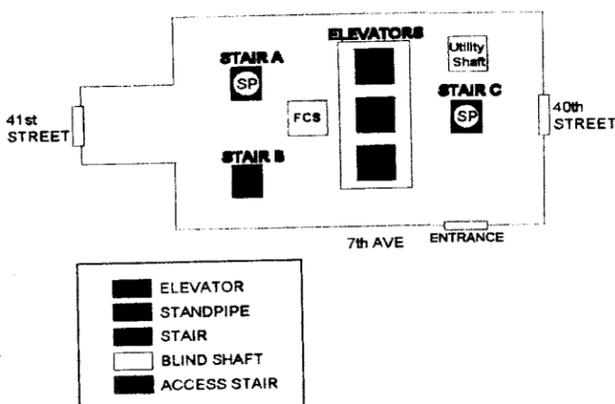
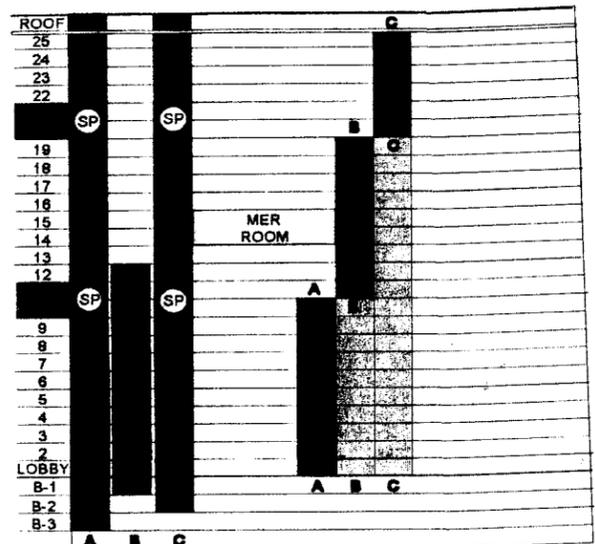
NAME OF PRODUCT/QUANTITY	LOCATION
_____	_____
_____	_____
_____	_____

Special Notes: _____

9. COMMUNICATIONS:
 Number of Radios for FDNY Use: _____
 24 hr Location: _____
 Communications for FDNY Use: _____

10. TEMPORARY CONSIDERATIONS

11. BUILDING FIRE SAFETY INFORMATION:
 Fire Safety/EAP Director: _____
 Work: () - _____ - _____
 Emergency: () - _____ - _____
 Building Engineer:
 Work: () - _____ - _____
 Emergency: () - _____ - _____
 Managing Agent:
 Work: () - _____ - _____
 Emergency: () - _____ - _____



Combined Fire Safety/Emergency Action Plan (Appendix B-2) Office Buildings Building Information Card Instructions

A Building Information Card (BIC), in the format set forth as Appendix B-2, must be maintained at the fire command center, and made available to Fire Department representatives or emergency response personnel, upon request. The Building Information Card must be 11" x 17" in size, double sided. The BIC required to be maintained at the fire command center must be laminated; the one submitted for plan approval does not.

Page 1 of the BIC requires detailed building information, including information regarding elevators, stairwells, water supply and utilities, fire extinguishing systems and ventilation systems.

Page 2 of the BIC requires a color-coded plot plan and elevation of the building that details bordering streets, entrances, floors, stairs, elevators, shafts, standpipes, and mechanical equipment room locations.

Page 1 (Written information)

Page 1 of the Building Information Card requires written information about the building. Complete all sections of the form. No parts should be left blank; and if any part does not apply, enter N/A.

Box 1 BUILDING INFORMATION

ADDRESS: Provide complete address (e.g. 9 MetroTech Center)
A/K/A: Provide any other street addresses (e.g. 144 Tech Place)
CONSTRUCTION CLASS: For buildings constructed under the 1968 NYC Building Code or prior code provide the 1968 Building Code construction classification (see reference 1 below). For buildings constructed under the 2008 Building Code provide the 2008 Building Code construction type as set forth in Building Code Section 602. Indicate the code used when completing the card (e.g. I-A (1968 Code) or II-

A (2008 Code).
OFFICE FLOORS: List all floors designated for Occupancy Group B (office) use (e.g. Flr 2-14).
RESIDENTIAL /HOTEL FLOORS: List all floors designated for Occupancy Group R-2 (residential), and hotel occupancy (e.g. Flr 1-2 hotel, Flr 3-22 residential).
RETAIL FLOORS: List all floors with retail occupancy space.
PUBLIC ASSEMBLY AREAS: List all floors having public assembly areas (e.g. Flr 1 theater, Flr 20 restaurant).
LOCATION OF DAY CARE CENTERS: List all locations having day care centers.
BUILDING POPULATION: DAY / NIGHT / WEEKEND: List the number of building employees and visitors in the building during the day, night and weekend. These numbers should coincide with information contained in Appendix A-2, Table 6.

Box 2 BUILDING STATISTICS

STORIES: List number of floors above and below grade.
HEIGHT: Provide building height in feet.
WIDTH: Provide building frontage width in feet.
TYPE OF CONSTRUCTION: List the predominate type of building material used in the construction of the building. (e.g. concrete and steel, concrete).
TRUSS CONSTRUCTION: ROOF / FLOORS: Circle "Yes" if roof is of truss construction; Circle "No" if it is not. Also, list all floors having any form of truss construction.
HORIZONTAL CONNECTIONS: List the location and type of any horizontal connection to an adjacent building (e.g. passageways, utility pipe chase, cellars, etc.).
ROOF SETBACK LEVELS: A set back is an "area formed when the floor area of the building is reduced thus requiring the exterior wall of a building to be recessed." List all floor numbers having setbacks.

Box 3 STAIRWELLS

DESIGNATION: List the letter designations of all stairwells.
FLOORS SERVED: List the range of floors served for each stairwell.
PRESSURIZED: List any stairwells provided with stairwell pressurization.
STANDPIPES: List the stairwells that contain standpipe hose connections.
RE-ENTRY FLOORS: List all stairwell re-entry floors.
ACCESS/CONVENIENCE STAIRS: List the floors served (e.g. Flr 2-3, 5-7). Indicate escalators.
ROOF ACCESS: List stairwells that have access to roof.
FIRE TOWER: List any stairwells that are fire towers.

Box 4 ELEVATORS

BANK: List the letter designations for all elevator banks.
CAR NUMBERS: List the individual elevator car numbers in each bank.
FLOORS SERVED: List floors served by each elevator.
FREIGHT ELEVATOR BANK: List bank and car numbers of freight elevators.
SKY LOBBY: A sky lobby is an elevator bank whose lowest terminal level is on an upper floor. Not all buildings have sky lobbies. If a sky lobby is provided, list each floor on which a sky lobby is located.

Box 5 VENTILATION

HVAC ZONES: List the zones or floors the HVAC system supplies. Several zones, such as "Flrs 1-10, 11-20, 20-35", or individual "package units" for each floor are examples.
BUILDING MANAGEMENT SYSTEM: If there is a building management system provide its location.
OFF-SITE EMERGENCY NUMBER: Provide telephone number.
SMOKE MANAGEMENT SYSTEM/PURGE CAPABILITY: Indicate Yes or No / Auto or Manual
LOCATION OF MECHANICAL ROOMS: Provide location(s).

Box 6 UTILITIES

The utilities' information provided in this section must be consistent with the information provided in Appendix A-2, Table 7, Section 4.
ALL FUEL OIL TANK LOCATIONS: List capacity and location of each tank.
NATURAL GAS SERVICE: Provide location of gas shutoff valve.
EMERGENCY GENERATOR LOCATION: Provide location of each emergency generator.
ROOF STORAGE: LPG/DIESEL/OTHER: Check appropriate box. If other, indicate type of fuel.

Box 7 FIRE PROTECTION SYSTEMS

STANDPIPE LOCATIONS: Provide locations of standpipes. Standpipes in stairwells should be depicted in the diagram on page 2. If other than in a stairwell, give exact locations (e.g. across from "B" bank elevators; east side of building; etc.)
STANDPIPE ISOLATION VALVE LOCATIONS: Provide valve locations and floor (e.g. Flr 19 utility closet, Flr 10 "B" stairwell).
FD CONNECTION LOCATION: Provide location(s) of FD connection(s) on exterior of building. Indicate which street side and the number of connections found on that side. (e.g. (2) Sixth Ave side; (1) 37th St side)
BUILDING FULLY SPRINKLED: Indicate Yes or No
PARTIALLY SPRINKLED FLOORS: In a building that is not completely sprinklered, list any floors that are sprinkled.
PRV VALVE FLOOR LOCATIONS: Indicate location of pressure reducing valves.
FIRE PUMP LOCATIONS: List the floor(s) on which the fire pumps are installed.
NON-WATER FIRE EXTINGUISHING SYSTEMS: List type of system and location (e.g. Flr 1 restaurant wet chemical system; Flr 10 electrical closet carbon dioxide system).

Box 8 HAZARDOUS MATERIALS

NAME OF PRODUCT/QUANTITY: Provide information. If none, mark N/A.
LOCATION: Provide information. If none, mark N/A.
 • Any storage location within the building that contains less than 5 gallons of flammable liquid, 25 gallons of combustible liquid or 55 gallons of

corrosive material may be excluded.
 • In addition to the name of product for each hazardous material, indicate its United States Department of Transportation classification.
 • Hazardous material storage locations within the building identified elsewhere on this Building Information Card, such as fuel oil storage, are not required to be listed in this box.
 • Identify areas / rooms of special concern (such as an X-Ray clinic, U.P.S rooms / battery rooms, transformer locations, cellular antennas, etc.) as special notes.

Box 9 COMMUNICATIONS

NUMBER OF RADIOS FOR FDNY USE: Indicate the number of building radios available for emergency responder use. If none, mark N/A.
24 HOUR LOCATION: Indicate location and availability of radios (e.g. fire command center 24/7, fire command center 8:00 A.M. to 4:00 P.M.). If none, mark N/A.
COMMUNICATIONS FOR FDNY USE: Indicate any other means of communication available for emergency responders use (e.g. repeaters). If none, mark N/A.

Box 10 TEMPORARY CONSIDERATIONS

Fill in with erasable markings. This section is provided to allow the Building Information Card to be kept current to reflect such conditions as construction projects in progress, or out-of-service fire protection or life safety systems.

Box 11- BUILDING FIRE SAFETY INFORMATION

Provide the name and contact information (work and emergency telephone numbers) for the fire safety /EAP director, building engineer and managing agent.

REFERENCES (BOX 1)

1968 NYC Building Code Construction Classifications

Construction Group	Class
I - Noncombustible	I - A - (4-hr. protected)
	I - B - (3-hr. protected)
	I - C - (2-hr. protected)
	I - D - (1-hr. protected)
	I - E - (unprotected)
II - Combustible	II - A - (heavy timber)
	II - B - (protected wood joist)
	II - C - (unprotected wood joist)
	II - D - (protected wood frame)
	II - E - (unprotected wood frame)

Buildings or spaces of noncombustible construction (construction group I) are those in which the walls, exit ways, shafts, structural members, floors, and roofs are constructed of noncombustible materials and assemblies affording fire-resistance ratings. The noncombustible construction group I is broken down into five different classes, I-A, I-B, I-C, I-D and I-E as follows:

- Construction class I-A.** Includes buildings and spaces in which the bearing walls and other major structural elements are generally of four-hour fire-resistance rating.
- Construction class I-B.** Includes buildings and spaces in which the bearing walls and other major structural elements are generally of three-hour fire-resistance rating.
- Construction class I-C.** Includes buildings and spaces in which the bearing walls and other major structural elements are generally of two-hour fire-resistance rating.
- Construction class I-D.** Includes buildings and spaces in which the bearing walls and other major structural elements are generally of one-hour fire-resistance rating.
- Construction class I-E.** Includes buildings and spaces in which the bearing walls and other major structural elements generally have no fire-resistance rating.

Page 2 (Diagram)

Page 2 of the Building Information Card contains a color-coded plot plan and elevation of the building detailing bordering streets, entrances, floors, stairs, elevators, shafts, standpipes and mechanical equipment room locations. Provide a legend and layout conforming to the Appendix B-2 format.

The color-coded plot plan shall depict the following information:

- Floor plan of the lowest floor provided with fire apparatus access
- Location of fire command center. If the fire command center is located on a floor other than the lowest floor provided with fire apparatus access, indicate its position on the plot plan (which shows the lowest floor with fire apparatus access) but include in the legend the floor on which it is actually located.
- Bordering streets
- Entrances
- Shafts
- Location and designation of stairwells and elevators.
 - Indicate stairwell and elevator designations (e.g. elevator bank A, stairwell C).
 - Indicate which stairwell contain standpipe connections.
- Fire towers
- Fire department connections
- Geographic north indicator

The elevation of the building shall depict the following information:

- All floors (except access stairs), including below grade floors, serviced by exit stairwell
- Access stairs
- Mechanical equipment rooms (MER) and the HVAC zones controlled from such MER
- Stairwells containing standpipe connections
- Floors serviced by each elevator bank and the cars that service them (including below grade floors) and blind shafts
- Floors above ground level at which a stairwell terminates, or connects (by means of a horizontal exit passageway) to a different vertical shaft in which it continues to descend

The plot plan and elevation diagram shall be color-coded as follows:

- Elevators: blue;
- Standpipes: red;
- Stairwells: green;
- Blind shaft: pale blue;
- Access stairs/escalators: orange;
- Fire command center and mechanical equipment rooms: yellow

Combined Fire Safety /Emergency Action Plan Staffing Chart (Appendix C-2)

BUILDING ADDRESS: _____

FIRE SAFETY/EAP DIRECTOR

DEPUTY FIRE SAFETY/ EAP DIRECTOR _____

FLOOR NO.

FIRE SAFETY AND EAP WARDEN

Name	Phone Number
_____	_____

DEPUTY FIRE SAFETY AND EAP WARDENS

Name	Phone	Name	Phone
_____	_____	_____	_____

Name	Phone	Name	Phone
_____	_____	_____	_____

FIRE SAFETY AND EAP SEARCHERS

MALE	FEMALE
_____	_____

Any person discovering fire, smoke or other emergency condition should without delay cause the transmission of a fire alarm by calling 911 or activating a fire alarm box. Notify the Fire Safety/EAP Director or Fire Safety Warden that an alarm has been transmitted.

In the event that it becomes necessary to implement the building's Fire Safety and Evacuation Plan or the Emergency Action Plan, listen for and follow the directions given by the Fire Safety/EAP Director/staff and emergency response personnel. Elevators should never be used in a fire. In all other emergencies, use the elevators only if and when directed to do so by the Fire Safety Director/staff or emergency response personnel.

If the Fire Safety Warden and EAP Wardens; Deputy Fire Safety Warden and Deputy EAP Wardens; and Fire Safety Searchers and EAP Searchers are different individuals, provide the names of all such individuals in the chart and indicate the plan for which such individual is designated.

Date prepared: _____

Building Profile (Appendix D)

BUILDING ADDRESS: _____ Zip Code: _____

- Owner or person in charge of the building.
 Company: _____
 Name of representative: _____
 Address (include Zip Code): _____
 Business Telephone No.: _____
- Fire Safety Director (FSD) and Deputy Fire Safety Director (DFSD).

Name	Work Location Telephone/Cell Phone
FSD: _____	_____
DFSD: _____	_____
DFSD: _____	_____
DFSD: _____	_____
DFSD: _____	_____
DFSD: _____	_____

- Attach copy of: current DOB Certificate of Occupancy (C of O), Temporary Certificate of Occupancy, Letter of No Objection or Affidavit of No Certificate of Occupancy.
 If under construction attach copy of DOB Schedule A. Location where C of O is posted in the building: _____

- General description of the building:
 Building height in feet: _____
 No. of stories: _____ No. of basements: _____
 Area (length x width) at ground level: _____ (sf)
 No. of guest rooms: _____
 Class of construction as listed on current C of O: _____

- Stairwells, fire towers, fire escapes and

access/convenience stairs. Include alphabetical letter identification, location, and floors served.

Table with columns: Letter, Designation, Type, Location, Floors Served, Horizontal Exit, Floor No. of Any, Passagewa

5b. List stairwell re-entry floors and indicate if fail-safe door lock release is installed on reentry floor:

6. Elevator and/or escalator information: Complete for each elevator bank and each elevator car in such bank.

Table with columns: Elevator Bank Designation, Elevator Car Number, Passenger or Freight, Operation (Manual/Auto), Levels (floors) served, Phase I Recall/Phase II Service (Yes/No), Elevator Machine Room Location, 2 Way Voice to Fire Command Center (Yes/No), In Common Shaft with Other Cars? (Yes/No)

Elevator cars in common shafts (Identify all elevators by bank designation and car numbers, that are installed in a common shaft.)

Number of escalators: Escalator Levels (floors) served

7. Interior fire alarms, or alarms to central stations. Type of fire alarm/communications (Brand and Model No.) and name of central station monitoring company.

8. Communications systems other than required building fire alarm system (e.g., walkie-talkies, cellular telephones)

9. Standpipe systems: Location of riser: Size of riser: No. of gravity tanks: Location(s): Capacity of gravity tank(s) (gals): Fire Reserve (gals): No. of pressure tanks: Location(s): Capacity of pressure tank(s) (gals): No. of fire pumps: Location/output(s) (gpm): Type(s) of pump(s) (automatic or manual):

Number and location(s) of fire department connection(s):

Name of Certificate of Fitness holder:

Certificate No.: Expiration date:

10. Sprinkler system information: Primary water supply: Secondary water supply: Combination standpipe/sprinkler system? (Yes/No):

Areas protected:

No. of gravity tanks: Location(s): Capacity of gravity tank(s) (gals):

No. of pressure tanks: Location(s): Capacity of pressure tank(s) (gals):

No. of fire pumps: Location/output(s) (gpm): Number and location(s) of fire department connection(s):

Name of Certificate of Fitness holder:

Certificate No.: Expiration date:

11. Fire extinguishing systems (e.g., Halon, Pre-Action, Commercial Cooking, Deluge, Clean Agent). Indicate location(s) and connection (Yes/No) to building fire alarm system.

12. Average number of employees and guests normally in building.

Employees: Daytime: Nighttime: Guests: Daytime: Nighttime:

13. Average number and location of persons with special needs in building. Keep list readily available for FDNY inspection at fire command center. Daytime: Location(s)/Number of: Nighttime: Location(s)/Number of:

14. Number of persons normally visiting building. Daytime: Nighttime:

15. Service equipment:

(a) Electric power: Primary - Street name where power enters the building: Auxiliary - Auxiliary generator (Yes/No):

Location of generator: Type of fuel: List capacity and location of the tank in Item 16

(b) Emergency Lighting: Type Location(s)

(c) Heating: Type: Fuel: Location of heating unit:

(d) Ventilation: Emergency means of exhausting heat and smoke (Yes/No): Smoke purge system (Yes/No): Smoke shaft (Yes/No): Do the windows open on any floors? (Yes/No): If Yes, list locations where windows open: Are keys required? (Yes/No): If Yes, list location: Type of key (1620 or 2642) if required:

(e) Air conditioning system - Be specific: Central A/C (Yes/No): Through floor duct work (Yes/No): If Yes, list floors: Location of Supply Fan Area Served

Package units on each floor (Yes/No): If Yes, Unit Compressor HP Manufacturer or Tonnage Location Area Served

(f) Refuse storage and disposal (Yes/No): If Yes, list type and location:

(g) Firefighting equipment and appliances, other than standpipe and sprinkler systems.

(h) Roof set-backs, utility shafts, cross bridges, passageway between buildings (interconnected buildings), tunnels, linen chutes, refuse chutes and other pertinent building information. (indicate type and location)

16. Storage and use of flammable and combustible liquids and flammable gases (including fuel oil storage tanks). (indicate type, quantity and location)

17. Special occupancies in the building: Examples include places of assembly, studios, cafeterias, auditoriums, theaters and mercantile occupancies. (indicate type and location)

18. Number and location of electrical transformers containing polychlorinated biphenyls (PCB).

§404-02 Office Building Emergency Action Plans

(a) Scope. This section sets forth standards, requirements and procedures for the preparation, content, submission, acceptance and amendment of office building emergency action plans; designation, qualifications and training of EAP staff, and their duties and responsibilities; reporting of emergencies to the Department; education of building occupants, including the conduct of drills; recordkeeping; obligations of building occupants and employers of building occupants; and provision of assistance to building occupants with special needs.

(b) Definitions. The following terms shall, for purposes of this section, have the meanings shown herein:

Critical operations staff. Building personnel or other building occupants designated to remain after the emergency action plan is implemented to perform or shut down critical operations, or perform essential services, before they shelter in place, relocate in building or evacuate.

EAP. Emergency action plan.

EAP staff. The individuals identified in an emergency action plan as responsible for the implementation of such plan, including but not limited to the fire safety/EAP director, deputy fire safety/EAP director, EAP building evacuation

supervisor, EAP wardens, deputy EAP wardens, EAP searchers, members of the EAP brigade and critical operation staff.

Emergency. An incident involving an explosion, a biological, chemical, radiological, nuclear or other chemical incident or release, natural disaster, or the threat thereof, or a declaration of emergency by a lawful authority, that requires implementation of a building's emergency action plan to help ensure the safety of the building occupants.

Neighboring buildings. Buildings subject to the provisions of this section that are located on either side of a city street, up to a distance of 200 feet apart, unless separated by a barrier to movement, such as a restricted access roadway or railway.

(c) General Requirements

(1) Applicability. This section applies to all Group B office building occupancies as set forth in FC404.2.2.

(2) Preparation of emergency action plans

(A) An owner shall cause an emergency action plan to be prepared for such building, and periodically reviewed and amended, in accordance with R404-02(d) through (h) and (k). The emergency action plan shall be in the form set forth in R404-01 Appendix A-2, and shall include a building information card in the form set forth in R40401 Appendix B-2.

(B) An owner shall cause a fire safety/EAP director, and deputy fire safety/EAP directors, EAP building evacuation supervisors, EAP wardens, deputy EAP wardens, EAP brigade members, EAP searchers and critical operations staff, to be designated in the emergency action plan in accordance with R404-02(d) and (h), and R113-03, with the authority, duties and responsibilities set forth therein.

(C) An owner shall consult with the owners of neighboring buildings in connection with the preparation of the building's emergency action plan, with respect to the matters set forth in R404-02(i).

(3) Emergency action plan submission, acceptance, training and recordkeeping

(A) An owner shall cause an emergency action plan to be submitted to the Department, and obtain acceptance from the Department, in accordance with FC404.6 and R404-02(j).

(B) An owner shall cause the emergency action plan and educational materials to be distributed, and EAP drills conducted, in accordance with FC405.3 and R404-02(l).

(C) An owner shall cause recordkeeping to be maintained in accordance with FC405.5 and R404-02(m).

(D) A paper copy of the emergency action plan, including floor plans, shall be maintained at the fire command center and shall be made available for inspection by any Department representative.

(4) Compliance with emergency action plan. All building occupants and employers of building occupants shall comply with the directions of the fire safety/EAP director and EAP staff upon implementation of the emergency action plan, and otherwise fulfill their obligations in accordance with FC405.2 and R404-02(n).

(5) Authority to implement the emergency action plan

(A) The emergency action plan shall be immediately implemented and building occupants directed to shelter in place, in-building relocate, partially evacuate or evacuate, whenever such action is deemed necessary to ensure the safety of building occupants.

(B) The ability of the fire safety/EAP director to implement the emergency action plan shall not be subordinated to the authority of any other person or impaired by any notification procedure established by the owner, in circumstances where, the fire safety/EAP director becomes aware of an emergency presenting an immediate danger to building occupants, and, in the absence of direction from lawful authorities, determines that delaying implementation of the emergency action plan to obtain direction from lawful authorities, the owner or the owner's designated representative would likely result in harm to building

occupants. The fire safety/EAP director shall determine the safest and most efficient course of action consistent with the emergency action plan, depending on the nature of the emergency.

(C) *The authority of the fire safety/EAP director to implement the emergency action plan, as set forth in FC Chapter 4, this section and in the plan itself, shall be assumed by a deputy fire safety/EAP director in the absence of the fire safety/EAP director, or, if no fire safety/EAP director or deputy fire safety/EAP director is required to be on duty, by a EAP building evacuation supervisor.*

(6) *Compliance with orders of lawful authorities*

(A) *The owner, fire safety/EAP director and all other EAP staff and building occupants shall comply with the orders of the Department or other incident commander or emergency response personnel should such incident commander or emergency response personnel be present at the building.*

(B) *In the absence of any direction from an emergency response agency, incident commander or emergency response personnel, the owner, fire safety/EAP director and all other EAP staff and building occupants shall comply with the official announcements or directions of the Mayor of the City of New York or other lawful authority.*

(7) *Official notifications of emergency and implementation of emergency action plan. The fire safety/EAP director shall immediately report any emergency to 911 and notify the 911 operator that they are implementing the emergency action plan. The fire safety/EAP director may report to 911 any condition that is being investigated as a possible emergency.*

(8) *Communications with building occupants*

(A) *The fire safety/EAP director shall be responsible for communicating information and directions to building occupants whenever the emergency action plan is implemented, including during an EAP drill.*

(B) *Implementation of the EAP or the conduct of an EAP drill shall be communicated to building occupants by the sounding of an alarm or alert tone followed by an announcement. The announcement shall include the following information:*

(1) *whether the announcement is being made in connection with an emergency condition or an EAP drill, and if in connection with an emergency:*

(a) *what has occurred;*

(b) *where it has occurred;*

(c) *what provisions of the emergency action plan will be implemented; and*

(d) *why it is necessary to implement this provision of the emergency action plan.*

The announcement shall be repeated or updated on a frequent basis, to inform and reassure building occupants.

(9) *EAP staff training. The EAP staff training required by FC406 and R404-02(h)(1)(B)(3) shall be in the form of live instruction, but may be supplemented by video presentations and/or distribution of other educational materials. Training may be conducted in the form of computerized training, without live instruction, provided that such computerized training is interactive, includes an evaluation of the EAP staff members' understanding of the training materials, and is not conducted in lieu of live instruction for more than one-half (1/2) of the required EAP staff training sessions per year.*

(10) *EAP instructional drills. The EAP instructional drills required by R404-02(i)(1)(B)(1)(a) shall be in the form of live instruction, but may be supplemented by video presentations and/or distribution of other educational materials. Such instructional drills may be conducted in the form of computerized training, without live instruction, provided that such computerized training is interactive, includes an evaluation of the participants' understanding of the training materials, and is not conducted in lieu of live instruction for more than one-half (1/2) of the required FSP drills.*

(d) *Content of Emergency Action Plans. Each emergency action plan adopted pursuant to this section shall include the following provisions:*

(1) *Types of Emergency Responses*

(A) *The emergency action plan shall set forth the circumstances and procedures for the sheltering in place, in-building relocation, partial evacuation and/or evacuation of building occupants in response to an emergency.*

(B) *The emergency action plan shall address how such measures will be implemented during regular business hours, and at times other than regular business hours, when EAP staff may be absent from the building.*

(2) *Designation of EAP Staff. The emergency action plan shall designate:*

(A) *a fire safety/EAP director and a sufficient number of deputy fire safety/EAP directors to ensure that a deputy fire safety/EAP director is present to perform the duties of the fire safety/EAP director at all times that a fire safety/EAP director is required to be on duty, but is absent;*

(B) *at least one (1) person as a EAP building evacuation supervisor, and qualified to serve in such position, shall be present and on duty in the building at all times when a fire safety/EAP director is not required to be on duty, but there are occupants in the building. The EAP building evacuation supervisor at such times shall exercise the authority and responsibility of the fire safety/EAP director to implement the emergency action plan;*

(C) *at least one (1) EAP warden for each floor of the building. EAP wardens shall be on duty on each floor during regular business hours for such floor;*

(D) *at least one (1) deputy EAP warden for each employer of building occupants on a floor. If the floor area occupied by an employer of building occupants on a single floor exceeds 7,500 square feet, a deputy EAP warden shall be designated for each 7,500 square feet or portion thereof. At least the minimum required number of deputy EAP wardens shall be on duty on each floor during the regular business hours of such employer;*

(E) *at least one (1) male and one (1) female EAP searcher for each employer of building occupants on a floor. Such EAP searchers shall be on duty on each floor during the regular business hours of such employer;*

(F) *the members of a EAP brigade. The EAP brigade shall consist of the building manager, chief engineer and director of security (or, in their absence, qualified designees), and other building personnel, office employees or other building occupants designated to assist in the implementation of the emergency action plan, including persons assigned to assist building occupants that require assistance to participate in the plan. EAP brigade members shall be on duty during regular business hours. The fire safety/EAP director and deputy fire safety/EAP directors shall not be designated as EAP brigade members; and*

(G) *critical operations staff, who are to be exempted from participation in EAP drills and/or delayed in participating in the implementation of the emergency action plan, as set forth in the emergency action plan. Such staff shall be designated based on the critical nature of their duties, either to the operation of the building service equipment or other essential services. The emergency action plan shall identify each such individual and the essential service that the individual is required to perform even under emergency conditions. Employers of building occupants may request that the fire safety/EAP director designate certain office employees as critical operations staff. Such requests shall be granted only if the employer can demonstrate that the employee is performing a public safety function or essential service for the employer in which there is a compelling public interest in maintaining even in the event of an emergency. All requests and designations shall be documented in writing and made available for inspection by Department representatives, upon request.*

(3) *Designation of fire command center. Except as otherwise provided in R404-02(d)(4), the emergency action plan shall*

designate the fire command center as the location from which the fire safety/EAP director shall coordinate implementation of the emergency action plan or conduct an EAP drill.

(4) *Communications with building occupants*

(A) *The emergency action plan shall designate the primary and alternative means by which the fire safety/EAP director will communicate information and directions to building occupants. Buildings equipped with a fire alarm system with voice communication capability may utilize such fire alarm system for communications relating to the implementation of the emergency action plan or the conduct of EAP drills.*

(B) *The emergency action plan shall set forth procedures for announcing the implementation of the emergency action plan or the conduct of an EAP drill.*

(5) *Use of elevators and other building systems. The emergency action plan shall specify whether and how elevators and other building systems will be used to implement such plan. Elevators may be used to implement the emergency action plan, subject to the following considerations:*

(A) *Floors or building occupants to be evacuated or relocated by elevators shall be designated in the emergency action plan.*

(B) *Elevators that are to be used for evacuation, partial evacuation, shelter in place, or in-building relocation must be provided with two-way voice communication to the fire command center in accordance with the Building Code requirements.*

(C) *Elevator use shall be directed only when the fire safety/EAP director or deputy fire safety/EAP director has assessed the situation and determined that such use would be safe.*

(D) *Only designated elevators shall be used and only those elevators so designated shall remain in service. All other elevators shall be recalled to the lobby or their lowest floor of travel.*

(E) *Movement of elevators shall be controlled either by operation in manual mode by an EAP staff member or at the elevator control panel in the lobby, under the direct supervision of the fire safety/EAP director.*

(F) *Building occupants shall board elevators only on designated floors and disembark elevators at floors as directed by the fire safety/EAP director.*

(6) *Assistance to building occupants with special needs*

(A) *The emergency action plan shall establish procedures for identifying in advance building occupants who require assistance to participate in the emergency action plan because of an infirmity, disability or other special need, and procedures for providing such assistance. Assistance that may be required may include implementing procedures or modifying equipment to ensure receipt of announcements, designating areas for assistance, and designating persons to provide assistance.*

(B) *The owner shall make the procedure for requesting such assistance known to all building occupants and employers of building occupants.*

(C) *A list of the building occupants who have requested such assistance, and their work location, shall be maintained at the fire command center, and made available to Department representatives or emergency response personnel, upon request.*

(D) *The fire safety/EAP director, EAP wardens and, as appropriate, other EAP staff, shall periodically review the list of such building occupants on the floors or other areas of the building in which they perform their duties, so as to familiarize themselves with the building occupants requiring assistance to participate in the emergency action plan.*

(7) *Floor plans. The emergency action plan shall include, for each floor of the building (including any floors below grade), a current floor plan bearing the signature and seal of a registered design professional, containing the information required by FC 404.3.1(3) and (4), marked*

to reflect exit routes, *in-building relocation areas*, and other information contained in the *emergency action plan* amenable to graphic representation. Such plans shall be submitted to the *Department* in a form and manner to be specified by the *Department*, as set forth in FC404.6 and R404-02(j).

- (8) Building information card. A building information card, in the format set forth in R404-01(c)(2)(A)(2) and R404-01 Appendix B-2, shall be maintained at the *fire command center*, and made available to *Department* representatives or emergency response personnel, upon request.
- (9) EAP staff floor postings. Notices identifying the *EAP staff* shall be conspicuously posted on each floor, and kept at the *fire command center*, where they shall be made available for inspection by *Department* representatives. The format of such notices shall be as set forth in R404-01 Appendix C-2.
- (e) Specific Requirements For Sheltering In Place
- (1) The *sheltering in place* provisions of the *emergency action plan* shall be based on an analysis of the circumstances in which such action would best ensure the safety of *building occupants*, and the manner in which it could best be implemented in the building.
- (2) The *emergency action plan* shall set forth the actions that would be taken in the event of *sheltering in place*, including, but not necessarily limited to, those in regard to the following building components or systems:
- (A) access to and egress from the building, including entrances, exits and stairwells;
- (B) elevator operation;
- (C) ventilation system operation, including air handling equipment, heating, ventilation and air conditioning equipment and smoke management systems;
- (D) openable windows;
- (E) interior doors, including fire doors;
- (F) electrical, natural gas, steam and other utility operations; and
- (G) fuel oil storage systems and associated pumps and piping.
- (f) Specific Requirements For In-Building Relocations
- (1) The *in-building relocation* provisions of the *emergency action plan* shall be based on an analysis of the circumstances in which such action would best ensure the safety of *building occupants*, and the manner in which it could best be implemented in the building.
- (2) The *emergency action plan* shall:
- (A) set forth the number of *building occupants* on each floor;
- (B) designate the *in-building relocation areas* to which *building occupants* could be relocated in building, and, for each such *in-building relocation area*, identify:
- (1) the type of area (such as an interior office, conference room, file room or mechanical room);
- (2) the floor and its exact location thereon;
- (3) the type of protection it offers;
- (4) the estimated maximum number of *building occupants* each relocation area can accommodate; and
- (5) whether it affords access to water, lavatories and/or other facilities, equipment or supplies, including any pre-positioned equipment or supplies.
- (C) designate the route by which *building occupants* would be directed to *in-building relocation areas* if such areas are on a different floor, and identify the stairwells and (if applicable) elevators to be utilized; and
- (D) set forth the actions that would be taken with respect to building components or systems in the event of an *in-building relocation*, including the building components and systems set forth in R404-02(e)(2); and
- (E) the procedures by which employers of *building occupants* will account for their employees after an *in-building relocation* is completed.
- (g) Specific Requirements For Partial Evacuations And Evacuations
- (1) The *evacuation* provisions of the *emergency action plan* shall be based on

an analysis of the circumstances in which such action would best ensure the safety of *building occupants*.

- (2) The *emergency action plan* shall identify the safest and most efficient means of evacuating persons from the building or designated floors or areas thereof. Priority shall be given to *building occupants* on floors or other areas of the building most at risk of harm, and, in the designation of exit routes, to the avoidance of congestion.
- (3) The *emergency action plan* shall:
- (A) set forth the number of *building occupants* on each floor, including an estimate of the number of visitors, if any, on a typical day;
- (B) identify the location of exits, stairwells and (if to be utilized) elevators, and their capacity; and
- (C) set forth the actions that would be taken with respect to building components or systems in the event of a *partial evacuation* or *evacuation*, including the building components and systems set forth in R404-02(e)(2).
- (4) The *emergency action plan* shall designate:
- (A) primary designated exit routes for the *evacuation* of each floor or other area of the building, and alternative exit routes in the event that the primary designated routes cannot be used;
- (B) whether *building occupants* will be directed to leave the area by any safe means (other than in circumstances that preclude such action, such as contamination), or directed to one (1) or more *assembly areas* that are:
- (1) at a safe distance from the building (preferably a distance from the building not less than the height of the building);
- (2) sufficient in number and size to accommodate the *building occupants* that will be assigned to report to such *assembly area*; and
- (3) allow for the continuous movement of *building occupants* away from the building to their *assembly areas*;
- (C) the procedures by which employers of *building occupants* will account for their employees after a *partial evacuation* or *evacuation* is completed.
- (h) EAP Staff Requirements
- (1) Fire safety/EAP director.
- (A) Qualifications. The *fire safety/EAP director* shall be the person designated as the fire safety director in the *fire safety and evacuation plan*. The *fire safety/EAP director* shall hold a *fire safety/EAP director certificate of fitness* and otherwise possess the qualifications set forth in R113-03.
- (B) Duties and responsibilities. The *fire safety/EAP director* shall:
- (1) be present and on duty in the building during *regular business hours*;
- (2) be fully familiar with the provisions of the *emergency action plan*;
- (3) supervise and train the *deputy EAP directors*, *EAP building evacuation supervisors*, *EAP wardens*, *deputy EAP wardens*, *EAP searchers*, *EAP brigade members*, *critical operation staff* and other *EAP staff*, including conducting initial and periodic refresher training to maintain the state of readiness of such staff. *Critical operations staff* exempt from participating in *EAP drills* shall receive training in evacuation procedures and other matters addressed during the *EAP drill*, and such other information as an individual would need to know by reason of their delayed participation in any evacuation or other implementation of the *emergency action plan*;
- (4) select qualified building personnel for the *EAP brigade*, organize, train and supervise the *EAP brigade*, and be responsible for the state of readiness of the *EAP brigade*, in accordance with R404-02(h)(6);
- (5) be responsible for a daily check of the availability of *EAP wardens* and *deputy EAP wardens*, and make such

notifications or temporary assignments as are necessary to ensure adequate *EAP staffing*;

- (6) immediately report to 911 any *emergency* and any determination to implement the *emergency action plan*;
- (7) in the event of an *emergency* in or affecting the building, report to the *fire command center* or designated alternative location, and, if appropriate, implement the *emergency action plan* in accordance with its terms and the provisions of this section, and notify arriving emergency response personnel and incident commander of the *emergency* and the building response thereto;
- (8) be responsible for communicating all information and directions to *building occupants* in accordance with R404-02(c)(8) and as may be required by the *emergency action plan*;
- (9) conduct the *EAP drills* required by this section;
- (10) approve the content of the *emergency action plan* educational materials and the *EAP drills* provided to *building occupants* pursuant to R404-02(l);
- (11) ensure that the required notices are posted on the floors and that the required recordkeeping is maintained;
- (12) review and approve the procedures established by employers of *building occupants* to account for *building occupants* after an *evacuation*, *partial evacuation*, *in-building relocation* or *sheltering in place*; and
- (13) with respect to the implementation of *fire safety and evacuation plans* and the conduct of fire evacuations and *fire drills*, comply with the requirements of FC Chapter 4 and the *rules*.
- (2) Deputy fire safety/EAP director
- (A) Qualifications. The *deputy fire safety/EAP director* shall hold a *fire safety/EAP director certificate of fitness* and otherwise possess the qualifications set forth in R113-03. The *deputy fire safety/EAP director* shall receive training in the *emergency action plan* from the *fire safety/EAP director* in accordance with FC406.2.
- (B) Duties and responsibilities. The *deputy fire safety/EAP director* shall:
- (1) in the absence of the *fire safety/EAP director*, perform the duties of the *fire safety/EAP director*, as circumstances warrant, except that the *fire safety/EAP director* shall personally supervise all *FSP staff* training; and
- (2) in the presence of the *fire safety/EAP director*, assist the *fire safety/EAP director* in carrying out the requirements of the *emergency action plan* and this section, as circumstances warrant.
- (3) EAP building evacuation supervisor
- (A) Qualifications. The *EAP building evacuation supervisor* shall receive training in the *emergency action plan* from the *fire safety/EAP director* as set forth in FC Table 406.2(2).
- (B) Duties and responsibilities. The *EAP building evacuation supervisor* shall:
- (1) in the absence of the *fire safety/EAP director* and *deputy fire safety/EAP director*, perform the duties of the *fire safety/EAP director*, as circumstances warrant; and
- (2) in the presence of the *fire safety/EAP director*, assist the *fire safety/EAP director* in carrying out the requirements of the *emergency action plan* and this section, as circumstances warrant.
- (4) EAP wardens
- (A) Qualifications. The *EAP warden* shall receive training in the *emergency action plan* from the *fire safety/EAP director* in accordance with FC406.2.
- (B) Duties and responsibilities. The *EAP warden* shall:
- (1) be familiar with the *emergency action plan*, including general

- sheltering in place, in-building relocation, partial evacuation and evacuation procedures, the exit and in-building relocation routes to be utilized for the floor, the location of in-building relocation areas and assembly areas; and the means of communicating with the fire safety/EAP director;*
- (2) in the event of an emergency on the floor or immediately affecting building occupants on the floor, notify the fire safety/EAP director and building occupants on the floor of the emergency, and initiate appropriate action;
- (3) in the event of an emergency not on the floor or not immediately affecting building occupants on the floor, establish communication with the fire safety/EAP director and, if possible, await direction from the fire safety/EAP director;
- (4) keep the fire safety/EAP director informed of his or her location and the progress of the implementation of emergency action plan measures;
- (5) confirm the in-building relocation or evacuation of the floor or portion thereof by directing deputy EAP wardens and/or other EAP staff designated as EAP searchers to search all areas of the floor to be relocated in building or evacuated; to do so by visual inspection, not merely by the lack of a voice response; and to notify any remaining building occupants that they must immediately comply with the applicable emergency action plan procedures;
- (6) determine whether the stairwells are safe to enter before directing building occupants to use them, and, if unsafe, notify the fire safety/EAP director, and to instruct building occupants not to use elevators unless and until the fire safety/EAP director authorizes their use; and
- (7) perform such other duties as set forth in the emergency action plan, or as directed to do so by the fire safety/EAP director.
- (5) Deputy EAP wardens
- (A) Qualifications. The deputy EAP warden shall receive training in the emergency action plan from the fire safety/EAP director in accordance with FC406.2.
- (B) Duties and responsibilities. The deputy EAP wardens shall:
- (1) in the absence of the EAP warden, perform the duties of the EAP warden, as circumstances warrant; and
- (2) in the presence of the EAP warden, assist the EAP warden in carrying out the requirements of the emergency action plan and this section, by searching all areas of the floor to be relocated in building or evacuated, and notifying any remaining building occupants that they must immediately comply with the applicable emergency action plan procedures, and by performing such other duties as assigned by the emergency action plan or directed by the EAP warden.
- (6) EAP brigade
- (A) Qualifications. All EAP brigade members shall receive training in the emergency action plan from the fire safety/EAP director in accordance with FC406.2.
- (B) Duties and responsibilities. Members of the EAP brigade shall:
- (1) perform their designated assignments, as set forth in the emergency action plan or as directed by the fire safety/EAP director; and
- (2) in the event of an emergency, immediately report to the designated locations, as set forth in the emergency action plan or directed by the fire safety/EAP director, to be ready to undertake their designated assignments.
- (7) Critical Operations Staff
- (A) Qualifications. All critical operations staff shall receive training in the emergency action plan from the fire safety/EAP director in accordance with R404-02(h)(1)(B)(3). Such training shall be for the same duration and frequency as required for EAP brigade members pursuant to FC406.2.
- (B) Duties and responsibilities. Critical operations staff shall:
- (1) perform their designated assignments, as set forth in the emergency action plan or as directed by the fire safety/EAP director; and
- (2) in the event of an emergency, immediately report to their designated locations, as set forth in the emergency action plan or directed by the fire safety/EAP director, and undertake their designated assignments.
- (8) EAP Searchers
- (A) Qualifications. All EAP searchers shall receive training in the emergency action plan from the fire safety/EAP director in accordance with R404-02(h)(1)(B)(3). Such training shall be for the same duration and frequency as required for EAP brigade members pursuant to FC406.2.
- (B) Duties and responsibilities. EAP searchers shall:
- (1) in the absence of the deputy EAP warden, perform the duties of the deputy EAP deputy warden; and
- (2) in the presence of the EAP warden, assist the EAP warden in carrying out the requirements of the emergency action plan and this section, by searching all areas of the floor to be relocated in building or evacuated, notifying any remaining building occupants that they must immediately comply with the applicable emergency action plan procedures, and performing such other duties as assigned by the emergency action plan or directed by the EAP warden.
- (9) Identification. Upon implementation of the emergency action plan or during EAP drills, the fire safety/EAP director and all EAP staff shall identify themselves to building occupants and others by donning a vest, armband or other form of identification indicating their role.
- (i) Consultation With Neighboring Buildings
- (1) Prior to filing an emergency action plan for a building, the owner shall consult with the owners of all neighboring buildings with respect to the terms of the proposed emergency action plan as it affects such neighboring buildings. Such consultations shall include but not be limited to designation of evacuation routes and assembly areas, and coordination and notification of EAP drills involving evacuation of building occupants.
- (2) Such consultations, and any agreements reached as a result, shall be documented in written form, and shall be made available for inspection by Department representatives, upon request.
- (3) The owner of a building shall be deemed to have satisfied the requirements of this section notwithstanding the lack of cooperation on the part of the owners of neighboring buildings, if the owner makes reasonable efforts to engage in such consultations, and documents such efforts.
- (j) Submission and Acceptance of Emergency Action Plan
- (1) Time for submission.
- (A) An owner of a building for which a certificate of occupancy or temporary certificate of occupancy has been issued by the Department of Buildings prior to April 6, 2006, or which is otherwise occupied before such date, shall submit to the Department an emergency action plan for such building by December 31, 2006, for all buildings not in any of the preceding categories.
- (B) An owner of a building constructed or occupied on or after April 6, 2006, shall submit to the Department an emergency action plan for such building at the same time as the fire safety and evacuation plan required pursuant to FC404.2.1 is submitted to the Department.
- (2) Department review and acceptance. Emergency action plans shall be filed for Department review and acceptance in the accordance with the standards, requirements and procedures set forth in R404-01(p) with respect to fire safety and evacuation plans.
- (3) Plan review fee. Original emergency action plans filed for Department review and acceptance shall be accompanied by the plan review fee set forth in FC Appendix A. Applicants filing amended plans will be billed the plan review fee set forth in FC Appendix A.
- (4) Time for implementation. Within 30 days from the date of Department acceptance of the emergency action plan, an owner shall have in place trained FSP staff and otherwise be capable of implementing the emergency action plan at the premises and otherwise complying with the requirements of this section.
- (k) Periodic Review and Amendment. The owner shall cause a building's emergency action plan to be reviewed and amended in accordance with the standards, requirements and procedures set forth in R404-01(q) with respect to fire safety and evacuation plans.
- (l) Emergency Action Plan Education and Drills
- (1) Distribution of emergency action plan. The owner shall provide a copy of the emergency action plan for the building, and any amended emergency action plan, to each employer of a building occupant within the time set forth for implementation of the emergency action plan set forth in R404-02(j)(4). The owner may delete from the emergency action plan distributed to such employers the floor plans, building information card or any other information that would compromise building security or personal safety. Thereafter, the owner shall provide a copy of the emergency action plan to each new employer prior to its employees occupying the building.
- (2) Distribution of educational materials to building occupants. The owner shall provide to each employer of building occupants, for distribution to all building occupants, educational materials approved by the fire safety/EAP director explaining the emergency action plan.
- (3) EAP drills
- (A) The owner shall conduct EAP drills on a regular basis, during regular business hours, in accordance with this section, to familiarize all building occupants with the procedures for evacuation, relocation, in-building relocation and sheltering in place, and the reasons for implementing each type of action.
- (B) Types, scope and frequency of EAP drills
- (1) Types. EAP drills shall consist either of instruction or stairwell familiarization, as follows:
- (a) Instructional drills. Such drills shall serve to familiarize building occupants with the requirements and procedures of the emergency action plan by means of informational sessions approved by the fire safety/EAP director. Such sessions shall address implementation of the emergency action plan both during regular business hours, and at other times, when EAP wardens and other EAP staff may be absent from the building. Such sessions may be conducted by any qualified person, at any appropriate location, including but not limited to stairwell entrances or in-building relocation areas.
- (b) Stairwell familiarization drills. Such drills shall serve to familiarize building occupants with the process of in-building relocation or building evacuation via building stairwells. A stairwell familiarization drill shall require building occupants, other than building occupants who request and are granted exemption pursuant to R404-02(n)(1)(C), to enter a building stairwell and be escorted down at least four (4) floors of stairs (or to ground level, if below the fifth floor), during which time stairwell safety features and safe evacuation procedures shall be reviewed.
- (2) Scope. EAP drills (involving instruction or stairwell familiarization) may be conducted by individual floor or groups of floors, or building-wide.
- (3) Frequency. EAP drills shall be conducted on a regular basis, as follows:
- (a) At least two (2) EAP drills shall be conducted within one (1) year of the date of Department acceptance of the building's initial emergency action plan, the first of which shall be conducted within six (6) months of such date of acceptance. At least one (1) of these initial EAP drills shall involve stairwell familiarization.
- (b) Beginning one (1) year from the date of Department acceptance of the building's initial emergency action plan, an EAP drill shall be conducted on each floor of the building at least once a year. An EAP drill involving stairwell familiarization, and an EAP drill in which all floors participate simultaneously, shall be conducted at least once every three (3) years.
- (4) Participation. All building occupants present on the affected floors at the time the EAP drill is conducted, including visitors, shall be required to participate in such drill.
- (C) EAP drills shall be conducted separately from fire drills required for the building pursuant to FC405, and shall highlight the differences between the building's fire safety and evacuation plan and emergency action plan, and the appropriate actions to be taken by building occupants upon implementation of each plan.

- (4) Full building evacuation drills
- (A) Except as otherwise provided in this paragraph, full building evacuation drills, in which all building occupants evacuate the building, are not required. Any owner wishing to undertake a full building evacuation drill shall:
- (1) notify the Field Public Communications Unit of the Bureau of Fire Prevention not less than 72 hours in advance of any full building evacuation drill;
- (2) notify the owners of neighboring buildings not less than 72 hours in advance of any full building evacuation drill. The owner of a neighboring building, upon receipt of such a notification, shall notify the occupants of such neighboring building of the drill, to prevent the evacuation from causing alarm; and
- (3) provide not less than 72 hours advance notification to the New York City Police Department and New York City Department of Transportation of any full building evacuation drill, and make any necessary arrangements with such agencies for such drill.
- (B) The Department may direct a building to conduct a full building evacuation drill should it determine that there is a need to evaluate the adequacy of the building's emergency action plan or its compliance with the requirements of the plan or of this section.
- (5) The obligations of owners of buildings and employers of building occupants pursuant to this subdivision shall not be construed to apply to building occupants who are visitors in the building, except that visitors shall be required to participate in any EAP drill being conducted at the time of their visit.
- (m) EAP Logbook
- (1) An EAP logbook shall be maintained at the building's fire command center for purposes of recording all EAP-related events, staffing and educational and training matters. The EAP logbook may be consolidated with the recordkeeping required pursuant to FC405.5 and R404-01(s) with respect to fires and other incidents, implementation of the fire safety and evacuation plan, conduct of fire drills, and training of FSP staff.
- (2) The EAP logbook shall be a bound journal with consecutively numbered pages, unless the Department has authorized or approved an alternative form of electronic recordkeeping.
- (3) A record shall be maintained in the EAP logbook of all training provided to EAP staff and building occupants, including EAP drills.
- (A) Entries for EAP-related events shall include:
- (1) any implementation of the emergency action plan; and
- (2) any emergency action plan-related notifications to the Department or other agencies.
- (3) EAP staff changes, EAP on-site examinations, EAP amendments and EAP acceptance by the Department.
- (4) Availability of EAP staff members during regular business hours.
- (B) Entries for EAP staff training sessions conducted shall include:
- (1) the date of training session;
- (2) the person(s) conducting the training session;
- (3) the persons attending the training session; and
- (4) the type of training session conducted (live or computerized instruction).
- (C) Entries for EAP drills shall include:
- (1) the date and time of drill;
- (2) the person(s) conducting the drill;
- (3) the date and time that required notifications (to Department and other agencies) were made, and persons receiving such notifications;
- (4) the EAP staff members participating in the drill;
- (5) the type of drill conducted (stairway familiarization, or instructional (live or computerized instruction));
- (6) identification of the floors and the number of building occupants participating in drill;
- (7) the emergency scenario simulated;
- (8) the special needs addressed;
- (9) the problems encountered; and
- (10) for a partial evacuation or evacuation, the weather conditions and time required to accomplish complete evacuation.
- (D) The EAP logbook shall be kept at the premises for a period of five (5) years, and made available for inspection by Department representatives upon request.
- (n) Obligations of Building Occupants and Employers of Building Occupants
- (1) Building occupants. All building occupants:
- (A) shall comply with the directions of the fire safety/EAP director and EAP staff upon an announcement that the emergency action plan has been implemented, including any shelter in place, in-building relocation, partial evacuation or evacuation directed by the fire safety/EAP director;
- (B) shall familiarize themselves with the requirements of the emergency action plan, and cooperate with and participate in EAP drills;
- (C) shall request an exemption from the fire safety/EAP director if participation in a EAP drill involving stairwell familiarization, in-building relocation, partial evacuation or evacuation would cause injury or serious hardship; and
- (D) are encouraged to identify themselves in accordance with the procedures of the emergency action plan if they would require assistance in the event of an in-building relocation, partial evacuation or evacuation.
- (2) Employers of building occupants. All employers of building occupants shall:
- (A) promptly distribute to building occupants who are their employees the educational materials regarding the emergency action plan provided to the employer by the owner;
- (B) comply with the requirements of the emergency action plan and R404-02(n)(1), and instruct their employees who are building occupants to do so;
- (C) assign or allow responsible employees to serve as EAP wardens, deputy EAP wardens and members of the EAP brigade, and require such employees to conscientiously perform their duties under the emergency action plan;
- (D) establish and maintain a system of assigning responsibility for accounting for employees present in the building so that an accounting can be made in the event of an in-building relocation, partial evacuation or evacuation; and
- (E) identify any office employees performing a public safety function or essential service for the employer in which there is a compelling public interest in maintaining even in the event of an emergency and request that they be designated as critical operations staff for purposes of the emergency action plan.
- §404-03 Fire Safety Requirements for Sidewalk Cafes and Similar Public Gathering Places**
- (a) Scope. This section sets forth fire safety requirements for the design, installation, operation and maintenance of sidewalk cafes and similar public gathering places.
- (b) General Provisions
- (1) Applicability. The fire safety requirements of this section shall apply to sidewalk cafes and similar gathering places in courtyards, plazas, rooftops and other locations generally accessible to the public or building occupants (excluding locations intended for the private use of occupants of dwelling units).
- (2) Compliance with Building Code and permit requirements. All sidewalk cafes and similar public gathering places shall be designed, installed, operated and maintained in compliance with the requirements of the Building Code, and, where required to obtain a permit from the Department of Consumer Affairs or other New York State or New York City agency, the laws, rules and regulations enforced by such agency.
- (3) Submission of floor and elevation plans. Any sidewalk café or other similar public gathering place required to obtain a permit from the Department of Consumer Affairs or other New York State or New York City agency shall submit a copy of the approved floor and elevation diagrams or plans for such public gathering place to the Department prior to using or occupying such place.
- (4) Portable fire extinguisher requirements.
- (A) Any sidewalk café required to obtain a permit from the Department of Consumer Affairs shall provide at least one (1) portable fire extinguisher having a minimum 2-A rating, which shall be kept at a conspicuous, readily accessible location.
- (B) Any sidewalk café storing, handling or using portable space heaters fueled by piped natural gas shall provide at least one (1) portable fire extinguisher having a minimum 2-A rating for each 2,500 square feet of café area, with at least one such portable fire extinguisher located within ten (10) feet of the entrance to the café.
- (5) Portable space heaters fueled by piped natural gas. The storage, handling and use of portable space heaters fueled by piped natural gas shall:
- (A) be authorized by a permit issued pursuant to FC105.6;
- (B) be supervised by a certificate of fitness holder pursuant to FC313.5.2.6; and
- (C) comply with Department of Buildings Technical Policy and Procedure Notice #2/07 (The Installation of Outdoor Natural Gas Fired Heaters in Unenclosed Sidewalk Cafes, issued on September 6, 2007).
- (c) Access to Fire Department Connections and Fire Hydrants. Sidewalk cafes and similar public gathering places shall not be designed, installed, operated or maintained in a manner that obscures the location of, or impedes access to, Fire Department connections and fire hydrants. Visibility and access shall be maintained in accordance with FC 508.5.4 and 912.
- (d) Maintenance of Means of Egress
- (1) Awnings, canopies, decorations and umbrellas shall not be designed, installed, operated or maintained in any manner that obstructs or otherwise impedes access to, or use of, any means of egress, including any fire escape drop ladder or counterbalanced stair ladder.
- (2) Decks and seating platforms shall not be designed, installed, operated or maintained in any manner that obstructs or otherwise impedes access to, or use of, any means of egress, including any fire escape drop ladder or counterbalanced stair ladder, except that a readily removable section of a deck or platform, conspicuously marked, may cover a cellar entrance if approved by the Department of Buildings.
- (e) Flame-Resistance of Materials. Fabric awnings, canopies, decorations and umbrellas installed or used any sidewalk café or other similar public gathering place required to obtain a permit from the Department of Consumer Affairs or other New York State or New York City agency shall be treated to be flame-resistant or made of inherently non-combustible materials. An affidavit attesting to such flame-retardant treatment or inherently non-combustible material complying with the requirements of R805-01(d) shall be filed with the Department prior to the installation or use of such articles.
- (f) Prevention of Accumulation of Combustible Waste. Decks and seating platforms shall be constructed to provide for a continuous unbroken and level floor without openings or cracks to prevent the accumulation of combustible waste in the area underneath the deck or platform. Combustible material shall not be stored under a deck or platform used for a sidewalk café or similar public gathering space.
- § 408-01 Residential Buildings With Non-Sequential or Non-Standard Floor Numbering**
- * * *
- (c) Floor Numbering Building Information Card Requirements
- (1) Form and content. The building information card shall be 11" x 17" in size, and shall contain a color-coded plot plan and elevation of the building detailing bordering streets, entrances, floor numbers, stairs, elevators, shafts, standpipes, and mechanical equipment room locations, in substantially the form set forth in Appendix [B of Fire

Department rule 3 RCNY §6-02] B-2 of R404-01. The elevation diagram depicting the building shall be clearly marked with the designated floor number or letter for each floor above and below grade level. The building information card shall include in the bottom right hand portion of the card a statement indicating the non-sequential or non-standard nature of the floor numbering.

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STATEMENT OF BASIS AND PURPOSE FOR CHAPTER 4 (EMERGENCY PLANNING AND PREPAREDNESS):

This chapter is amended to add four new sections, all of which are based on existing rules.

R403-02 sets forth maintenance requirements for performing arts theaters and motion picture theaters. The scope of the rule has been clarified to indicate that concert halls and radio and television studios admitting an audience are considered to be performing arts theaters subject to compliance with the rule requirements. These requirements were set forth in existing Fire Department rule 3 RCNY §31-04.

R404-01 sets forth standards, requirements and procedures for fire safety and evacuation plans. These requirements were set forth in existing Fire Department rules 3 RCNY §§6-01, 34-02, 39-01 and 39-02, and on forms and instructions posted on the Fire Department's website. The Fire Department never formally promulgated a fire safety plan format. A format was developed and released to the public many years ago, revised from time to time, and more recently posted on the website.

The organization and wording of the fire safety and evacuation plan substantially revises and updates the existing fire safety plan format, and mirrors the format developed for office building emergency action plans. The fire safety and evacuation plan eliminates the website instructions that previously provided guidance in preparing these plans, and the forms and diagrams that were to be included with the fire safety plan. These instructions, forms and diagrams were simplified and/or clarified, and incorporated into the plan formats appended to R404-01.

The fire safety and evacuation plan includes a number of important substantive changes. First, the content of the fire safety and evacuation plan in hotels, motels and office buildings has been expanded to include the additional information required by FC404.3.

Second, the fire safety and evacuation plan in hotels, motels and office buildings will now require evacuation of the floor below the fire floor. This is intended to facilitate firefighting operations by establishing a staging area below the fire floor. This operational requirement was incorporated into the 2008 Building Code, which requires that fire alarm systems activating in the event of fire alert building occupants on the fire floor, the floor above the fire floor, and, for the first time, the floor below the fire floor.

Third, as reflected in the plan formats appended to R404-01, the fire safety and evacuation plan for office buildings has been consolidated with the emergency action plan required for office buildings by FC404.2.2 and R404-02. The consolidation of the two plans is intended to eliminate overlapping filings, and fulfills one of the goals of the Fire Code Revision project and building owner representatives.

Fourth, it allows the required fire safety and evacuation plan staff training and fire drills for office buildings and hotel occupancies to be conducted in the form of computerized training, without live instruction, for not more than 50% of such training sessions, provided that such computerized training is interactive and includes an evaluation of the staff members understanding of the training materials. The former rules allowed only live instruction for fire drills and fire safety plan staff training. Building representatives have expressed an interest in utilizing computer-based training in presenting fire safety information to building staff and occupants.

In response to public comment, R404-01 was amended to clarify that existing hotels and motels with approved fire safety and evacuation plans must utilize the new format for amended plans filed on and after January 1, 2011, excluding amendments limited to FSP staff changes.

Other public comment suggested that the Fire Department require that fire safety and evacuation plans designate a re-entry floor a specified number of floors below the fire floor, to which building occupants evacuated from the fire floor, the floor above and the floor below would be directed. Rather than designate a specific floor in this manner, which could be complicated by mechanical floors, security concerns and other building-specific issues, the rule allows the building owner to designate the locations to which such building occupants will be relocated within the building and/or evacuated from the building. This information would be provided in Tables 2 and 3 to the fire safety and evacuation plan.

R404-02 sets forth standards, requirements and procedures for emergency action plans. These requirements were set forth in existing Fire Department rule 3 RCNY §6-02, and on forms and instructions posted on the Fire Department's website. The section has been revised to designate building personnel designated as critical operations staff to be members of the EAP staff, and to require that all critical operation staff, including office employee critical operation staff, be provided with training from the fire safety/EAP director. The section has also been revised to clarify the use of computerized instruction in building drills and staff training, consistent with the authorization of computer-based training for fire drills and fire safety plan staff training.

In response to public comment, the section has been revised to restore the existing requirement of a "simultaneous" EAP drill set forth in 3 RCNY §6-02 (1)(4)(ii)(B). The website instructions that previously provided guidance in preparing emergency action plans, and the tables and forms that were to be included with the emergency action plan, have, like those for fire safety plans, been simplified and/or clarified, and incorporated into the plan formats appended to R404-01.

R404-03 sets forth standards, requirements and procedures for sidewalk cafes and similar public gathering places. These requirements were set forth in existing Fire Department rule 3 RCNY §35-01. In response to public comment, this section has been amended to clarify the existing requirements for use of "café heaters" (portable space heaters fueled by piped natural gas) which are commonly associated with sidewalk cafes. The section references the existing Fire Code permit and supervision requirements and the applicable Department of Buildings Technical Policy and Procedure Notice.

R408-01 has been amended to correct a reference to the section number of a repealed rule.

Section 6. Chapter 8 of Title 3 of the Rules of the City of New York is hereby amended by adding one new section, §805-02, to read as follows:

**CHAPTER 8
INTERIOR FURNISHINGS, DECORATIONS AND SCENERY**

§801-804 Reserved
§805-01 Flame-Resistant Decorations
§805-02 Flame-Retardant Scenery
§806 Reserved

§ 805-02 Flame-Retardant Scenery

- (a) Scope. This section sets forth the standards, requirements and procedures for the testing and certification of flame-retardant scenery.
- (b) General Provisions
- (1) Applicability. The requirements of this section apply to scenery in any Group A occupancy.
- (2) Prohibition. It shall be unlawful to install or maintain in any Group A occupancy any scenery that is not flame-retardant in compliance with the requirements of FC805.2.
- (3) Supervision. The treating of scenery with a coating to impart flame retardant shall be conducted by or under the personal supervision of a certificate of fitness holder.
- (4) Affidavit of flame retardant. It shall be unlawful to install or maintain any scenery in any Group A occupancy unless an affidavit of flame retardant for such scenery has been filed with the Department in compliance with the requirements of this section.
- (c) Testing of Flame-Retardant Scenery. Scenery that is coated with a flame-retardant coating to render them flame-retardant may be subject to a field flame test by Department representative at any time as set forth in this section.
- (1) The material should be tested using a sample that is dry and, unless impracticable, approximately one and one-half (1½) inches wide by four (4) inches long.
- (2) The flame test shall be performed in a draft-free, safe location, outdoors where practicable, and within ten (10) feet of a portable fire extinguisher with at least a 2-A rating.
- (3) The sample shall be suspended (preferably with tongs) with the long axis vertical. The flame from a common wood match shall be applied to the center of the bottom edge of the sample for 12 seconds.
- (4) The sample shall be deemed to be satisfactorily flame-retardant only when:
- (A) the flaming does not spread rapidly over the sample;
- (B) the sample does not continue to burn for more than two (2) seconds after the match has been withdrawn; and
- (C) the flaming material does not break or drip from the sample and continue to burn.
- (d) Affidavit of Flame-Retardant Coating
- (1) The owner of any premises in which there is any scenery that is required to be subjected to a flame-retardant coating shall, in accordance with the requirements of this section, file with the Department an affidavit of flame-retardant coating for each such scenery.
- (2) Scenery that without the application of a flame-retardant coating cannot meet the fire-retardant requirements of FC805.2 shall be coated with a flame-retardant coating:
- (A) before being installed in the premises;
- (B) at the end of the time period following each flame-retardant coating that the manufacturer of the flame-retardant chemical warrants that the flame-retardant coating will be effective, but in no case more than three (3) years from the date of the last affidavit of flame-retardant coating filed with the Department; and
- (C) any time the scenery fails to pass a field flame test conducted in accordance with the requirements of R805-02(c).
- (3) The owner of the premises shall obtain from the person who performed the flame-retardant coating an affidavit of such flame-retardant coating that meets the requirements of R805-02(d)(4). Such owner shall file such affidavit with the Department in accordance with the requirements of R805-02(d)(5), and shall maintain on the premises for inspection by any Department representative a copy of such affidavit.
- (4) An affidavit executed by the person who performed or personally supervised the flame-retardant coating and the testing of the flame-retardant scenery shall contain the following information:
- (A) the name of the affiant, and the

number and expiration date of his or her certificate of fitness for flame-retardant coating;

(B) the date of the coating and/or testing;

(C) the name of the manufacturer of the flame-retardant coating, its trade name and its Certificate of Approval number;

(D) a detailed description of the materials treated and a statement indicating that the flame-retardant coating used has been approved under the certificate of approval for the materials treated;

(E) the period of time that the manufacturer of the flame-retardant coating warrants that the material's flame retardant will be effective; and

(F) the affiant's certification that the material and the flame-retardant coating comply with R805-02(b), and that the affiant personally subjected a sample of the treated material to a flame test in accordance with the requirements of R805-02(c), or personally supervised such test, and the material passed such test.

(5) An affidavit of flame-retardant coating shall be filed with the Bureau of Fire Prevention not later than ten (10) days after the installation or reinstallation of the scenery in the premises following the flame-retardant coating and/or testing of the scenery in accordance with R805-02(d)(2).

(6) The Department may reject any affidavit of flame-retardant coating that the Department determines is not in compliance with the requirements of this section, and shall give written notice of such determination to the owner of the Group A occupancy containing the scenery and to the certificate of fitness holder who executed such affidavit. The scenery shall be removed from the Group A occupancy and shall not be reinstalled until it has been subjected to a flame-retardant coating in compliance with the requirements of this section and a satisfactory affidavit of flame-retardant coating filed with the Department.

(e) Affidavit of Inherently Flame-Retardant Scenery

(1) The owner of any premises in which there is any scenery made of material that inherently complies with the flame-retardant requirements of FC805.2 shall file an affidavit from a certificate of fitness holder for each such scenery attesting to such properties. The owner of such premises shall file with the Department in compliance with the requirements of this section, and shall maintain a copy of such affidavit on the premises for inspection by any Department representative.

(2) The affidavit of inherently flame-retardant scenery shall contain the following information:

(A) the name of the person who personally inspected and/or tested the scenery, and the number and expiration date of his or her certificate of fitness for flame-retardant coating;

(B) the name of the manufacturer of the material used in the scenery; and

(C) an exact description of the material used in the scenery, and a description of the properties of the material that render it flame-retardant.

(3) An affidavit of inherently flame-retardant scenery shall be filed with the Bureau of Fire Prevention not later than ten (10) days after the installation or reinstallation of the scenery in the premises.

(4) The Department may reject any affidavit of inherently flame-retardant scenery that the Department determines is not in compliance with the requirements of this section, and shall give written notice of such determination to the owner of the premises containing the scenery and to the certificate of fitness holder who executed such affidavit. The scenery shall be removed and shall not be reinstalled until a satisfactory affidavit of inherently flame-retardant scenery has been filed with the Department, or the scenery has been subjected to a flame-retardant coating in accordance with the requirements of this section and a satisfactory affidavit of flame-retardant coating has been filed with the Department.

(f) Temporary Scenery. Notwithstanding any other provision of this section to the contrary, when scenery is installed or maintained in a premises on a temporary basis not to exceed 30 days, such as at a trade show or similar public gathering, the Department, in its discretion and upon a showing by the application that it would be an undue hardship to comply with the requirements of this section, may accept, in lieu of an affidavit of flame-retardant coating or inherently flame-retardant scenery, a testing report from a nationally recognized laboratory or certification from other

qualified *flame-retardant coating* professionals acceptable to the *Department* indicating that the material is in compliance with the requirements of FC805.2. Nothing contained in this subdivision shall be construed to necessitate that representative samples or other merchandise displayed at trade shows or similar public gatherings comply with the requirements of this section.

(g) Enforcement. In addition to such other penalties that may be applicable for failure to comply with the requirements of FC Chapter 8 or this section, the *Department* may:

- (1) order an *owner* of any *premises* containing *scenery* for which no affidavit has been filed with the *Department* or that fails a flame test to remove such *scenery* forthwith, and not to reinstall or maintain the *scenery* in any affected occupancy unless and until the *scenery* has been subjected to a *flame-retardant coating* and tested and an affidavit has been filed in accordance with this section.
- (2) take appropriate action against the *certificate of fitness* holder for misconduct for improperly completing an affidavit of *flame-retardant coating* or inherently flame-retardant *scenery*.

STATEMENT OF BASIS AND PURPOSE FOR CHAPTER 8 (INTERIOR FURNISHINGS, DECORATIONS AND SCENERY):

Section 805-02 sets forth requirements for flame-resistant scenery in assembly occupancies. These requirements are found in existing rule 3 RCNY §19-01.

Section 7. Chapter 9 of Title 3 of the Rules of the City of New York is hereby amended by adding one new section, §901-04, amending subdivision (c) and paragraph 5 of subdivision (d) of §907-01, and amending subdivision (d) of §912-01, to read as follows:

**CHAPTER 9
FIRE PROTECTION SYSTEMS**

* * *
§901-04 Buildings Temporarily Occupied as Emergency Shelters

* * *
§ 901-04 Buildings Temporarily Occupied as Emergency Shelters

(a) Scope. This section sets forth standards, requirements and procedures for the design, installation, operation and maintenance of *premises* or parts thereof that are operated and/or occupied, on a temporary basis, to provide emergency shelter for more than 15 persons.

(b) General Provisions

- (1) Temporary use and occupancy of premises as emergency shelter. The provisions of this section shall apply to *premises*, or parts thereof, including but not limited to armories, auditoriums, community centers, gymnasiums, houses of worship and schools, that are not designed to be occupied as emergency shelter, but that are operated and/or occupied for such purposes for more than 15 persons more than 30 days in any year.
- (2) Notification. Notification shall be made to the *Department of Buildings* and the Public Buildings Unit of the *Bureau of Fire Prevention* of the intent to operate and/or occupy any *premises* or part thereof as an emergency shelter for more than 15 persons, prior to commencing such use or occupancy.
- (3) Compliance with the Building Code. Nothing contained in this section shall be deemed to excuse compliance with the Building Code. The *Department* and the *Department of Buildings* will resolve any issues arising from the application of the section to a particular *premises*.

(c) Design and Installation Requirements. *Premises*, or parts thereof, operated and/or occupied as an emergency shelter shall comply with the following design and installation requirements:

- (1) Sprinkler system. The *premises*, or parts thereof, shall be protected throughout by a *sprinkler system* designed and installed in accordance with the *Building Code*. Activation of the *sprinkler system* shall cause an alarm to be transmitted to an *approved central station* and sound an alarm throughout the *premises*.
- (2) Fire alarm system. The *premises* shall be equipped with a *fire alarm system* designed and installed in accordance with the *Building Code* and provided with:
 - (A) an *approved fire command center* at an *approved location*;
 - (B) an *approved system* of smoke detectors that, upon activation, will cause an alarm to be transmitted to an *approved central station* and sound an alarm throughout the *premises*; and
 - (C) an *approved one-way voice communication system* capable of making announcements from the *fire command center* to all parts of the *premises*.
- (3) Emergency lighting. The *premises*, or part thereof, shall be equipped with emergency lighting in accordance with the *Building Code*.
- (4) Means of egress. The *premises*, or part thereof, shall be operated and/or occupied so as not to be overcrowded and to ensure adequate means of egress, including:

- (A) The emergency shelter shall provide a livable area of not less than 80 square feet per shelter occupant.
- (B) Adequate aisle space shall be maintained throughout the emergency shelter. Aisles shall not be less than 36 inches in width, except that cross aisles shall not be less than 48 inches in width.
- (C) Means of egress shall be provided that are:
 - (1) sufficient in number.
 - (2) remote from one another.
 - (3) arranged to open in the direction of exit travel.
 - (4) equipped with panic hardware.
 - (5) equipped with doors that are self-closing device.
 - (6) maintained unobstructed and unimpeded, and unlocked in the direction of egress at all times.

(5) Additional areas protected. The *Department* may require that the fire protection and life safety systems specified in this section be extended to other parts of the *premises* if the use and occupancy of the *premises* as an emergency shelter presents an increased fire safety risk to other parts of the *premises*.

(d) Operational and Maintenance Requirements. *Premises* operated and/or occupied as an emergency shelter shall comply with the following design and installation requirements:

- (1) Smoking prohibited. It shall be unlawful to smoke in any *premises*, or part thereof, being operated and/or occupied as an emergency shelter.
- (2) Storage and removal of combustible waste. The emergency shelter shall be provided with noncombustible combustible waste containers with tight fitting lids. At least one (1) container shall be provided for each 50 persons in each occupied area of the emergency shelter, but not less than two (2) containers shall be provided in each sleeping area, dining area and other gathering place. Combustible waste containers shall be regularly emptied and shall not be allowed to overflow. Combustible waste awaiting collection shall be stored outdoors in accordance with FC304.4, or indoors in a separate locked room protected by a *sprinkler system* located on the ground floor.
- (3) Fire safety and evacuation plan. Pursuant to FC404.2.1 and R404-01, a *fire safety and evacuation plan* shall be prepared and submitted to the *Department* for approval.
- (4) Fire drills. Pursuant to FC405, fire drills shall be conducted at least monthly on each shift, and *FSP staff* training at least one (1) hour quarterly on each shift.
- (5) Staff identification. Emergency shelter staff shall be readily identifiable at all times while on duty by means of an *approved identification* (such as a uniform, cap, nameplate, or armband).
- (6) Fire watch. Pursuant to FC401.6.8.3, all parts of *premises* operated and/or occupied as an emergency shelter, including sleeping areas, shall be continuously patrolled by a person holding a *certificate of fitness*. An *approved method* of supervising the conduct of the fire watch, such as a watchman's clock and key stations, shall be provided.
- (7) Below grade areas. Below grade areas shall not be used for sleeping purposes. Below grade areas that are not protected throughout by a *sprinkler system* shall not be used for lounges, recreation rooms, or other gathering places.
- (8) Decorations. *Decorations* shall comply with the requirements of FC805.
- (9) Portable fire extinguishers shall be provided in accordance with FC 906.
- (10) Signage. Durable, legible signs shall be securely and conspicuously posted as follows:
 - (A) Exit signs. Exit signs in accordance with the *Building Code*, including BC1011.
 - (B) Stairwell identification signs. Stairwell floor number and stairwell identification signs in accordance with the *Building Code*, including BC1019.1.7.
 - (C) Elevator identification and emergency signs. Elevator identification and emergency signs in accordance with the *Building Code*, including BC3002.3.
 - (D) Sleeping room signs. Signs in sleeping rooms in accordance with the *Building Code*, including BC1026.10.
 - (E) Fire emergency reporting.

Signage shall be provided in compliance with the requirements of FC408.14.

(F) Other signage. Such other signage that may be required by BC1026.

(11) Recordkeeping. A record shall be maintained at the fire command center or other approved location, and made available for inspection by any representative of the *Department*, of all fire safety-related activities, including but not limited to:

- (A) Fire watch patrols;
- (B) Cleaning of commercial cooking filters and ducts;
- (C) *Standpipe/sprinkler system* inspection, testing and servicing;
- (E) *Fire alarm system* inspection, testing and servicing;
- (F) Fire department connection testing;
- (G) Smoke detector inspection, testing and servicing;
- (H) Portable fire extinguisher inspection, testing and servicing;
- (I) Emergency lighting testing and servicing;
- (J) Conduct of fire drills and *FSP staff* training; and
- (K) Proof of flame-resistant decorations.

§ 907-01 Fire Alarm Recordkeeping, Smoke Detector Maintenance, Testing and Recordkeeping, and the Prevention of Unnecessary and Unwarranted Fire Alarms

* * *
(c) Prevention of Unnecessary and Unwarranted Alarms

- (1) In any *premises* having a *fire alarm system* or a *smoke detector* that automatically transmits signals to the *Department* or a *central station*, the *owner* (including any lessee) of the *premises* shall be responsible for preventing the transmission of *unnecessary* or *unwarranted alarms*, and shall be liable for any violation of this section.
 - (2) It shall be unlawful to transmit [three (3)] two (2) or more *unnecessary* or *unwarranted alarms* in any [six-month] three-month period[,], and it shall be unlawful to transmit any additional *unnecessary* or *unwarranted alarms* as set forth in R907-01(c)(4).
 - (3) The *owner* of any *premises* from which a second *unnecessary* or *unwarranted alarm* is transmitted in any three-month period will be subject to issuance of a *notice of violation*. Such *notice of violation* will afford the *owner* the opportunity to address the cause of the *unnecessary* or *unwarranted alarm* and to certify correction of the violation in accordance with R109-01(c), without having to appear for an *ECB* hearing and without imposition of a penalty.
 - (4) An *owner* issued a *notice of violation* pursuant to R907-01(c)(3) shall be liable for a violation of this section for any subsequent *unnecessary* or *unwarranted alarm* within six (6) months of the date of issuance of the *notice of violation*. Each such subsequent *notice of violation* shall constitute a repeat offense pursuant to *Administrative Code* §15-229(a) and shall not be eligible for certification of correction without a hearing and penalty pursuant to R109-01(c). Each such subsequent *notice of violation* shall extend for an additional six (6) months the time the *owner* is liable for *unnecessary* or *unwarranted alarms* pursuant to this provision.
 - (5) An *owner* issued one (1) or more *notices of violation* pursuant to R907-01(c)(3) or (4) who does not transmit any *unnecessary* or *unwarranted alarm* within six (6) months of the date of issuance of the last-issued *notice of violation* shall be restored to compliant status and shall thereafter be subject to issuance of a *notice of violation* only for two (2) *unnecessary* or *unwarranted alarms* within a three-month period, as set forth in R109-01(c)(2).
 - (6) Nothing contained herein shall be deemed to preclude the *Department* from utilizing other means of enforcement with respect to *unnecessary* or *unwarranted alarms* that meet or exceed the number set forth in R90701(c)(2).
 - (3)7 For purposes of this section, the malicious transmission of a false alarm by activation of a *manual fire alarm box* shall not be construed as an *unnecessary alarm*.
- (d) Alarm Log Book
- * * *
(5) The alarm log book shall be divided into three (3) separate sections as set forth below. Each section shall have a sufficient

number of pages to allow for entries for at least one (1) year. The following log book entries are required and shall be made in each instance:

(A) Daily entries. The name of the person who made the entry, the certificate of fitness number of the fire safety director on duty, if applicable, and the time each tour of duty began and ended, shall be entered in the alarm log book on a daily basis. These entries shall be set forth in columns in the log book as follows:

- (1) [Name] name
(2) [Cert. of Fitness #] certificate of fitness number
(3) [Time Started] time started
(4) [Time Relieved] time relieved

(B) System off-line entries. The date and time the alarm system was taken off-line, the reason for such action, the name and certificate of fitness number of the person notified at the central station (or other evidence of notification satisfactory to the Department), and the date and time the system was restored to service, shall be entered in the alarm log book in each such circumstance. These entries shall be set forth in columns in the log book as follows:

- (1) [Time Off Line] time off line
(2) [Reason Off Line] reason off line
(3) [Central Station Name & No.] central station name and telephone number
(4) [Time Restored] time restored

(C) Activated alarm entries. The date and time the alarm activated, the type and location of the device (e.g., smoke detector, 27th floor, elevator lobby), the probable cause of the alarm, and the Department unit and officer responding shall be entered in the alarm log book in each such circumstance. These entries shall be set forth in columns in the log book as follows:

- (1) [Date & Time Activated] date and time activated
(2) [Location & Detector Type] location and detector type
(3) [Probable Cause] probable cause
(4) [FDNY Unit & Officer] Department unit and officer

(D) Notification entries. The date and time of any notification to the occupants of the premises pursuant to FC Chapter 9 and R907-01(d), regarding a non functioning or improperly functioning alarm system.

§ 912-01 Periodic Testing of Standpipe and Sprinkler Systems With Fire Department Connections

(d) Sprinkler System Pressure Test

(1) The fire department connections for a sprinkler system shall be hydrostatically pressure tested by applying a hydrostatic pressure of 100 psig directly to each fire department connection and satisfactorily maintaining such pressure for not less than 20 minutes. Fire department connections may be isolated from the sprinkler system in accordance with the following procedures:

- (A) If the fire department connection check valve is of the flange type, a blind gasket or blank disc shall be installed between the flanges at the inlet (dry side) of check valve.
(B) If the fire department connection check valve is the screw type valve without flanges, the line at the dry side of check valve [must] shall be cut and the end capped.
(C) The fire department connection header shall be filled with water and a 100 psig hydrostatic pressure maintained for 20 minutes.
(D)C) When the test is completed, the blind gasket or blank disc shall be removed and flange gasket replaced. If the pipe was cut to

conduct the test, it shall be provided with flanges after the test so that it can be used when future tests are conducted.

(E)D) After blind gaskets or blank disc are removed and piping is properly reconnected, a final test equal to city main pressure shall be applied to the fire department connection header to check that the flange connection is water tight.

(F) Where static pressure in the sprinkler system exceeds 100 psig at the outlet side of the fire department connection check valve, the 100 psig pressure test may be applied directly to the fire department connection header.]

(G)E) When the test is completed, the fire department connection header shall be drained and the drip valve left in good working order.

(H)F) When the fire department connections for perforated pipe systems are tested, the perforated branch lines shall be backed out and openings plugged.

(I)2) Pneumatic testing. Sprinkler system fire department connections shall not be tested using air or other pneumatic methods.

(J)3) System restoration

(A) [After maintaining the pressure at 100 psig for 20 minutes, the] If the fire department connection is isolated during the hydrostatic testing, the system shall be restored by removing plugs and reconnecting branch lines.

(B) The contractor shall endeavor to ensure that the sprinkler system is not out of service overnight. If it is impracticable to restore the system for Fire Department use, the certificate of fitness holder [shall notify the owner or building manager and the Department,] and/or impairment coordinator supervising such testing shall comply with the out-of-service fire protection system requirements of FC901.7, including notification to the Department by telephoning the Department communications office (dispatcher) for the borough in which the premises is located. If the certificate of fitness holder or impairment coordinator is not present, the contractor shall [make such notifications] notify the owner or building manager and the Department.

STATEMENT OF BASIS AND PURPOSE FOR CHAPTER 9 (FIRE PROTECTION SYSTEMS):

R901-04 sets forth requirements for premises that are occupied, on a temporary basis, to provide emergency shelter for more than 15 persons. These requirements are found in existing rule 3 RCNY §39-02.

This rule includes a provision that, consistent with past Fire Department enforcement practice, clarifies that an emergency shelter must provide a livable area of not less than 80 square feet per shelter occupant, as required by the New York City Housing Maintenance Code.

R907-01 is amended to change the standard for unnecessary and unwarranted alarms. The Fire Department continues to respond to a large number of such alarms, which jeopardize public safety and increase response time to actual emergencies.

The rule changes the number of unnecessary and unwarranted alarms subject to enforcement action from three within a six-month period to two within a three-month period. However, the Department will enforce such violations by issuance of a Notice of Violation returnable before the New York City Environmental Control Board, which, as set forth in the rule, allows the respondent to avoid a hearing and penalty for the first violation by submitting acceptable proof of correction of the violation. Thereafter, any unnecessary or unwarranted alarm within six months would be deemed a "repeat" offense that would require a hearing, until a six-month period had elapsed without an unnecessary or unwarranted alarm.

R912-01 is amended to clarify the requirements for the periodic hydrostatic testing of sprinkler systems with fire department connections. The amendments make clear that the fire department connections can be tested with or without isolating the connections from the sprinkler system. Building owners may choose to isolate the connections prior to testing to avoid subjecting the other portions of the system to the test pressure.

Section 8. Chapter 14 of Title 3 of the Rules of the City of New York is hereby amended by adding a new section, §1408-01, to read as follows:

§ 1408-01 Construction Site Fire Safety Manager

[Reserved]

(a) Scope. This section sets forth standards, requirements and procedures for the supervision of fire safety at a construction site by a fire safety manager designated pursuant to FC1408.1.

(b) General Provisions

(1) Designation of fire safety manager. Pursuant to FC1408.1, a fire safety manager shall be designated by the owner

at any construction site for which the Building Code requires a site safety manager or site safety coordinator pursuant to BC3310.5. The fire safety manager shall perform the duties and responsibilities set forth in FC1408.1 and this section. The name and certificate of fitness number of the fire safety manager (and any alternate fire safety managers) shall be entered in the logbook required by FC1408.1 to be maintained at the construction site.

(2) Certificate of fitness. The fire safety manager at a construction site shall hold a certificate of fitness for such purpose.

(c) Supervision of Construction Site Fire Safety

(1) Fire safety manager duties and responsibilities. Pursuant to FC1408.1, the fire safety manager is responsible for ensuring that the construction, alteration and demolition work at a construction site is conducted in compliance with the requirements of the Fire Code and the rules. Such supervision shall include, but is not limited to:

- (A) authorizing, supervising and/or monitoring materials, operations and facilities regulated by the Fire Code;
(B) in accordance with FC1408.1, regularly inspecting the construction site for fire safety purposes, including compliance with the code and rule provisions set forth in R1401-01(c), 1403-01 and 1405-01;
(C) performing the duties of the impairment coordinator required by FC901.7, the responsible person required by FC2603.2.2, and the Fire Department liaison required by FC2703.9.1.1, or ensuring that such persons are designated and monitoring the performance of their duties;
(D) providing or arranging Department access to the construction site, inspection of the logbook and other records, and communication with the owner or his or her design professionals, managers or contractors, in accordance with R1401-01(b)(2); and
(E) taking all other actions that a prudent person trained and knowledgeable in construction site fire safety would take to ensure that fire safety is maintained at the construction site, given site conditions.

(2) Presence at construction site. The fire safety manager shall be present at the construction site at all times when construction, alteration and demolition work is being conducted. The fire safety manager shall sign in the logbook required by FC1408.1 at the beginning and end of each workday. An alternate fire safety manager shall assume the duties and responsibilities of the fire safety manager whenever the fire safety manager is required to be present at the construction site but is absent.

(d) Obligations of Construction Site Personnel. All persons present on a construction site, including contractors, subcontractors and their employees, shall cooperate with, and comply with the directions of, the fire safety manager in authorizing, supervising and/or monitoring materials, operations and facilities regulated by the Fire Code, or otherwise carrying out the duties and responsibilities of a fire safety manager, as set forth in FC1408 and this section.

(e) Recordkeeping. A record of the periodic inspection of the construction site required by FC1408.1, and other duties and responsibilities performed each day by the fire safety manager, shall be maintained in accordance with the provisions of that section. Entries shall be made for any conditions not in compliance with the applicable code and rule requirements, when such conditions could not be timely corrected, and the notifications made. The logbook required by FC1408.1 used to maintain such records shall be separate and distinct from the any log required to be maintained by the Building Code, including BC 3310.7 and 3310.8.4.

STATEMENT OF BASIS AND PURPOSE FOR CHAPTER 14 (FIRE SAFETY DURING CONSTRUCTION, ALTERATIONS AND DEMOLITION):

This rule addresses the supervision of fire safety at a construction site by a fire safety manager designated pursuant to FC1408.1. It sets forth the duties and responsibilities of the construction site fire safety manager and requires that he or she be present at the construction site when construction, alteration and demolition work is being conducted. It also provides that all construction site personnel must cooperate with, and comply with the directions of, the fire safety manager. In response to public comment, the requirement that the construction site fire safety manager sign out in the logbook whenever he or she leaves the construction site during the workday was eliminated.

Section 9. Chapter 17 of Title 3 of the Rules of the City of New York is hereby amended by amending the chapter title and section title of §1703-01 in the chapter content, to read as follows:

CHAPTER 17 FUMIGATION AND [THERMAL] INSECTICIDAL FOGGING

§1701-1702 Reserved
§1703-01 Fumigation and [Thermal] Insecticidal Fogging

STATEMENT OF BASIS AND PURPOSE FOR CHAPTER 17 (FUMIGATION AND INSECTICIDAL FOGGING)

The chapter and Section 1703-01 titles have been amended to reflect the Fire Department's regulation (in R1703-01) of all insecticidal fogging, not just thermal insecticidal fogging,

Section 10. Chapter 34 of Title 3 of the Rules of the City of New York is hereby amended by adding a new section, §3405-02, to read as follows:

**CHAPTER 34
FLAMMABLE AND COMBUSTIBLE LIQUIDS**

* * *
§3405-02 Storage, Handling and Use of Concentrated Alcohol-Based Hand Rubs

§ 3405-02 Storage, Handling and Use of Concentrated Alcohol-Based Hand Rubs

(a) Scope. This section sets forth standards and requirements for the storage, handling and use of concentrated alcohol-based hand rubs.

(b) Definition. The following term shall, for purposes of this section and used elsewhere in the rules, have the meaning shown herein:

Concentrated alcohol-based hand rub. An alcohol-containing preparation designed for application to the hands for anti-microbacterial or other medicinal purpose and containing ethanol or isopropanol in an amount exceeding 70 percent by volume but not exceeding 95 percent by volume.

(c) General Provisions. The storage, handling and use of concentrated alcohol-based hand rubs shall be governed by the Fire Code provisions applicable to the storage, handling and use of alcohol-based hand rubs, as set forth in FC 2701.1 and 3405.5.

STATEMENT OF BASIS AND PURPOSE OF CHAPTER 34 (FLAMMABLE AND COMBUSTIBLE LIQUIDS)

FC3402.1 defines alcohol-based hand rub as an alcohol-containing preparation designed for application to the hands for anti micro-bacterial or other medicinal purpose and containing ethanol or isopropanol in an amount not exceeding 70 percent by volume. Based on the definition, the provisions of FC3405.5 would not apply to hand rubs containing ethanol or isopropanol in an amount exceeding 70 percent by volume. Federal health standards agencies, including the United States Food and Drug Administration and Centers for Disease Control, advocate the use of higher-concentration alcohol-based hand rubs in health care facilities to reduce the risk of infection spread. Fire test data shows that while there is some increase in the flammability of alcohol-based hand rubs with higher alcohol content, the fire risk is not significantly greater compared to lower-concentration alcohol based hand rubs. Consistent with the foregoing, and FC102.8, which authorizes the Fire Commissioner to establish fire safety standards for matters not adequately addressed in the Fire Code, this rule proposes to regulate higher-concentration alcohol-based hand rubs in the same manner as lower-concentration alcohol-based hand rubs.

Section 11. Chapter 35 of Title 3 of the Rules of the City of New York is hereby amended by amending subdivision (c) of §3508-01, to read as follows:

§ 3508-01 Sanitary Landfill Methane Gas Recovery Facilities

* * *
(c) Design and Installation Requirements

- (10) Lightning Protection and Grounding
- ([1] A) The highest structural steel, process vessels and columns shall be provided with lightning protection in accordance with the *Electrical Code*.
 - ([2] B) All process equipment and piping shall be electrically grounded.

STATEMENT OF BASIS AND PURPOSE OF CHAPTER 35 (FLAMMABLE GASES)

Section 3508-01 has been added to the rule promulgation for the sole purpose of correcting the numbering of several provisions. The numbering has been conformed in accordance with standard numbering protocol for Fire Department rules.

Section 12. Chapter 46 of Title 3 of the Rules of the City of New York is hereby amended by amending Section § 4601-01, to read as follows:

§ 4601-01 New and Amended Fees

* * *
(d) Training School Accreditation Fees (FC A02). [Reserved] FC A02 is amended to read as follows:

**SECTION FC A02
TRAINING SCHOOLS**

A02.1 Training school accreditation fees. * * *

4. Construction site fire safety manager training schools

Original application	\$2,940.00
Renewal application	\$420.00

5. Building operation, maintenance and recordkeeping training schools

Original application	\$2,940.00
Renewal application	\$420.00

(e) Permit[s], [and] Inspection and Plan Review Fees (FC A03). FC A03 is amended to read as follows:

**SECTION FC A03
PERMITS, [AND] INSPECTIONS AND PLAN REVIEW**

A03.1 Permit[s and], inspection and plan review fees.

* * *
7A. Coke-fueled salamanders
Store, handle or use coke-fueled salamanders at a construction site \$105.00

* * *
45. Plan Examinations
Review of design and installation documents \$210.00
Review of fire safety and evacuation plan \$210.00
Review of emergency action plan
Original application \$525.00
Amended application (per hour) \$210.00
(total not to exceed \$525.00)
Review of combined fire safety and evacuation plan and emergency action plan
Original application \$630.00
Amended application (per hour) \$210.00
(total not to exceed \$630.00)
Review of [professionally certified applications] professionally certified applications \$210.00

(f) Administrative Services (FC A04). [Reserved] FC A04 is amended to read as follows:

**SECTION FC A04
ADMINISTRATIVE SERVICES**

* * *
8. Vacate order processing (upon dismissal for compliance) \$525.00

Note: Retain underlining of highlighted text in publication of final rule. Retain brackets and bracketed material of highlighted text in publication of final rule.

STATEMENT OF BASIS AND PURPOSE FOR CHAPTER 46 (FEES):

This chapter is amended to add five new fees.

The first fee is for Department accreditation of training schools for construction site fire safety managers.

The second fee is for Department accreditation of a continuing education course for fire safety directors and fire safety/EAP directors that addresses issues of building operation, maintenance and recordkeeping.

The third fee is a plan review fee for the combined fire safety and evacuation plan/emergency action plans in new rule R404-01. This plan review fee is 25% less than the total fees for separate plan reviews, reflecting the time savings resulting from the combined plan.

The fourth fee is a permit fee for storage and use of coke-fueled salamanders at a construction site.

The fifth fee seeks to recoup administrative costs associated with processing vacate orders. The fee will be imposed at the time of dismissal, when the property owner submits proof of correction of the condition resulting in the issuance of the vacate order, and the Fire Department confirms such correction.

Section 13. Chapter 48 of Title 3 of the Rules of the City of New York is hereby amended by amending eight section titles, adding one new section, §4804-01, adding a new subdivision (f) to §4809-01, and amending subdivision (c) and adding a new subdivision (e) to §4833-01, to read as follows:

**CHAPTER 48
PRE-EXISTING FACILITIES**

* * *
[§4804-4808 Reserved]
§4804-01 Pre-Existing Emergency Planning and Preparedness
§4805-4808 Reserved
* * *
§4833-01 Storage of Explosives and Special Effects in Pre-Existing Facilities
* * *
§4803-01 [Pre-Existing] General Precautions Against Fire in Pre-Existing Facilities
§4809-01 [Pre-Existing] Fire Protection Systems in Pre-Existing Facilities
§4810-01 [Pre-Existing] Means of Egress in Pre-Existing Facilities
§4830-01 [Pre-Existing] Storage of Compressed Gases in Pre-Existing Facilities
§4832-01 [Pre-Existing] Storage of Cryogenic Fluids in Pre-Existing Facilities
§4833-01 Storage of Explosives and Special Effects in Pre-Existing Facilities
§4835-01 [Pre-Existing] Storage of Flammable Gases in Pre-Existing Facilities
§4838-01 [Pre-Existing] Storage of Liquefied Petroleum Gases in PreExisting Facilities

§4804-01 Pre-Existing Emergency Planning and Preparedness

(a) Scope. This section consolidates the Fire Prevention Code and former Fire Department rules in effect on June 30, 2008 that are applicable to the design and installation of pre-existing facilities for purposes of emergency planning and preparedness.

(b) Definitions. Reserved

(c) General Provisions. Pre-existing facilities, the design and installation of which for emergency planning and preparedness purposes would not be allowed or approved under the Fire Code, but which, pursuant to FC102.3 and R102-01, may be continued with respect to such emergency planning and preparedness under the applicable laws, rules and regulations in effect prior to the Fire Code, shall continue to comply with the provisions of such laws, rules and regulations, including former Fire Department rules 3 RCNY 34-02, as applicable, with respect to such emergency planning and preparedness, until such time as such facilities may be required to comply with the Fire Code and the rules with respect to the design and installation of such emergency planning and preparedness.

(d) Life Safety Requirements for Schools with Physically Handicapped Students

(1) Former Fire Department Rule 3 RCNY §34-02

§34-02 Life Safety Requirements for Schools with Physically Handicapped Students

The following life safety requirements shall apply to those public schools included in the Board of Education, Division of School Buildings, ABR/COH Facilities Accessibility Program which is contained in the Jose P. vs Ambach, et al. (Index No. 79 Civ. 270) judgment plan, appendices and stipulations and shall apply to private preschools through secondary schools.

(a) Buildings to be of class 1 (1938 [Administrative Building Code] construction, or Group 1A, 1B, or 1C (1968 Administrative Code), shall conform to the structural, service equipment and occupancy requirement of Chapter 1 of Title 27 of the [Administrative] 1968 Building Code and to the regulations of the Department of Buildings.

* * *
(c) At no time shall occupancy by non-ambulatory students be permitted in basement or cellar area of school unless entire area of basement or cellar is fully sprinklered by a wet automatic sprinkler system (electrical rooms excluded).

(1) Where terrain configuration places cellar or basement Holdings Area(s) in a position that affords accessibility to Fire Department personnel, sprinkler requirements as per subdivision (c) above, may be waived. Such relief is subject to approval of Bureau of Fire Prevention.

(2) Where terrain configuration places cellar or basement space intended for use by non-ambulatory student on a level where egress may be made directly and unencumbered to the exterior of the building via exits constructed for such purpose, the Holding Area(s) requirements in such cellar or basement space may be waived. Relief from Holding Area(s) provision in this case is subject to approval of Bureau of Fire Prevention.

(d) Holding Area(s) shall be provided on each floor above and below grade level where occupancy by non-ambulatory students is to be permitted.

(1) Holding Area(s) shall be designated room(s) fully enclosed in non-combustible partitions with all door openings therein either of non-combustible material or of solid wood construction located adjacent to an exit stairwell. Egress from the Holding Area(s) shall be by way of a corridor. These rooms shall be provided with a 2-way voice communication system acceptable to the Fire Commissioner that shall be connected to both the custodian's office and the principal's office. The communication system shall be properly maintained in working order at all times. Inspections, test maintenance and record keeping requirements shall be the responsibility of the person holding the certificate of fitness for [the Interior Fire Alarm System] supervision of fire alarm system maintenance, and shall conform to the requirements of § 27-4265(g) of the Administrative Code FC901.6.1.

(2) Holding Area(s) shall face on a street accessible to Fire Department apparatus and be free from physical impediments (e.g. trees) that may interfere with the positioning of Fire Department apparatus.

(3) Windows in Holding Area(s) designated [from] for removal of handicapped students shall provide, when opened, an area free of obstructions that is at least 32" wide and 48" high accessible to Fire Department equipment. Such windows shall be readily openable without the use of a key.

(4) Window sills on windows designated for removal of handicapped students shall be not more than 36" above the floor level of associated Holding Area(s) and shall be painted red, inside and outside, with a sign attached outside, top window pane. This sign shall read "F.D. ACCESS" and shall be not less than 12" x 18" in size. Sign shall be made of metal or other durable non-combustible material with 4" red lettering in bold type on a white background. Sign shall be properly maintained.

(5) Holding Area(s) shall line up vertically on the facade of each floor of the building.

(6) Doors leading to Holding Area(s) shall be provided with a sign 5" x 18". This sign shall read "HOLDING AREA". Sign shall be made of metal or other durable non-combustible material with 3" red lettering in bold type on a white background. Signs shall be mounted on the lower half of the door and be properly maintained.

(7) Holding Area(s) shall have movable seats and desks and be capable of holding the total number of wheelchairs required to use the Holding Area. Minimum net floor area shall be calculated at 25 square feet per wheelchair and be free of all encumbrances.

(8) Holding Area(s) shall have ceilings and floors which have a minimum one and one-half hour fire rating. Walls shall have a minimum one hour fire rating and all door openings shall be equipped with appropriately rated fire-proof self-closing doors with a minimal vision panel. The maximum size of vision panel shall be 144 square inches. No opening shall be permitted in wall, ceilings or floors unless properly protected.

(9) Holding Area(s) shall be lequipped with a 2 1/2 gallon pressurized water extinguisher provided with a portable fire extinguisher with at least a 2-A rating. * * *

- (10) All ducts/vents which breach or otherwise cause integrity of Holding Area to be violated shall be equipped with an approved combination smoke/heat damper.
- (11) Smoke barriers, in accordance with the provisions of §27-369(c) of the [Administrative] 1968 Building Code, shall be provided in corridors. Such smoke barriers shall separate the Holding Area and the adjacent exit stairwell from the rest of the building. Doors in such smoke barriers shall comply with the provisions of §27-371(c) of the [Administrative] 1968 Building Code except that these smoke stop doors may also be left open if they are arranged to close automatically by an approved smoke detector on the ceiling immediately adjacent to and on both sides of the doors.
 - (e) The auditorium shall be fitted to accommodate all persons using wheelchairs in attendance. These accommodations shall be immediately adjacent to and at the same level as a main exit. Existing required aisles, passageways and exits shall not be reduced or obstructed, and legal occupant load shall not be exceeded.
 - (f) All existing and newly installed elevators shall be equipped with [firemen] firefighter service keys to conform with Fire Department requirements.
 - (g) Interior Fire Alarm system shall be provided with visual warning signals in addition to the required gongs. Such visual warning signals shall be visible from any location in all corridors and in unsupervised rooms occupied by handicapped students. The visual signal shall be on a separate circuit and control panel. Visual signal shall continue flashing after the four rounds of the Fire Alarm box have run out, and must be manually reset.

* * *

Note: Retain underlining of highlighted text in publication of final rule. Retain brackets and bracketed material of highlighted text, without underline, in publication of final rule.

§4809-01 Fire Protection Systems in Pre-Existing Facilities

* * *

- (f) Watchman's Time Detector Systems and Watchman Service

- (1) Former Fire Department Rule 3 RCNY §41-01

§ 41-01 Installation of Watchman's Time Detector Systems and Watchman Night Watch Service

- (a) [Watchman] Night watch. In every building used or occupied as a hotel, lodging house, public or private hospital or asylum there shall be employed by the owner or proprietor, or other person having the charge or management thereof, one or more [watchmen] night watch whose exclusive duty it shall be to visit every portion of such building at regular and frequent intervals, as hereafter provided under regulations established by the commissioner, for the purpose of detecting fire, or other danger, and giving timely warning thereof to the occupants of the building. There shall be provided a [watchman's] night watch clock or other device to be approved by the commissioner, by means of which the movements of the [watchman] night watch may be recorded. The commissioner may, however, in his or her discretion, accept an automatic fire alarm system in lieu of [watchmen] night watch and time detectors.
- (b) Scope. This section shall apply to all hotels and lodging houses and single room occupancies as defined in the Multiple Dwelling Law, to all public and private hospitals and asylums having more than 15 rooms or accommodating more than 15 patients or inmates above the first or ground story, and to all Turkish or special treatment bath-houses where there are sleeping accommodations for more than 15 persons on the premises.
- (c) [Watchman] Night watch service. [Watchman] Night watch service shall be performed every night. Patrol tours shall be made at least every two hours, beginning at 10 P.M. and continuing until the day staff of employees have assumed their duties. Persons employed as [watchmen] night watch shall be physically and mentally competent to perform required duties and shall not be assigned to any other work that will interfere or prevent them from making their proper tours. A proprietor, clerk or other employee may be permitted to serve as a [watchman] night watch in a lodging house, provided his or her duties are such as will not interfere with proper performance of tours.
- (d) Time detectors, types.
 - (1) Central station system, approved by

commissioner. Central station system shall consist of watch-boxes of approved type, used for no other purpose and located so watchman in making rounds must visit every portion of the building (see partial occupancy). Boxes shall be arranged so fire signals distinct from watch signals may be sent from each station installed. Before acceptance of any system operating through a central station, the company furnishing such service shall file with the Bureau of Fire Prevention a general description of the apparatus it proposes to install, together with sample boxes and such detailed information and drawings necessary to the complete understanding of the operation of the system. Diagrams showing means of delivering signals to patrol and fire headquarters shall also be furnished.

- (2) Local or private station system, approved by Commissioner. Local or private station system. Approved single station clocks or a portable [watchman's] night watch clock may be used to record the movements of [watchmen] the night watch. Single station clock for each station, or portable clock, shall be so located as to compel watchmen to visit every portion of the building in making tours. (See partial occupancy). Records shall be made by embossing or perforating paper dials which shall be clearly legible. Dials shall be of sufficient size so that time at which record is made can be accurately determined. Both single stations and portable clocks shall be made so that watch record dials cannot be seen without opening case, also the opening or closing of the case will make distinctive record on the dial of such action. Keys for portable clocks shall be of a type difficult to duplicate and shall be of a pattern susceptible to variations tending to reduce the probability that a set of keys fitted for one clock will operate other clocks. Key stations shall be fixed so that they cannot be removed without giving evidence of the fact.

- (e) Numbering of stations. Stations shall be numbered in the order that the [watchman] night watch is required to make his or her patrol. The location number and order of stations shall be subject to the approval of the Bureau of Fire Prevention.

- (f) Reports of [watchman] night watch service. Central station system companies shall furnish such daily reports to the Bureau of Fire Prevention as may be required, of all buildings equipped by them with time detectors. Where either single station clocks or portable watchmen's clocks are used, records shall be maintained for at least thirty (30) days which shall be subject to inspection by the fire department. The insertion and removal of record dials from the time clock, indicating the hours of [watchman] night watch patrol shall be performed by owner, proprietor or supervisor only. [Watchmen] Night watch shall not be permitted to perform this function. Each dial shall be dated upon insertion and removal from the time clocks and initialled by person charged with this duty. Only one dial may be inserted in the clock at any one time.

- (g) Exception. Where an automatic closed circuit, automatic thermostatic fire alarm system, or an automatic wet sprinkler system is installed to cover all portions of the building and are so arranged that the operation of either system will sound all of the gongs on the interior fire alarm system, a watchman's time detector system [of time detectors] shall not be required.

- (h) Existing installations. Time detectors heretofore installed in compliance with orders of the commissioner may be accepted in lieu of the above requirements, provided they are properly maintained so as to render the service intended.

- (i) Partial occupancy of building. Where any hotel, lodging house, hospital or asylum occupies only a portion of a building and such portion does not include all of the floors above and below ground levels, provisions shall be made whereby [watchmen] night watch shall cover all portions so occupied and, in addition, all portions which are at the same level above or below the floors occupied by the hotel, lodging house, hospital or asylum.

* * *

§ 4833-01 Storage of Explosives and Special Effects in Pre-Existing Facilities

* * *

- (c) General Provisions. Pre-existing facilities for storage of explosives the design and installation of which would not be allowed or approved under the Fire Code, but which, pursuant to FC102.3 and R102-01, may be continued with respect to such explosive and specials effect material installations under the applicable laws, rules and regulations in effect prior to the Fire Code, shall continue to comply with the provisions of such laws, rules and regulations, including former Administrative Code §27-4213, and former Fire Department rule 3 RCNY §14-04, until such time as such facilities may be required to comply with the Fire Code and the rules with respect to their design and installation.

* * *

- (e) Television Special Effects

- (1) Former Administrative Code §27-4213

§27-4213 Television special effects

- a. The provisions of this section shall apply to the [use, storage, maintenance and transportation] storage and use of television special effects in connection with television programs.

- b. Definitions. For the purposes of this section:

1. The term "television studio" shall mean any place in a building from which television broadcasts are made or rehearsed and which contains television equipment, scenery or properties, fixtures or other special equipment used for production of television broadcasts whether or not the use of motion picture film is an integral part and with or without seating area for an audience. A television studio may include, but shall not be limited to, front and rear screen projection, film recording, kinescope recording, cutting and editing rooms, developing, screening and viewing rooms, storage rooms and telecine rooms. The televising of special events, such as news, sports, conventions, or special events of a generally similar nature in any place or building shall not constitute such place or building a television studio.
2. The term "television special effect" shall mean any of the materials listed in subdivision c of this section and, in addition, any item, material or property of an explosive, flammable, combustible or dangerous nature approved by the commissioner as a television special effect.
3. The term "flash compound" shall mean a chemical mixture with a burning rate and gas producing pressure rate of lesser degree than commercial photographers' flash powder.
4. The term "flash producing paper" shall mean a paper partially nitrated or treated with mixed acids and treated with a retardant to diminish its rate of burning.
5. The term "flash producing cotton" shall mean ordinary cotton partially nitrated.
6. The term "matches" shall mean matches, other than safety matches, of a type approved by the commissioner.
7. The term "television spark producing device" shall mean a wood stick about one-eighth inch in diameter and seven and one-half inches long dipped to an extent of about four and one-half inches. Each stick shall hold either about five grams of a binder mixture, iron filings, aluminum and barium nitrate, or about two grams of a binder mixture, aluminum, barium nitrate and potassium perchlorate.
8. The term "toy pistol caps" shall mean toy pistol caps made and packed in compliance with the requirements of the federal department of transportation.
9. The term "electric ignitors" shall mean a type approved by the commissioner, and shall contain a compressed powdered metal and an electrical bridge device with a chemical igniting compound of pressed powder with a small amount of oxidiser not exceeding five grains surrounding the bridge.
10. The term "safety fuse or quick match" shall mean a fuse of a type approved by the commissioner, and shall consist of a very fine core of powder surrounded by wound paper and/or yarn tape and pitch in such a manner so that the fuse will burn progressively.

* * *

12. The term "approved carrying case" shall mean a container clearly marked "TV special effects" and conforming to the following specifications: Container shall be constructed of .070 inch vulcanized fibre, with fibre sections formed under heat, riveted together and all exposed edges banded with metal edging. The exterior corners on the cover and bottom shall be fitted with metal corner reinforcing pieces, and the construction shall conform to standards and practices of fibre case manufacture. The inside dimensions shall be sixteen inches long, eight inches deep and six inches wide, with variances of one-half inch. Such container shall be fitted with two or more spring loaded hinges, capable of effecting a tight closure and exert enough pressure to prevent the cover remaining in open position when released. The closure pressure of the combined hinges shall not exceed ten (10) pounds. The cover shall close freely without any binding action with spacers placed under the lower half of the spring hinge. The inside top panel of the cover shall be lined with one-eighth inch asbestos held in place with a fire

resisting adhesive. A fibre panel covering approximately three-fourths inch of the asbestos around the inside perimeter of the cover shall be riveted to the inside of the cover as a fireproof gasket between the cover and the four top edges of the box body. Apertures of four inches by four inches shall be placed at each end and fitted with flame repellent wire mesh barriers, so constructed as to allow a one-half inch separation between the two panels of twenty mesh wire screen, and such screens shall be of stainless steel, cadmium plated copper or brass mesh. The barrier assemblies shall be secured with 6/32 roundhead machine screws, so constructed as to permit removal of mesh for cleaning or replacement. The carrying strap shall be one inch woven webbing attached to the ends of container by free floating "D" rings; the strap shall be capable of supporting a carrying weight of thirty pounds. No varnish, paint, or treatment of any kind shall be applied to the fibre or asbestos portions of container.

13. The term "central storage" shall mean the storage of television special effects in a room which conforms to the following specifications: Such room shall be enclosed by noncombustible partitions having a minimum fire resistive rating of at least a one hour, and a roof having a fire resistive rating of at least a one and one-half hours, and shall be used for no other purpose. The location of such storage room shall be approved by the commissioner, and shall not be located below street level. Door openings shall be provided with self-closing fireproof doors, having at least a one hour fire resistive rating, and marked "Central storage—television special effects," in letters not less than four inches high. Such rooms shall be adequately ventilated to the outer air, with thin glass windows having an area of at least one-half square inch per cubic foot of room capacity. [and] **There shall be a distance of at least fifty feet from any window in such rooms to any window or other building opening [exposed thereby and not in the same plane and giving] on a different wall of the same building or on another building, and a distance of at least twenty-five feet from any window in such rooms to any fire escape on the same or higher level, and wall. Such rooms shall be provided with one sprinkler head for each eighty square feet of floor space. Metal racks shall be provided for the storage of containers, and all compressed gases shall be stored in an upright position. Such rooms shall be constructed only on fireproof floors having a minimum fire resistive rating of at least one and one-half hours and adequate to sustain the proposed loads, or shall be constructed directly on the ground. Where there are practical difficulties in conforming strictly to the provisions herein, the commissioner may vary or modify such provisions to such extent as such commissioner may deem necessary [in] for the premises consistent with public safety.**

14. The term "centrally stored" shall mean stored in a place of central storage as defined in paragraph thirteen of this subdivision.

c. The following materials are approved as television special effects and, notwithstanding any other provisions of the code, but subject only to compliance with the provisions of this section, may be centrally stored, and/or may be maintained, stored and used in television studios* * *:

1. Flash compound
 - (a) A maximum of thirty-six ounces may be centrally stored with not more than two ounces in any federal department of transportation approved container and with all such containers kept in approved carrying cases.
 - (b) A maximum of four ounces may be [maintained] stored for use, with not more than sixty grains in any plastic vial or any federal department of transportation approved container and with all such vials or containers kept in approved carrying cases.
2. Flash producing paper
 - (a) A maximum of one hundred square feet may be centrally stored with all such material enclosed in metal foil or other material approved by the commissioner and all kept in approved carrying cases.
 - (b) A maximum of twenty square

feet may be [maintained] stored for use when enclosed in metal foil or other material approved by the commissioner and kept in approved carrying cases.

3. Flash producing cotton
 - (a) A maximum of two ounces may be centrally stored with not more than one-half ounce in a plastic container and all such plastic containers kept in approved carrying cases.
 - (b) A maximum of one-half ounce may be [maintained] stored for use, with all such material in a plastic container and such plastic container or containers kept in approved carrying cases.
4. Volatile flammable oils and flammable mixtures
 - (a) A maximum of five gallons of each may be centrally stored in safety cans of a type approved by the commissioner.
 - (b) A maximum of one gallon of each may be [maintained] stored for use in safety cans of a type approved by the commissioner.
5. Acetylene gas
 - (a) Not more than twenty-four cylinders not exceeding one hundred forty cubic inch capacity each approved by the federal department of transportation may be centrally stored.
 - (b) A maximum of six such cylinders may be [maintained] stored for use.
6. Household gas
 - (a) A maximum of twelve cylinders not exceeding five hundred cubic inch capacity each, approved by the federal department of transportation, may be centrally stored.
 - (b) A maximum of six such cylinders may be [maintained] stored for use.
7. Propane gas
 - (a) A maximum of six propane cylinders, interstate commerce commission designation no. 4B240 or equivalent, not exceeding twenty pounds capacity each, may be centrally stored.
 - (b) A maximum of two such cylinders may be [maintained] stored for use.
8. Butane gas
 - (a) A maximum of twenty-four cylinders not exceeding thirty cubic inch capacity each, by the federal department of transportation, may be centrally stored.
 - (b) A maximum of six such cylinders may be [maintained] stored for use.
- * * *
10. Matches
 - (a) A maximum of one thousand matches may be centrally stored in one or more approved carrying cases.
 - (b) A maximum of fifty matches may be [maintained,] stored for use[,] in approved carrying cases.
11. Spark producing device
 - (a) A maximum of one hundred forty-four such sticks may be centrally stored in separate hardened fibre boxes, all contained in approved carrying cases.
 - (b) A maximum of thirty-six such sticks may be [maintained,] stored for use[,] in hardened fibre boxes all contained in approved carrying cases.
12. Toy pistol caps
 - (a) A maximum of two thousand five hundred such caps in approved carrying cases may be centrally stored.

(b) A maximum of five hundred such caps may be [maintained,] stored for use[,] in approved carrying cases.

13. Electric ignitors
 - (a) A maximum of four hundred such ignitors may be centrally stored in approved carrying cases.
 - (b) A maximum of one hundred fifty such ignitors may be [maintained,] stored for use[,] in approved carrying cases.
14. Safety fuse or quick match
 - (a) A maximum of two hundred feet of each type may be centrally stored with not more than two hundred feet of either type or combination of the two types kept in approved carrying cases.
 - (b) A maximum of twenty feet of each type may be [maintained,] stored for use[,] with not more than twenty feet of either type or combination of the two kept in approved carrying cases.

15. Blank cartridges. A maximum of one hundred boxes of such cartridges, in approved carrying cases, may be centrally stored [or maintained] for use.

16. Slow burning smoke producing compound
 - (a) A maximum of twelve pounds may be centrally stored in approved carrying cases.
 - (b) A maximum of two pounds may be [maintained,] stored for use[,] in approved carrying cases.

* * *

(g) Television special effects in quantities, as provided in subdivision c of this section may be [maintained] stored for use[,] in cabinets in television studios provided such television special effects are contained in approved carrying cases, when required in subdivision c of this section, and stored in cabinets at such location in the studio as may be approved by the commissioner, in no event to be below street level and in accordance with the following:

1. Said location in theatre type television studios shall be as far as practicable from the audience area and in all other television studios are far as practicable from the performing area.
2. Cabinets shall be clearly marked "TV special effects" and be constructed either of one-fourth inch asbestos board on a framework of one and one-fourth by one and one-fourth by one and one-eighth inch angles or shall be made of 18 United States gauge metal double walled with one and one-half inch air space. Racks or shelves shall be of metal so arranged that cylinders of compressed gas shall be secured in an upright position.
3. Doors shall be so arranged as to remain normally closed and shall be provided with catches at three points.
4. Cabinets shall be provided with a vent to the outside of building. Vent shall have a minimum area of one-half square inch per cubic foot of cabinet capacity.
5. Vent flues inside of building shall be of a construction equivalent to 18 United States gauge metal, covered with one inch of heat insulating material.
6. Each cabinet shall be provided with an automatic sprinkler connected to an adequate source of water supply.

Note: Retain underlining of highlighted text in publication of final rule. Retain brackets and bracketed material of highlighted text, without underline, in publication of final rule.

STATEMENT OF BASIS AND PURPOSE FOR CHAPTER 48 (PRE-EXISTING FACILITIES):

The titles of Sections 4803-01, 4809-01, 4810-01, 4830-01, 4832-01, 4835-01 and 4838-01 in this chapter have been amended to conform to those in the chapter table of contents.

R4804-01 sets forth design and installation requirements for pre-existing facilities having holding areas in schools with physically handicapped students. These requirements are set forth in existing rule 3 RCNY §34-02.

R4809-01(f) sets forth design and installation requirements for watchman service in pre-existing hotels, lodging houses, hospitals and asylums. These requirements are set forth in existing rule 3 RCNY §41-01.

R4833-01(e) sets forth requirements for television special effects in pre-existing facilities. These requirements are set forth in former Administrative Code §27-4213.

PROCUREMENT POLICY BOARD

NOTICE

NOTICE OF ADOPTION OF FINAL RULE

The Procurement Policy Board has adopted an amendment to **Chapter 4 Completion of Contracts Following Default or Termination for Cause of Construction and Construction-Related Service Contracts** of its Rules pursuant to Section 311 of the New York City Charter. The amendment was published on April 2, 2010 in the City Record. A public hearing was held on May 5, 2010. The amendment was adopted by the Procurement Policy Board on May 11, 2010.

Basis and Purpose of the Amendment

The City requires construction contractors to obtain performance bonds under certain circumstances whereby the surety, upon default of the contractor, obligates to either complete the construction or tender a penal sum to the City. If the surety fails to complete the construction or opts to tender a penal sum to the City, the City agency in question must enter into a completion contract with a different contractor to ensure that the work is completed. The amendment conforms the rule to the performance bond language by allowing an agency to enter into a completion contract after default of a contractor when a surety elects to tender payment of a penal sum, as well as when the surety fails to perform its obligations under the bond.

The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

Section 1. Paragraph (2) of subdivision (c) of section 4-08 of Title 9 of the Rules of the City of New York is amended as follows:

Section 4-08 COMPLETION OF CONTRACTS FOLLOWING DEFAULT OR TERMINATION FOR CAUSE OF CONSTRUCTION AND CONSTRUCTION-RELATED SERVICE CONTRACTS

(c) Application. Completion contracts shall be entered into pursuant to this section in cases where:

- (1) the contractor has been defaulted or terminated for cause;
- (2) there is no surety, or after a demand has been made by the agency, the surety either fails to perform its obligations in a timely manner or elects to tender a payment of funds as performance rather than completing the work, in accordance with its obligations; and
- (3) there is a continuing need to complete all or part of the work.

m25-j1

NOTICE OF ADOPTION OF FINAL RULE

The Procurement Policy Board has adopted an amendment to **Chapter 2 Vendor Responsibility and Appeal of Determination of Non-Responsibility and Chapter 3 Competitive Sealed Bidding, and Competitive Sealed Proposals** of its Rules pursuant to Section 311 of the New York City Charter. The amendment was published on April 2, 2010 in the City Record. A public hearing was held on May 5, 2010. The amendment was adopted by the Procurement Policy Board on May 11, 2010.

Basis and Purpose of the Amendment

The amendments provide for an administrative fee to be charged to prime vendors and subcontractors for vendor name checks to defray the cost of the City's VENDEX system and the Vendor Name Check process. The amount of the fee for the vendor itself and any of its subcontractors for which a Vendor Name Check is made would be charged against payments owed to the vendor once the contract is registered. The amendments also require the CCPO to compile Citywide bidders lists in addition to any agency bidders lists authorized by the CCPO in order to make the administration of City bidder lists more efficient.

The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

Section 1. Subdivision (f) of section 2-08 of Title 9 of the Rules of the City of New York is amended to read as follows:

Section 2-08 VENDOR RESPONSIBILITY AND APPEAL OF DETERMINATION OF NON-RESPONSIBILITY.

(f) Department of investigation and administrative fee.

(1) Prior to making its determination of vendor responsibility, the agency shall request the Department of Investigation to conduct a Vendor Name Check on the proposed vendor, which shall consist of a review of the names on the Questionnaire and other information to ascertain whether the business or its affiliated individuals are or have, during a relevant period of time, been the subject of an investigation by the Department. The Department of Investigation shall undertake the review expeditiously and provide an explanation to an agency if its review is not completed within thirty calendar days of the request. If the Department of Investigation ascertains that there has been such an investigation, it shall provide a copy of any final report or statement of findings to the Agency Head

for use in making the determination of responsibility. If the results of the review are not made available to the agency within thirty calendar days of the request, the agency may make its responsibility determination on the basis of the information then available to it.

(2) For any contract or subcontract that is subject to the Vendor Name Check process set forth in section (f)(1), the CCPO may charge a fee for the administration of the VENDEX system, including the Vendor Name Check process, in the amount of \$175 for contracts of an estimated value less than or equal to \$1,000,000 and \$350 for contracts of an estimated value greater than \$1,000,000. Such fee will be charged against payments made to the vendor on the contract at issue. The timing of the contract award shall not be affected by a fee incurred but not yet paid by the vendor. A prime vendor is responsible for the payment of fees for any subcontractors of the vendor for which Vendor Name Check requests are made. Nothing contained in these Rules shall prohibit a prime vendor from recovering from its subcontractors the amount of such fees attributable to those subcontractors. The VENDEX administrative fee may be waived at the discretion of the CCPO if it is determined that such waiver is in the City's best interest.

Section 2. Subparagraph (i) of paragraph (1) of subdivision (e) and subdivision (f) of section 3-02 of Title 9 of the Rules of the City of New York are amended to read as follows:

Section 3-02 COMPETITIVE SEALED BIDDING.

- (e) Public Notice.
- (1) Notice of Solicitation.
- (i) Distribution. IFBs or notices of their availability shall be mailed, faxed, hand delivered, or otherwise furnished to a sufficient number of vendors, including all vendors on the appropriate citywide bidders list established by the CCPO for the purpose of securing competition. IFBs or notices of their availability may be sent to vendors on agency-specific bidders lists, in addition to the appropriate citywide bidders list maintained by the CCPO, only with approval of the CCPO. Such IFBs or notices shall be sent at least fifteen (15) days in advance of the due date for bids, or at least twenty-two (22) days in advance of the due date for bids which are subject to Section 6-129 of the New York City Administrative Code (M/WBE and EBE program). An agency may, upon request of a vendor, provide IFBs or notices electronically. Where the notice does not include all IFB documents, an additional five (5) days shall be allowed. Notices of availability shall indicate, at minimum:
- (A) the name of the agency and, if appropriate, the specific division or bureau soliciting the bids;
- (B) title and brief description of the goods, services, or construction required;
- (C) specific information about how, when, and where the IFB is available;
- (D) the required fee or deposit amount, if any, for obtaining the IFB;
- (E) the time, date, and location of any pre-bid conference or site visit, if any, and if attendance is mandatory;
- (F) the date, time, and location for the receipt and opening of bids; [and]
- (G) if applicable, the name and phone number of the agency contact person; and
- (H) the citywide bidders list used.
- (f) Bidders lists.

(1) [Lists] The CCPO shall compile citywide lists of vendors interested in being solicited for bids [shall be compiled and maintained by the procuring agency]. In addition, the CCPO may authorize one or more agencies to maintain citywide or agency bidders lists. Bidders lists shall be classified by standard categories of goods, services, and construction that are sufficiently detailed to provide meaningful distinctions among categories. Bidders lists shall include the names, addresses, EIN, e-mail addresses, and telephone numbers of the vendors. In addition, bidders lists shall indicate which of the listed businesses have been certified by DSBS [shall maintain a list of businesses certified by that agency] as minority owned, women owned and emerging business enterprises.

(2) The CCPO and agencies, if authorized by the CCPO to maintain bidders lists, shall cause to be continuously published in the City Record notice of the availability of applications for vendors to be added to citywide bidders lists or agency [bidder] bidders lists for goods, services, and construction regularly procured by the City. Every effort shall be made to publish notice in a manner that encourages minority, women and emerging business enterprises to certify with DSBS.

(3) Application by vendors for placement on the citywide bidders lists or an agency's bidders [bidder] list shall be continuously available on request from the vendor.

(4) Vendors that fail to respond to solicitations or notices of availability of procurement opportunities on three consecutive

invitations within one standard category may be removed by the [ACCO] CCPO from the applicable citywide bidders list or by the ACCO from the applicable agency bidder list after notice to the vendor. A "No Bid" statement on a returned bid shall be considered a response. Vendors may also be removed from a citywide bidders list pursuant to procedures prescribed by the CCPO. [In either case, application]Application for reinstatement shall be the responsibility of the vendor. [A "No Bid" statement on a returned bid shall be considered a response.]

(5) Unless otherwise provided, inclusion or exclusion of the name of a vendor on a bidders list [business] does not indicate that the vendor [business] is responsible in respect to a particular procurement or otherwise is capable of successfully performing a City contract.

Section 3. Subparagraph (i) and clause (B) of subparagraph (ii) of subdivision (d) of section 3-03 of Title 9 of the Rules of the City of New York are amended as follows:

Section 3-03 COMPETITIVE SEALED PROPOSALS.

- (d) Public notice.
- (1) Notice of solicitation.
- (i) Distribution. RFPs or notices of their availability and their notices of solicitation shall be posted on the City's website in a location that is accessible to the public simultaneously with their publication. RFPs and their notices of solicitation shall also be mailed, faxed, hand delivered, or otherwise furnished to a sufficient number of vendors, including all vendors on the appropriate citywide bidders list established by the CCPO pursuant to Section 3-02(f) at least twenty (20) days prior to the due date, or within the time frames authorized by Section 3-03 (h). An agency may, upon request of a vendor, provide RFPs or notices electronically. RFPs or notices of their availability may be sent to vendors on agency-specific bidders lists, in addition to the appropriate citywide bidders list maintained by the CCPO, only with approval of the CCPO. For those proposals which are subject to Section 6-129 of the New York City Administrative Code (M/WBE and EBE program), a minimum of twenty seven (27) days prior to the due date shall be provided.
- (ii) Publication. This subparagraph shall apply to RFPs above the small purchase limits except that it shall not apply where vendors will be solicited from a PQL.
- (B) Content. Such notice shall include:
- ((a) agency name;
- ((b) PIN;
- ((c) title and/or brief description of the goods, services, or construction to be procured;
- ((d) estimated quantity, if any;
- ((e) how the solicitation documents may be obtained;
- ((f) date and time by which, and the place where, proposals shall be submitted; [and]
- ((g) required vendor qualifications or eligibility requirements, if any; and
- ((h) identification of the citywide bidders list used.

m25-j1

TAX COMMISSION

NOTICE

NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED RULES RELATING TO FEES

Notice is hereby given pursuant to the authority vested in the President of the Tax Commission by Chapter 7 of the New York City Charter that the Tax Commission intends to propose rules pertaining to fees for the review of applications to correct assessments. This Notice supersedes the prior Notice of Opportunity To Comment On Proposed Rules Relating to Fees that was published on May 13, 2010.

Written comment regarding these rules may be sent to Mary E. Gallagher, Esq., New York City Tax Commission, One Centre Street, Room 2400, New York, N.Y. 10007 on or before June 30, 2010. Comments may be submitted electronically on or before June 30 to the Tax Commission at the NYC Rules Website at www.nyc.gov/nycrules. A public hearing shall be held at The Manhattan Municipal Building, One Centre Street, Room 2405, New York, N.Y. 10007 on June 30, 2010 at 2:00 P.M. Persons seeking to testify are requested to notify Nilda Mendez at (212) 669-2070 or nmendez@oata.nyc.gov or at the foregoing address prior to the date of the hearing. 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 Nilda Mendez at (212) 669-2070 or nmendez@oata.nyc.gov or at the foregoing address by June 22 2010. Written comments and a summary of oral comments received at the 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 Manhattan Municipal Building, One Centre Street, Room 2400, New York, N.Y. 10007. Telephone number (212) 669-2070.

This rulemaking proposal was not listed on the Tax Commission regulatory agenda for fiscal year 2010 because the need for the amendment was not anticipated as of the date of the publication of the agenda.

Section 1. Title 21 of the rules of the city of New York is amended by adding a new Chapter 5, to read as follows:

CHAPTER 5

FEE FOR APPLICATIONS TO CORRECT ASSESSMENTS

§5-01. The Tax Commission shall charge and collect the fee set forth in this chapter.

§5-02. Fee. For purposes of this chapter "Fee" shall mean the amount charged to an applicant for reviewing applications as provided in this chapter.

§5-03. Imposition of Fee. (a) The Fee shall be imposed on applications for properties having an assessed value of \$2 million or more when the application is scheduled for review. An application shall be deemed to be "scheduled for review":

(i) for applications filed by group representatives, when the application first appears on a calendar page,

(ii) for applications filed by self-represented applicants and non-group representatives, when a notice that the application has been scheduled for review has been mailed,

(b) For purposes of this chapter "assessed value" shall mean the assessed value or actual assessed value shown on the notice of property value issued by the Department of Finance or, where a notice of revised property value has been issued by the Department of Finance, the assessed value shown on that revised notice. Where a single application covers multiple condominium units, the assessed value for purposes of this chapter shall mean the aggregate assessed value shown on such notice for all units covered by the application.

§5-04. Amount of Fee. The amount of the Fee shall be one hundred seventy-five dollars.

§5-05. Exemption. An application for which review has been waived prior to being scheduled for review shall be exempt from the Fee.

§5-06. Payment and collection of Fee. Unless the Tax Commission provides otherwise, the Fee shall be included on a Statement of Account or real property tax bill issued after the application has been scheduled for review. The Department of Finance shall administer the billing and collection of the Fee on behalf of the Tax Commission.

§5-07. Non-payment of Fee. Notwithstanding any other provision of these rules to the contrary, if any Fee remains outstanding, the Tax Commission may revoke an offer and restore the matter to its prior status, or decline to schedule an application for review.

STATEMENT OF BASIS AND PURPOSE

Pursuant to Chapter 7 of the New York City Charter, the Tax Commission is empowered to perform a range of functions in connection with reviewing applications to correct assessments of thousands of properties throughout New York City. The Tax Commission is authorized by Sections 164 and 1043 of the New York City Charter to adopt by rulemaking fees to cover the cost of services provided to taxpayers. The purpose of the fee is to provide a stream of revenue to permit the Tax Commission to cover the cost of providing hearings to taxpayers challenging their assessments and to improve the process by enhancing the technology and modernizing the hearing process.

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SPECIAL MATERIALS

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

NOTICE

OFFICIAL FUEL PRICE SCHEDULE NO. 6473
FUEL OIL AND KEROSENE

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 5/24/2010
2887105	2.0	#1DULS	MANH	SPRAGUE ENERGY CORP	-1883 GAL. 2.4410 GAL.
2887105	3.0	#1DULS	BRONX	SPRAGUE ENERGY CORP	-1883 GAL. 2.4410 GAL.
2887105	4.0	#1DULS	BROOKLYN	SPRAGUE ENERGY CORP	-1883 GAL. 2.4760 GAL.
2887105	5.0	#1DULS	QUEENS	SPRAGUE ENERGY CORP	-1883 GAL. 2.4760 GAL.
2887105	6.0	#1DULS	S.I.	SPRAGUE ENERGY CORP	-1883 GAL. 2.5410 GAL.
2887105	7.0	#1DULS	P/U	SPRAGUE ENERGY CORP	-1883 GAL. 2.3528 GAL.
2887086	3.0	#1DULSB20	CITY WIDE BY TW	SPRAGUE ENERGY CORP	-1667 GAL. 2.4025 GAL.
2887086	7.0	#1DULSB20	P/U	SPRAGUE ENERGY CORP	-1667 GAL. 2.3328 GAL.
2887086	1.0	#1DULSB5	CITY WIDE BY TW	SPRAGUE ENERGY CORP	-1829 GAL. 2.3699 GAL.
2887086	5.0	#1DULSB5	P/U	SPRAGUE ENERGY CORP	-1829 GAL. 2.2879 GAL.
3087064	1.0	#1DULSB50	CITY WIDE BY TW	METRO FUEL OIL CORP.	-1343 GAL. 2.9711 GAL.
2887052	1.0	#2	MANH	RAPID PETROLEUM	-1838 GAL. 2.0108 GAL.
2887052	4.0	#2	BRONX	RAPID PETROLEUM	-1838 GAL. 2.0106 GAL.
2887052	7.0	#2	BROOKLYN	RAPID PETROLEUM	-1838 GAL. 2.0002 GAL.
2887052	13.0	#2	S.I.	RAPID PETROLEUM	-1838 GAL. 2.0437 GAL.
2887053	10.0	#2	QUEENS	METRO FUEL OIL CORP.	-1838 GAL. 2.0335 GAL.
2887169	1.0	#2B5	CITY WIDE BY TW	METRO FUEL OIL CORP.	-1786 GAL. 2.4129 GAL.
2887105	8.0	#2DHS	BARGE M.T.F. 111	SPRAGUE ENERGY CORP	-1838 GAL. 2.2863 GAL.
2887106	9.0	#2DHS	BARGE WI	METRO FUEL OIL CORP.	-1838 GAL. 2.1977 GAL.
2887301	1.0	#2DLS	BARGE ST. GEORGE	METRO FUEL OIL CORP.	-1918 GAL. 2.3169 GAL.
2887301	3.0	#2DLS	P/U	METRO FUEL OIL CORP.	-1918 GAL. 2.1797 GAL.
2887302	4.0	#2DLS	CITY WIDE BY TW	SPRAGUE ENERGY CORP.	-1918 GAL. 2.3014 GAL.
2887105	1.0	#2DULS	CITY WIDE BY TW	SPRAGUE ENERGY CORP.	-1918 GAL. 2.1859 GAL.
2887105	1.1	#2DULS	P/U	SPRAGUE ENERGY CORP.	-1918 GAL. 2.1509 GAL.
2887301	2.0	#2DULS	BARGE ST. GEORGE	METRO FUEL OIL CORP.	-1918 GAL. 2.2656 GAL.
2887086	4.0	#2DULSB20	CITY WIDE BY TW	SPRAGUE ENERGY CORP	-1695 GAL. 2.2870 GAL.
2887087	8.0	#2DULSB20	P/U	METRO FUEL OIL CORP.	-1695 GAL. 2.6378 GAL.
2887086	2.0	#2DULSB5	CITY WIDE BY TW	SPRAGUE ENERGY CORP	-1862 GAL. 2.2354 GAL.
2887105	10.0	#2DULSB5	BARGE ST. GEORGE	SPRAGUE ENERGY CORP	-1862 GAL. 2.7707 GAL.
2887159	6.0	#2DULSB5	P/U	METRO FUEL OIL CORP.	-1862 GAL. 2.2831 GAL.
3087065	2.0	#2DULSB50	CITY WIDE BY TW	SPRAGUE ENERGY CORP.	-1361 GAL. 2.8052 GAL.
2887274	7.0	#2DULSDISP	DISPENSED	SPRAGUE ENERGY CORP.	-1918 GAL. 2.5128 GAL.
2887052	2.0	#4	MANH	RAPID PETROLEUM	-1638 GAL. 1.8212 GAL.
2887052	5.0	#4	BRONX	RAPID PETROLEUM	-1638 GAL. 1.8246 GAL.
2887052	8.0	#4	BROOKLYN	RAPID PETROLEUM	-1638 GAL. 1.8354 GAL.
2887052	14.0	#4	S.I.	RAPID PETROLEUM	-1638 GAL. 1.8684 GAL.
2887053	11.0	#4	QUEENS	METRO FUEL OIL CORP.	-1638 GAL. 1.8402 GAL.
2887052	3.0	#6	MANH	RAPID PETROLEUM	-1505 GAL. 1.7104 GAL.
2887052	6.0	#6	BRONX	RAPID PETROLEUM	-1505 GAL. 1.7104 GAL.
2887052	9.0	#6	BROOKLYN	RAPID PETROLEUM	-1505 GAL. 1.7254 GAL.
2887052	15.0	#6	S.I.	RAPID PETROLEUM	-1505 GAL. 1.7614 GAL.
2887054	12.0	#6	QUEENS	CASTLE OIL CORPORATION	-1505 GAL. 1.7295 GAL.
2787347	1.0	JETA	FLOYD BENNETT	SPRAGUE ENERGY CORP	-1703 GAL. 2.7509 GAL.

OFFICIAL FUEL PRICE SCHEDULE NO. 6474
FUEL OIL, PRIME AND START

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 5/24/2010
3087154	1.0	#2	MANH	F & S PETROLEUM CORP.	-1838 GAL. 2.1173 GAL.
3087154	79.0	#2	BRONX	F & S PETROLEUM CORP.	-1838 GAL. 2.1173 GAL.
3087154	157.0	#2	BKLYN, QUEENS, SI	F & S PETROLEUM CORP.	-1838 GAL. 2.1973 GAL.

OFFICIAL FUEL PRICE SCHEDULE NO. 6475
FUEL OIL AND REPAIRS

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 5/24/2010
3087115	1.0	#2	MANH & BRONX	PACIFIC ENERGY	-1838 GAL. 1.9427 GAL.
3087115	80.0	#2	BKLYN, QUEENS, SI	PACIFIC ENERGY	-1838 GAL. 1.9479 GAL.

OFFICIAL FUEL PRICE SCHEDULE NO. 6476
GASOLINE

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 5/24/2010
2687312	2.0	E85	CITY WIDE BY TW	SPRAGUE ENERGY CORP.	-.0449 GAL. 2.1169 GAL.
2787192	7.0	PREM	CITY WIDE BY TW	METRO TERMINALS	-.1543 GAL. 2.2767 GAL.
2887274	6.0	PREM	CITY WIDE BY VEHICLE	SPRAGUE ENERGY CORP.	-.1543 GAL. 2.5102 GAL.
2787192	1.0	U.L.	CITY WIDE BY TW	METRO TERMINALS	-.1518 GAL. 2.1066 GAL.
2887274	1.0	U.L.	MANH P/U BY VEHICLE	SPRAGUE ENERGY CORP.	-.1518 GAL. 2.4777 GAL.
2887274	2.0	U.L.	BR P/U BY VEHICLE	SPRAGUE ENERGY CORP.	-.1518 GAL. 2.3777 GAL.
2887274	3.0	U.L.	BR P/U BY VEHICLE	SPRAGUE ENERGY CORP.	-.1518 GAL. 2.3777 GAL.
2887274	4.0	U.L.	QNS P/U BY VEHICLE	SPRAGUE ENERGY CORP.	-.1518 GAL. 2.3777 GAL.
2887274	5.0	U.L.	S.I. P/U BY VEHICLE	SPRAGUE ENERGY CORP.	-.1518 GAL. 2.3777 GAL.

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CITY PLANNING COMMISSION

NOTICE

NEGATIVE DECLARATION

Project Identification
CEQR No. 10DCP042M
ULURP No. N 100373 ZRM
SEQR Classification: Type I

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:
Special 125th Street District Sidewalk Cafes Text Amendment

The proposal involves an application by the New York City Department of City Planning for a zoning text amendment affecting the regulations governing the location of the various types of sidewalk cafes within the Special 125th Street District. The proposed actions would affect 24 blocks within an area generally bounded by 124th Street to the South, 126th Street to the North, Broadway to the West and Second Avenue to the East in the Harlem neighborhood of Manhattan, Community Districts 9, 10 and 11.

The proposed text amendment would prohibit enclosed and unenclosed sidewalk cafes entirely throughout the Special 125th Street District; prohibit all sidewalk cafes within areas of the District with high pedestrian traffic; and allow small sidewalk cafes on a limited number of locations where they are appropriate. The proposed text amendment would apply to the sidewalk cafe regulations within the Special 125th Street District.

The Special 125th Street District rezoning (N 080100(A) ZRM, C 080099(A) ZMM) was approved by the City Council on April 30, 2008 and subsequently amended on November 19, 2008 (N 090031 ZRM). The proposed text amendment is a follow-up corrective action that responds to concerns expressed throughout the 125th Street rezoning public review process by the public and elected officials regarding the potential impact of sidewalk cafes on portions of the Special District's sidewalks that accommodate high pedestrian traffic volumes.

The build year for this project is 2010.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated May 21, 2010, prepared in connection with the ULURP Application (No. N 100373 ZRM). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement:

The above determination is based on an environmental assessment which finds that no significant effects on the environment which would require an Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Olga Abinader at (212) 720-3493.

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CITY PLANNING

NOTICE

NEGATIVE DECLARATION

Project Identification
CEQR No. 10DCP043X
ULURP No. N 100408 ZRX
100407 ZMX
SEQR Classification: Type I

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal

Third Avenue/East Tremont Avenue Rezoning
The applicant, the New York City Department of City Planning, proposes a zoning map amendment and a zoning text amendment to rezone all or portions of 62 blocks generally bounded by Fordham Plaza on the north, extending down Third Avenue to 175th Street on the south, the area south of Fordham Plaza between Washington Avenue and Third Avenue, and the east-west corridor along East Tremont Avenue extending from Daly Avenue on the east to Webster Avenue on the west within the East Tremont neighborhood in Bronx, Community District 6.

The zoning map amendment would change the area's underlying zoning from R7-1, M1-4, C8-3, and C4-4 with C1-4 and C2-4 commercial overlays (mapped on some R7-1-zoned blocks) to C4-5X, C4-4A, C4-4D, MX (M1-4/ R7A), MX (M1-4/ R7X), R7X/ C1-4, R7-1/ C1-4, R7-1/ C2-4, R5 and R6A. The rezoning would include additional mid-density commercial and mixed-use districts, incorporate inclusionary housing, replace some automotive-related commercial districts with mixed-use districts, and establish contextual districts requiring new construction to be built at or near the street line with limits on maximum building base height and overall building height.

The zoning text amendment would modify the Zoning Resolution (ZR) Sections 123-63, 123-90, and Appendix D, to establish a Special Mixed Use District (MX-14), extending over all, or portions of, twenty blocks along the Third Avenue and Tremont Avenue corridors; and to Appendix F to make

the Inclusionary Housing Program applicable in R7A, R7X, C4-4A (R7A), C4-5X (R7X), and C4-4D (R8A) districts along the Third Avenue and Tremont Avenue corridors.

Within the rezoning area, 27 projected development sites have been identified where new development is likely to occur, and 48 potential development sites where new development or conversions could occur but are considered less likely. On the 27 projected development sites, the proposed action is expected to result in a net increase of 699 DUs, 114 of which would be affordable pursuant to the Inclusionary Housing program, 13,573 sf of commercial space (including retail), 13,893 sf of supermarket retail, 16,947 sf of restaurant space, and 85,877 sf of office space. The proposed action would result in a net reduction of 94,352 sf of automotive-related storage and other space, and a net reduction of 16,959 sf of community facility space. The build year for the above action is 2020.

To avoid any potential significant adverse impacts, (E) designations for hazardous materials, air quality and noise would be mapped, as described below.

An (E) designation for hazardous materials (E-255) would be mapped as part of the proposed rezoning. The text of the (E) designation for hazardous materials for the properties identified below is as follows:

Block 3042, Lot(s) 22, 28; Block 3032, Lot(s) 25, 37; Block 3041, Lot(s) 45; Block 3040, Lot(s) 42; Block 3053, Lot(s) 28; Block 3051, Lot(s) 34, 40, 41, 49; Block 3062, Lot(s) 20; Block 3045, Lot(s) 49, 51; Block 2923, Lot(s) 35; Block 2908, Lot(s) 31, 26, 43; Block 3028, Lot(s) 1, 6, 7, 8, 48, 75; Block 2909, Lot(s) 10; Block 2950, Lot(s) 54; Block 3107, Lot(s) 44; Block 3027, Lot(s) 1, 5, 8, 42, 49, 53, 54; Block 3042, Lot(s) 13; Block 3041, Lot(s) 16, 18, 21; Block 3057, Lot(s) 3; Block 3040, Lot(s) 24, 26; Block 3053, Lot(s) 36, 39, 41; Block 3055, Lot(s) 41, 45, 47, 56; 57; Block 3055, Lot(s) 33, 35, 37; Block 3052, Lot(s) 11, 14, 15, 17; Block 3051, Lot(s) 43; Block 3047, Lot(s) 63, 65; Block 3062, Lot(s) 1, 3; Block 3045, Lot(s) 44; Block 3044, Lot(s) 82, 88, 93; Block 3060, Lot(s) 8; Block 2923, Lot(s) 13, 14, 27, 30, 31; Block 2917, Lot(s) 11; Block 2908, Lot(s) 37, 47; Block 3027, Lot(s) 16; Block 2900, Lot(s) 55, 72, 73, 83; Block 3034, Lot(s) 1, 49, 52; Block 2909, Lot(s) 8, 26, 28; Block 2924, Lot(s) 15; Block 2950, Lot(s) 52.

Task 1

The fee owner of the lots restricted by this (E) designation will be required to prepare a scope of work for soil and groundwater sampling and testing to determine whether contamination exists and, if so, the extent of the contamination and the nature and extent of required remediation. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. The scope of work will be submitted to DEP for review and approval prior to implementation, to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis.

No sampling program may begin until written approval of a work plan and sampling protocol is received from DEP. The number and location of sampling sites should be selected to adequately characterize the type and extent of any contamination and the condition of the remainder of the site. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for the choice of sampling sites, sampling procedures, and tests to be performed will be provided by DEP upon request.

Task 2

A written report with findings and a summary of the data must be submitted to DEP after completion of the testing phase and laboratory analysis for review and approval. After reviewing the test results, DEP will determine whether the results indicate that remediation is necessary.

If DEP determines that no remediation is necessary, the agency will give written notice.

If DEP determines that remediation is necessary, a proposed remediation plan will be prepared and submitted to DEP for its review and approval. The fee owner of the lots restricted by the (E) designation must perform such remediation as determined by DEP to be necessary. After completing the remediation, the fee owner should provide DEP with proof that the work has been completed satisfactorily. Once DEP determines that the required remediation has indeed been completed satisfactorily, the agency will give written notice.

A DEP-approved construction-related health and safety plan (HASP) would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. The HASP must be submitted to DEP for review and approval prior to implementation.

With the placement of the (E) designation for hazardous materials, no impacts related to hazardous materials are expected and no further assessment is warranted.

To avoid any potential significant adverse impacts, (E) designations for air quality (E-255) would be mapped as part of the proposed rezoning. The text of the (E) designation for

air quality for the properties identified below is as follows:

Block 3032, Lot 25 (Projected Development Site 2): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 20 feet for oil No.4/2 from the lot line facing Park Avenue and E 188 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3032, Lot 37 (Projected Development Site 3): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 15 feet for oil No.4/2 from the lot line facing Webster Avenue and E 188 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3051, Lots 34, 40, 41 (Projected Development Site 8): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 35 feet for oil No.4/2 from the lot line facing E 182 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3051, Lot 49 (Projected Development Site 9): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 22 feet for oil No.4/2 from the lot line facing E 182 Street and Bathgate Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3064, Lot 100 (Projected Development Site 10): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 40 feet for oil No.4/2 from the lot line facing Quarry Road and E 184 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3062, Lots 19, 20 (Projected Development Site 11): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 12 feet for oil No.4/2 from the lot line facing 3rd Avenue and E 180 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3045, Lots 49, 51 (Projected Development Site 12): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 20 feet for oil No.4/2 from the lot line facing E 180 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3043, Lot 67 (Projected Development Site 13): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 28 feet for oil No.4/2 from the lot line facing E Tremont Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2908, Lot 43 (Projected Development Site 16): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 16 feet for oil No.4/2 from the lot line facing E 176 Street and at least 15 feet from the lot line facing Park Avenue and 125th Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3043, Lot 72 (Projected Development Site 22): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 15 feet for oil No.4/2 from the lot line facing E Tremont Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2950, Lot 54 (Projected Development Site 24): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 16 feet for oil No.4/2 from the lot line facing Crotona Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3093, Lot 53 (Projected Development Site 25): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 22 feet for oil No.4/2 from the lot line facing Clinton Avenue and E 178 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3042, Lot 13 (Potential Development Site 101): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 28 feet for oil No.4/2 from the lot line facing E 189 Street and Park Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3041, Lots 16, 18 (Potential Development Site 102): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 20 feet for oil No.4/2 from the lot line facing E 187 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3041, Lot 21 (Potential Development Site 103): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 20 feet for oil No.4/2 from the lot line facing E 188 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3057, Lot 3 (Potential Development Site 104): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 30 feet for oil No.4/2 from the lot line facing E 188 Street and Bathgate Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3055, Lot 56, 57 (Potential Development Site 106): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 20 feet for oil No.4/2 from the lot line facing 3rd Avenue and Bathgate Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3055, Lot 47, 45 (Potential Development Site 107): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 26 feet for oil No.4/2 from the lot line facing 3rd Avenue and E 187 Street and at least 25 feet from the lot line facing 3rd Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3055, Lot 41 (Potential Development Site 108): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 15 feet for oil No.4/2 from the lot line facing E 187 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3055, Lot 37 (Potential Development Site 110): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 25 feet for oil No.4/2 from the lot line facing 3rd Avenue and Lorillard Place for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3055, Lot 35, 33 (Potential Development Site 111): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 13 feet for oil No.4/2 from the lot line facing Bathgate Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3052, Lot 11 (Potential Development Site 112): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 16 feet for oil No.4/2 from the lot line facing E 183 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3062, Lots 3, 1 (Potential Development Site 116): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 16 feet for oil No.4/2 from the lot line facing Monterey Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3045, Lot 44 (Potential Development Site 117): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 18 feet for oil No.4/2 from the lot line facing E 179 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2923, Lot 31 (Potential Development Site 121): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 20 feet for oil No.4/2 from the lot line facing 175 Street and at least 23 feet from the lot line facing E 176 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2923, Lots 14, 13 (Potential Development Site 122): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 15 feet for oil No.4/2 from the lot line facing 3rd Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2908, Lot 37 (Potential Development Site 124):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 20 feet for oil No.4/2 from the lot line facing 175 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2908, Lot 47 (Potential Development Site 125):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 13 feet for oil No.4/2 from the lot line facing 176 Street and at least 15 feet from the lot line facing 175 Street and Washington Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2900, Lots 83, 73, 72 (Potential Development Site 129):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 20 feet for oil No.4/2 from the lot line facing Webster Avenue and at least 20 feet from the lot line facing East Tremont Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3034, Lot 1 (Potential Development Site 131):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 20 feet for oil No.4/2 from the lot line facing E 178 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3034, Lot 52 (Potential Development Site 132):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 35 feet for oil No.4/2 from the lot line facing East Tremont Avenue and at least 37 feet from the lot line facing Washington Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2909, Lot 8 (Potential Development Site 134):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 25 feet for oil No.4/2 from the lot line facing East Tremont Avenue and at least 27 feet from the lot line facing Washington Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3043, Lot 43, 84 (Potential Development Site 136):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 16 feet for oil No.4/2 from the lot line facing 3rd Avenue and East Tremont Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3043, Lot 80, 77 (Potential Development Site 137):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 24 feet for oil No.4/2 from the lot line facing Bathgate Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3106, Lot 55 (Potential Development Site 143):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 30 feet for oil No.4/2 from the lot line facing Mapes Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3106, Lot 52 (Potential Development Site 144):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 22 feet for oil No.4/2 from the lot line facing Prospect Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2956, Lot 24 (Potential Development Site 145):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 15 feet for oil No.4/2 from the lot line facing Marmion Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2956, Lot 26 (Potential Development Site 146):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 11 feet for oil No.4/2 from the lot line facing Prospect Avenue and at least 15 feet from the lot line facing Marmion Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2956, Lot 28 (Potential Development Site 147):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 11 feet for oil No.4/2 from the lot line facing Prospect Avenue

and at least 15 feet from the lot line facing Marmion Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2956, Lot 31 (Potential Development Site 148):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 12 feet for oil No.4/2 from the lot line facing Prospect Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3121, Lot 64 (Potential Development Site 149):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 16 feet for oil No.4/2 from the lot line facing Daly Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

With the placement of the (E) designations for air quality, no impacts related to air quality are expected and no further assessment is warranted.

To avoid any potential significant adverse impacts, (E) designations for noise (E-255) would be mapped as part of the proposed. The text of the (E) designations for air quality for the properties identified below is as follows:

Block 3028, Lots 6, 7, 8, 1, 75, 48 (Projected Development Site 17 – western façade only):

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 40 dBA window-wall attenuation on the western façade in order to maintain an interior noise level of 45 dBA. To achieve 40 dBA of building attenuation, special design features that go beyond the normal double-glazed windows are necessary and may include using specially design windows (i.e., windows with small sizes, windows with air gaps, windows with thicker glazing, etc.), and additional building attenuation. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning. The required degree of window-wall attenuation would require added project costs and could limit the range of design options. The City has not made any determination that cost-effective attenuation measures are available for this site. Commercial uses must provide a closed window condition with a minimum of 35 dBA window-wall attenuation in order to maintain an interior noise level of 50 dBA.

Block 3028, Lots 6, 7, 8, 1, 75, 48 (Projected Development Site 17):**Block 3027, Lots 1, 5, 8, 53, 54 (Projected Development Site 30):****Block 3052, Lot 11 (Potential Development Site 112):****Block 3027, Lot 16 (Potential Development Site 126):****and****Block 2900, Lots 72, 73 (Potential Development Site 129):**

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 35 dB(A) window-wall attenuation in all façades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners or HUD approved fans.

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 35 dB(A) window-wall attenuation in all façades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners or HUD approved fans.

Block 3042, Lots 22, 28 (Projected Development Site 01):**Block 3041, Lot 45 (Projected Development Site 04):****Block 3041, Lot 35 (Projected Development Site 05):****Block 3051, Lots 34, 40, 41 (Projected Development Site 08):****Block 3051, Lot 49 (Projected Development Site 09):****Block 3042, Lot 13 (Potential Development Site 101):****Block 3052, Lots 14, 15, 17 (Potential Development Site 113):****Block 3047, Lots 63, 65 (Potential Development Site 115):****and****Block 2900, Lot 83 (Potential Development Site 129):**

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 30 dB(A) window/wall attenuation in all façades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners or HUD approved fans. With the placement of the (E) designations for noise, no impacts related to noise are expected and no further assessment is warranted.

In order to reduce the potential increases in the stormwater and sanitary flows as a result of the action, the following provision below would be applied to all projected and potential sites in the rezoning area:

Self-certification of sewer connection applications will not be permitted by the Department of Buildings or Department of Environmental Protection in connection with any proposed development or enlargement of buildings for which sewer connection approval is required on all Blocks and Lots listed in Tables 2.0-5a and b of this EAS. Prior to filing a House or Site Connection application, applicants may be required to submit a site-specific hydraulic analysis and a stormwater and water conservation best management practices concept plan to the Department of Environmental Protection for its review and approval, to establish the adequacy of existing

sanitary and storm sewers to serve the proposed development or enlargement.

With this provision in place, there would be no significant adverse infrastructure impacts to water, sanitary sewer, or storm water management services from the proposed action.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated May 21, 2010, prepared in connection with the ULURP Application (No. N 100408ZRX, 100407ZMX). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement:

The above determination is based on an environmental assessment which finds that:

1. The (E) designations for hazardous materials, air quality, and noise would ensure that the proposed action would not result in significant adverse impacts in those areas.
2. The provision that applicants may be required to submit a site-specific hydraulic analysis and a stormwater and water conservation best management practices concept plan to the Department of Environmental Protection for its review and approval prior to being granted a sewer permit would ensure that the proposed action would not result in significant adverse infrastructure impacts to water, sanitary sewer, or storm water management services.
3. No other significant adverse effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

_____/s/_____/ Date: May 21, 2010
Celeste Evans, Deputy Director
Environmental Assessment & Review Division
Department of City Planning

_____/s/_____/ Date: May 24, 2010
Amanda M. Burden, FAICP, Chair
City Planning Commission

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Riverside Center

Project Identification	Lead Agency
CEQR No. 09DCP020M	City Planning Commission
ULURP Nos. N100286ZCM, 100287ZSM through 100293ZSM, N100294ZRM, N100295ZRM, 100296ZSM, 100297ZSM, N100298ZAM, N100299ZCM, N100300ZCM, and M920358(D)ZSM	22 Reade Street, Room1W New York, New York 10007
SEQRA Classification: Type I	

Contact Person

Robert Dobruskin, AICP, Director (212) 720-3423
Environmental Assessment and Review Division
New York City Department of City Planning
Pursuant to City Environmental Quality Review (CEQR),
Mayoral Executive Order No. 91 of 1977, CEQR Rules of
Procedure of 1991 and the regulations of Article 8 of the
State Environmental Conservation Law, State
Environmental Quality Review Act (SEQRA) as found in 6
NYCRR Part 617, a Draft Supplemental Environmental
Impact Statement (Draft SEIS) has been prepared for the
action described below. The proposal involves actions by the
City Planning Commission (CPC) and Council of the City of
New York pursuant to Uniform Land Use Review Procedures
(ULURP). A public hearing on the Draft SEIS will be held at
a later date to be announced, in conjunction with the CPC's
citywide public hearing pursuant to ULURP. Advance notice
will be given of the time and place of the hearing. Written
comments on the Draft SEIS are requested and would be
received and considered by the Lead Agency until the 10th
calendar day following the close of the public hearing.

CRP/Extell Parcel L, LP and CRP/Extell Parcel N, LP (the project sponsor) proposes modifications to the southernmost portion of the previously approved Riverside South project to develop Riverside Center (the Proposed Project), a complex of five mixed-use buildings that would include residential (including market-rate and affordable housing), commercial (including hotel, retail, office, cinema, and automotive showroom and service uses), a public elementary and intermediate school, public parking, and approximately 2.75 acres of privately owned, publicly accessible open space. The Proposed Project site is bounded by West End Avenue, the alignment of Riverside Boulevard, and West 59th and West 61st Streets.

The discretionary actions needed for the proposed modifications include: a modification to the previously approved "general large-scale development" (GLSD) special permit and restrictive declaration to reflect the current proposal; amendments to the text of the Zoning Resolution; a new special permit relating to court, distance between buildings, and height and setback regulations, a new special permit to allow automobile sales and service uses (Use Group 16B) on the project site; a new special permit to allow development within a railroad or transit right-of-way; six new special permits associated with a public parking garage(s); an authorization to allow a curb cut; and

certifications to permit curb cuts and to modify certain Streetscape regulations of the Zoning Resolution. In addition to the above city actions, the project sponsor is discussing with Con Edison modifications to the Con Edison 59th Street Station, located south of the project site, to address air quality issues. Such modifications would be subject to approval by the New York State Department of Environmental Conservation (NYSDEC).

The project sponsor is applying to the CPC for discretionary actions that would allow implementation of the Proposed Project for the project site; these actions are different from what was analyzed in the 1992 Riverside South FEIS. Because the development resulting from the proposed modifications may result in significant adverse environmental impacts not identified in the 1992 FEIS, a Draft SEIS has been prepared. The Draft SEIS analyzes the extent to which the development and zoning actions as currently proposed could potentially result in any significant adverse impacts not previously identified in the 1992 FEIS.

Overall, the Proposed Project would comprise a total of approximately 2,471,590 gross square feet (gsf) of residential use (approximately 2,500 units, of which 12 percent would be affordable housing) within five buildings; approximately 151,598 gsf for a public elementary and intermediate school; 140,168 gsf of above-grade retail use (which includes approximately 36,701 gsf of cinema use and 20,183 gsf of automotive showroom space associated with the below grade automotive service uses); 104,432 gsf of office space, and 249,240 gsf of hotel use. The five buildings would be constructed on a platform at about the elevation of the West End Avenue grade, which would provide the foundation for all structures. Uses within the below-grade area would include approximately 181,677 gsf of below-grade automotive service uses and approximately 1,800 parking spaces. Appropriate provisions in the GLSD special permit approval would ensure that no “big-box” retail establishments (e.g., warehouse clubs or discount department stores) would be permitted as part of the Proposed Project.

The Proposed Project is intended to transform the project site—which is currently underutilized—into a thriving new development. According to the project sponsor, the goals and objectives of the Proposed Project are to create architecturally distinctive buildings that respect the Manhattan street grid and provide an attractive connection to Riverside Park South and the Hudson River waterfront while creating an inviting and functional center for the surrounding residential neighborhood. The Proposed Project intends to integrate commercial and retail development throughout the proposed development for residents, neighbors, and visitors, and provide commercial uses that are complementary to the proposed residential development. Retail is currently lacking in the neighborhood and the proposed retail space would accommodate restaurants and local retail to serve both the tenants of the new buildings and community residents.

The majority of the Riverside Center project site is currently being utilized as an automobile and truck surface parking lot with a capacity of approximately 1,850 spaces, and a public parking garage with a capacity of 537 spaces. An Amtrak rail line within a sub-grade culvert passes through the northeast portion of the project site. The project sponsor proposes to develop the project site as one integrated site and would be divided by a new extension of Freedom Place (Freedom Place South)—a new public access easement—which would cut through the site from West 61st Street to West 59th Street. West 60th Street would be extended as a new public access easement through the site to the new Freedom Place South roadway, creating two smaller blocks on the eastern portion of the site.

Based upon the proposed design, the above-grade program (in five buildings) for the Proposed Project is expected to be as follows:

Building 1 would be located at the northwest corner of the site on West 61st Street near Riverside Boulevard. Building 1 is expected to be approximately 487 feet (approximately 38 stories plus mechanical levels) at its highest point. The building is expected to include approximately 42,233 gsf of retail on the ground floor, approximately 104,432 gsf of office on the second and third floors, and approximately 797,231 gsf of residential use on its upper levels.

Building 2 would also be located on West 61st Street, east of Building 1. This structure is expected to be approximately 526 feet tall (approximately 43 stories plus mechanical levels) and is expected to include approximately 15,635 gsf of retail on the ground floor, up to approximately 151,598 gsf for a public school, and approximately 493,614 gsf of residential use on its upper levels.

It is anticipated that the community facility space in Building 2 would be used for a public elementary and intermediate school, subject to the approvals and requirements of the New York City School Construction Authority (SCA). While the full 151,598 square feet would be made available to the New York City Department of Education (DOE) and SCA for future use as an approximately 1,332-seat public school, it is assumed that at a minimum, the school would contain approximately 360 elementary and 120 intermediate seats on the project-site to accommodate the projected number of students generated by the Proposed Project. At some agreed-upon time prior to the start of construction of Building 2, the SCA would determine whether or not to exercise the option of developing the remaining space for use as a public school. If SCA decides not to exercise this option, the remaining zoning floor area allocated to the public school would either include other community facility space or would not be built. Therefore, the SEIS will consider both the smaller 480-seat school and the 1,332-seat school in the evaluation of environmental impacts, depending on which size of school would result in a more conservative analysis.

Building 3 would be located at the southwest corner of the

site, on West 59th Street near Riverside Boulevard. The building is expected to be approximately 457 feet tall (approximately 34 stories plus mechanical levels) at its highest point. It is expected to include approximately 6,950 gsf of retail on the ground floor, and approximately 373,549 gsf of residential use above.

Building 4 would be located east of Building 3 along West 59th Street. This building is expected to be approximately 393 feet in height (approximately 31 stories plus mechanical levels), and is expected to include approximately 13,770 gsf of retail on the lowest two levels and approximately 358,971 gsf of residential use above. A vehicular/passenger drop-off area serving Buildings 3 & 4 would be located between the two buildings. This vehicular drive would be accessed from Freedom Place and would provide access to the lobbies of Building 3, Building 4 and the below grade parking garage. It would begin at Freedom Place South and continue through Building 4, passing south of the lobby entrance, and terminate in a car court just east of the Building 3 lobby.

Building 5 would be located at the southeast corner of the site, with frontage on West End Avenue, Freedom Place South, and West 59th and 60th Streets. This multi-use building is expected to be approximately 535 feet tall (approximately 44 stories plus mechanical levels) at its highest point. The building is expected to include approximately 61,580 gsf of retail on the ground, second, third and fourth levels (including up to 36,701 gsf of cinema use with 252 seats and 20,183 gsf of automotive showroom space associated with the below grade automotive services uses), an approximately 249,240 gsf hotel (with approximately 230-250 rooms), and approximately 448,225 gsf of residential use on the upper levels.

The below-grade program would include automotive service uses, and approximately 1,800 parking spaces. The automotive service use would be located in the first cellar level below grade. This level would be one large, interconnected space beneath all five project buildings. A dedicated entrance for the automotive service use would be located at West 59th Street, accessed through Building 3. The parking uses would primarily be located within two sub-cellar levels. Each of these two levels may operate as either one interconnected garage beneath all five project buildings, or as five separate garages operated individually. Under both garage plans, a separate parking garage entrance would service each project building (depending on the location of the building, these entrances would be accessed from either Freedom Place South or West 59th Street).

The principal differences between the Proposed Project and the development for this site analyzed in the 1992 FEIS are as follows: the 1992 FEIS program did not include any school, hotel, or auto service uses, and the proposed program does not include studio uses. In addition, the amount of residential space proposed to be developed on the site has increased considerably.

The approximately 2.75 acres of privately owned, publicly accessible open space created by the Proposed Project would function as an integral part of the overall project and would provide a varied environment that would complement and serve the surrounding neighborhoods. In total, approximately 34 percent of the 8.18-acre site would be developed as open space. A significant objective of the open space plan is to connect the West 60th Street corridor to Riverside Park South.

The proposed zoning approvals would specify maximum floor areas and number of dwelling units and a minimum amount of floor area in the case of retail, by land use category. Although the building program for the Proposed Project reflects what is currently contemplated by the project sponsor, it is possible that the building programs could change as the site is developed over time. Since the proposed zoning approvals would specify a range of floor areas by land use for the Proposed Project, for analysis purposes, potential building program development scenarios that could result from the proposed zoning approvals have been identified. The analyses for certain technical areas are based on “reasonable worst-case development scenarios (RWCDSs)” drawn from this range of potential building program development scenarios. Each of these reasonable worst-case development scenarios have been formulated to represent the scenario that could result in the maximum potential impacts from the Proposed Project in the affected technical area. Several categories of technical analysis in the SEIS are analyzed using this approach, where such a RWCDS would result in potential impacts greater than those by the proposed program currently contemplated by the project sponsor. The total development for each RWCDS would be limited to the total permitted by the proposed zoning approvals. Therefore, the total above-grade development would not exceed 3,240,545 gsf. For those technical areas where potential project impacts are not dependent on the floor area for each use, the proposed program will be assumed.

For the purpose of presenting a reasonable worst-case analysis, two alternate scenarios for Building 5 are being considered. Both would include the same gsf of retail use as described above. For the first alternate scenario, instead of a mix of both hotel and residential uses, the remaining portion of the building would be utilized for hotel use only. In the second alternate scenario, no hotel would be developed, and the remaining portion of the building would be utilized for residential use only.

The analysis of the Proposed Project will be performed for the expected year of completion of the project, which is 2018. Two future baseline conditions will be examined under “The Future Without the Proposed Project” in all technical areas. For certain technical impact areas, the full quantitative analyses will assume the scenario that could result in the greatest potential environmental effect for the Proposed Project. The first assumes that in the 2018 Future without the Proposed Project, the original full program for project site that was approved in the FEIS would be completed. The second assumes that in the 2018 Future without the Proposed Project, the original FEIS approved program for the western portion of the project site would be completed, but eastern portion would remain in its current parking use.

For each technical area of the Draft SEIS, the document considers differences between the programs and site plans for the project site as described in the 1992 FEIS and the currently proposed program, site plan, and zoning actions for the site. The Draft SEIS also considers changes in conditions on the project site and in the surrounding areas since 1992, to reflect the current status of planned and proposed projects and the anticipated year of completion for the development of the Proposed Project site of 2018.

For certain environmental issues, the 1992 FEIS analyzed an additional scenario in which the elevated portion of the Miller Highway (also known as Route 9A) between 59th Street and 72nd Street would be relocated to an inboard, below-grade location by 2002, the anticipated completion year for the Riverside South project. At this time the Miller Highway has not been relocated, and currently there is no funding allocated to the project. Therefore, the future without the Proposed Project section of the Draft SEIS does not include the relocation of the Miller Highway as a No Build condition. For the purposes of a more complete analysis, the SEIS will consider an additional scenario in which the Miller Highway is relocated by 2018. This additional scenario assumes a relocation of the Miller Highway similar to that described in the 1992 Riverside South FEIS, and as analyzed in greater detail as part of the Preferred Alternative scenario in the October 2000 *Miller Highway Project FEIS*.

Copies of the Draft Supplemental Environmental Impact Statement may be obtained from the Environmental Assessment and Review Division, New York City Department of City Planning, 22 Reade Street, 4E, New York, New York 10007, Robert Dobruskin, Director (212) 720-3423; or from the Office of Environmental Coordination, 253 Broadway, 14th Floor, New York, New York 10038, Robert Kulikowski, Director (212) 788-9956; and on the New York City Department of City Planning's Planning's website at http://www.nyc.gov/html/dcp/html/env_review/eis.shtml.

☛ m28

COMPTROLLER

■ NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., RM 629, New York, NY 10007 on 6/7/2010 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
3	4728	2
4	4740	15
12	4736	12
6	4740	14
7,8,9,10,13	4740	1,7,9,11,13
22	4737	14
11,14,15	4736	1,6,15
21,23,24,25,26,27	4737	1,5,7,9,13,18
36,37,38	4738	1,3,13
46,47,48,49,50,51	4692	1,11,18,21,28,33
5,18,19,20,30,31,32,33	4740	16,21,24,33,35,36,37,41
41,42,43,44,45	4739	1,3,9,20,29
34	4740	43
35	4740	46

Acquired in the proceedings, entitled: **OAKWOOD BEACH BLUEBELT, STAGE 1** Subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

John C. Liu,
Comptroller

m25-j7

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., RM 629, New York, NY 10007 on 6/8/2010 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
28	15960	P/O 54
29	15960	P/O 53
30	15960	P/O 51
31	15960	P/O 49
39	15960	P/O 37
41	15960	P/O 34
42	15960	P/O 32

Acquired in the proceedings, entitled: **BEACH 43, 44, & 45 AND CONCH DRIVE, ET AL** Subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

John C. Liu,
Comptroller

m25-j8

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TRANSPORTATION**NOTICE****PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF A PEDESTRIAN PLAZA LOCATED ON DEKALB AVENUE, BETWEEN FULTON STREET, BOND STREET AND ALBEE SQUARE, BOROUGH OF BROOKLYN**

Pursuant to the Concession Rules of the City of New York, the Department of Transportation ("DOT") intends to enter into a concession for the operation, management, and maintenance of a pedestrian plaza located on DeKalb Avenue between Fulton Street, Bond Street and Albee Square in Brooklyn ("Licensed Plaza"), including through DOT-approved events, sponsorships, and subconcessions including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that helps brand or promote the neighborhood or the concessionaire, and other similar merchandise within the Licensed Plaza.

The concessionaire shall issue solicitations in the basic form of a Request for Proposals or a Request for Bids to select entities that will operate and manage such subconcessions. The selection of the entities to operate and manage the subconcessions will be subject to DOT's prior written approval.

The concession agreement will provide for one (1) five-year term, with four (4) one-year renewal options. The renewal options shall be exercisable at DOT's sole discretion.

DOT has identified the Fulton Mall Improvement Association as a potential concessionaire, but DOT will consider additional expressions of interest from other potential not for profit concessionaires for the operation, management, and maintenance of the Licensed Plaza. In order to qualify, interested organizations should be active in the neighborhood of the Licensed Plaza and have demonstrated experience in the management, operation and maintenance of publicly accessible facilities, including but not limited to programming/events management and concession or retail operation/management.

Not for profit organizations may express interest in the proposed concession by contacting Andrew Wiley-Schwartz, Assistant Commissioner for Public Spaces, by email at awileyschwartz@dot.nyc.gov or in writing at 55 Water Street, 9th Floor, New York, NY 10041 by June 8, 2010. Mr. Wiley-Schwartz may also be contacted with any questions relating to the proposed concession by email or by telephone at (212) 839-6678.

Please note that the New York City Comptroller is charged with the audit of concession agreements in New York City. Any person or entity that believes that there has been unfairness, favoritism or impropriety in the concession process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, New York, New York 10007, telephone number (212) 669-2323.

m13-j8

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF A PEDESTRIAN PLAZA LOCATED ON EAST FORDHAM ROAD, EAST KINGSBRIDGE ROAD AND CELIA CRUZ BOULEVARD, BOROUGH OF THE BRONX

Pursuant to the Concession Rules of the City of New York, the Department of Transportation ("DOT") intends to enter into a concession for the operation, management, and maintenance of a pedestrian plaza located on East Fordham Road, East Kingsbridge Road and Celia Cruz Boulevard in the Bronx ("Licensed Plaza"), including through DOT-approved events, sponsorships, and subconcessions including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that helps brand or promote the neighborhood or the concessionaire, and other similar merchandise within the Licensed Plaza.

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m13-j8

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF A PEDESTRIAN PLAZA LOCATED ON BROAD STREET, BETWEEN WALL STREET AND BEAVER STREET, BOROUGH OF MANHATTAN

Pursuant to the Concession Rules of the City of New York, the Department of Transportation ("DOT") intends to enter into a concession for the operation, management, and maintenance of a pedestrian plaza located on Broad Street between Wall Street and Beaver Street in Manhattan ("Licensed Plaza"), including through DOT-approved events, sponsorships, and subconcessions including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that helps brand or promote the neighborhood or the concessionaire, and other similar merchandise within the Licensed Plaza.

The concessionaire shall issue solicitations in the basic form of a Request for Proposals or a Request for Bids to select entities that will operate and manage such subconcessions. The selection of the entities to operate and manage the subconcessions will be subject to DOT's prior written approval.

The concession agreement will provide for one (1) five-year term, with four (4) one-year renewal options. The renewal options shall be exercisable at DOT's sole discretion.

DOT has identified the Alliance for Downtown New York as a potential concessionaire, but DOT will consider additional expressions of interest from other potential not for profit concessionaires for the operation, management, and maintenance of the Licensed Plaza. In order to qualify, interested organizations should be active in the neighborhood of the Licensed Plaza and have demonstrated experience in the management, operation and maintenance of publicly accessible facilities, including but not limited to programming/events management and concession or retail operation/management.

Not for profit organizations may express interest in the proposed concession by contacting Andrew Wiley-Schwartz, Assistant Commissioner for Public Spaces, by email at awileyschwartz@dot.nyc.gov or in writing at 55 Water Street, 9th Floor, New York, NY 10041 by June 8, 2010. Mr. Wiley-Schwartz may also be contacted with any questions relating to the proposed concession by email or by telephone at (212) 839-6678.

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m13-j8

LATE NOTICES

COMMUNITY BOARDS

■ PUBLIC HEARINGS

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 02 - Thursday, June 3, 2010 at 7:00 P.M. Sunnyside Community Services, 43-31 39th Street, 1st Floor, Sunnyside, NY

School Construction Authority Proposed New School
1-5 51st Avenue and 5th Street
New York City School Construction Authority pursuant to Section 1731 of the New York City School Construction Authority Act, proposed site selection of parcel B of the Hunter's Point South District located in the Borough of Queens, for the construction of a new approximately 1071-seat Intermediate/High School facility at 1-50 51st Avenue between Center Boulevard and 2nd Street.

#N 100284ZRY

Car Sharing Text Amendment

Department of City Planning is proposing a car sharing text amendment to the Zoning Resolution which will create regulations to allow car share vehicles to park in off-street accessory garages, lots and in public parking facilities in all zoning districts.

Sunnyside/Woodside Rezoning

Sunnyside/Woodside Rezoning: The Department of City Planning has undertaken the rezoning of the Sunnyside/Woodside area. The study area consists of approximately 130 blocks, generally bounded by 37th Avenue and the Sunnyside rail yard to the north, BQE, the New York connecting railroad and 72nd Street to the east, Woodside, Roosevelt and 47th avenues to the south, and 39th Street to the west. The study corridors of Queens Boulevard, Greenpoint and Roosevelt Avenue served by the elevated #7 train.

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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.

BUILDINGS

■ PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, June 10, 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 a proposed contract between the Department of Buildings, and Viridian Energy & Environmental, LLC, 50 Washington Street, Norwalk, CT 06854, for Energy Code Compliance Study. The contract amount shall be \$500,000.00. The contract term shall be from July 1, 2010 to March 31, 2011. PIN#: 81010SPI0068.

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

A draft copy of the proposed contract is available for public inspection at the Department of Buildings, 280 Broadway, 6th Floor, Contracts/Purchasing Division, New York, NY 10007, from May 28, 2010 to June 10, 2010, Monday through Friday, exclusive of Holidays, from 10:00 A.M. to 3:00 P.M.

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HEALTH AND MENTAL HYGIENE

■ PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, June 10, 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 a proposed contract between the Department of Health and Mental Hygiene and the Contractor listed below, for Integrated Pest Management Services in the Boroughs of The Bronx and Manhattan. The contract term shall be from February 1, 2010 to January 31, 2013 and will contain one three-year option to renew from February 1, 2013 to January 31, 2016.

Contractor/Address	PIN #	Amount
Healthy Nest 244 Fifth Avenue New York, NY 10001	09CR001402R0X00	\$605,400

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

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, NY 10013, from May 28, 2010 to June 10, 2010, excluding Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 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 Department within 5 business days after the publication of this notice. Written requests to speak should be sent to Joyce Scott, 93 Worth Street, Room 812, New York, NY 10013, or to jscott1@health.nyc.gov. If DOHMH does not receive any written requests to speak within the prescribed time, DOHMH reserves the right not to conduct the Public Hearing.

IN THE MATTER of a proposed contract between the Department of Health and Mental Hygiene and the Contractor listed below, to provide asthma counselor services in East Harlem to decrease pediatric asthma hospitalization rates in East Harlem. The contract term shall be from January 1, 2010 to December 31, 2013 with one one-year option to renew from January 1, 2014 to December 31, 2015.

Contractor/Address

Mount Sinai School of Medicine
One Gustave L. Levy Place, New York, New York 10029

PIN# 10CR023101R0X00 **Amount** \$400,260

The proposed contractor has been selected by means of Negotiated Acquisition, pursuant to Section 3-04 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, NY 10013, from, May 28, 2010 to June 10, 2010, excluding Weekends and Holidays, from 10:00 A.M. to 4:00 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 business days after the publication of this notice. Written requests to speak should be sent to Doreen Redmond, Contract Manager at Department of Health and Mental Hygiene, ACCO's Office, 93 Worth Street, Room 812, New York, NY 10013 or dredmond@health.nyc.gov. If DOHMH does not receive, any written requests to speak within the prescribed time, DOHMH reserves the right not to conduct the Public Hearing.

HOMELESS SERVICES

■ PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, June 10, 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 a proposed contract between the Department of Homeless Services and Palladia, Inc., 2006 Madison Avenue, New York, NY 10035, to develop and operate a stand-alone transitional residence for homeless adults located at 'The Spot' Shelter, 31 West 126th Street and 35 West 126th Street, New York, NY 10016, Community District 10. The contract amount shall be \$18,634,565. The contract term shall be from August 1, 2010 to June 30, 2015 with one four-year option to renew from July 1, 2015 to June 30, 2019. PIN#: 07110P0002001.

The proposed contractor has been selected by means of the Competitive Sealed Proposal Method (Open Ended Request for Proposals), pursuant to Section 3-03 (b) (2) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Homeless Services, 33 Beaver Street, NY, NY 10004, from May 28, 2010 to June 10, 2010, excluding Saturdays, Sundays and Holidays from 9:00 A.M. 5:00 P.M.

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HUMAN RESOURCES ADMINISTRATION

■ PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, June 10, 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 a proposed contract between the Human Resources Administration of the City of New York and the Contractor listed below, for the provision of Tier II Shelter to homeless victims of domestic violence. The contract term shall be from October 1, 2010 to September 30, 2015 and will contain one-four year option to renew from October 1, 2015 to September 30, 2019.

Contractor/Address	PIN #	Amount
Safe Horizon, Inc. 2 Lafayette Street 3rd Floor New York, N.Y. 10007	06909H064301	\$11,257,850

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

A draft copy of the proposed contract is available for public inspection at the Human Resources Administration (HRA) in Room 1422, 180 Water Street, New York, NY 10038, on business days, excluding Saturdays, Sundays and Holidays, from May 28, 2010 to June 10, 2010 from 10:00 A.M. to 4:00 P.M.

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BOARD OF STANDARDS AND APPEALS

■ PUBLIC HEARING

ADDED CASES

JUNE 15, 2010, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, June 15, 2010, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

280-09-A

APPLICANT – Kramer Levin Naftalis & Frankel LLP, for 330 West 86th Street, LLC, owner.
SUBJECT – Review of Board decision pursuant to Sec 1-10(f) of the Board's Rules and 666(8) of the City Charter of an appeal challenging the Department of Building's authority under the City Charter to interpret or enforce provisions of Article 16 of the General Municipal Law relating to the construction of a proposed 17 story residential building. R10A zoning district.
PREMISES AFFECTED – 330 West 86th Street, south side of West 86th Street, 280 feet west of the intersection of Riverside Drive and West 86th Street, Block 1247, Lot 49, Borough of Manhattan.
COMMUNITY BOARD #7M

JUNE 15, 2010, 1:30 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, June 15, 2010, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

22-10-BZ

APPLICANT – Harold Weinberg, P.E., for RP Canarsie, LLC, owner; Sunshine Childrens Day Care, lessee.
SUBJECT – Application February 17, 2010 – Special Permit (\$73-19) to allow the proposed one-story day care center. C8 zoning district.
PREMISES AFFECTED – 620 East 102nd Street, west side between Farragut Road and Glenwood Road, Block 8170, Lot 42, Borough of Brooklyn.

COMMUNITY BOARD #18BK

Jeff Mulligan, Executive Director

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