

BIENNIAL AGENCY REPORT

INSTRUCTIONS

The Identifying Information Law requires City agencies to submit comprehensive biennial agency reports related to their collection, retention, and disclosure of identifying information and their privacy protection practices.

To complete the 2024 biennial agency report:

- Review Form 2s (<u>APO Designation of Collection and Disclosures as "Routine"</u>) made since the 2022 compliance cycle;
- Review Form 5s (Agency Privacy Officer Approval of Collections and Disclosures on a "Non-Routine" Basis) made since the 2022 compliance cycle;
- Use Forms 2 & 5 to complete <u>Worksheet 1</u> for all new and existing collections between 2022-2024;
- Use Forms 2 & 5 to complete <u>Worksheet 2</u> for all new and existing **disclosures** between 2022-2024.
- Complete the Biennial Agency Workbook;
- Submit the biennial agency report by **July 31, 2024**.

Submit the biennial agency report to:

- Mayor at MOReports@cityhall.nyc.gov
- City Council Speaker at reports@council.nyc.gov
- Chief Privacy Officer and the Citywide Privacy Protection Committee at oip@oti.nyc.gov
- Department of Records and Information Services (DORIS) online submission portal at https://a860-gpp.nyc.gov

THIS REPORT IS PUBLIC. PREPARERS SHOULD CONSULT AGENCY COUNSEL OR THE CHIEF PRIVACY OFFICER TO ENSURE THE RESPONSES ARE PROVIDED ACCORDING TO APPLICABLE LAW AND CITY POLICY.



VERSION CONTROL

Version	Description of Change	Approver	Date
4.0	New design for ease of use and technological	Michael Fitzpatrick	April 2024
	enhancements, and miscellaneous clarifying	Chief Privacy Officer, City of New	
	revisions.	York	
3.0	Updated completion date; miscellaneous clarifying	Aaron Friedman	April 2022
	revisions.	Principal Senior Counsel	
		Office of Information Privacy	
2.0	Updated completion date; miscellaneous clarifying	Laura Negrón	April 2020
	revisions.	Chief Privacy Officer, City of New	
		York	
1.0	First Version	Laura Negrón	April 2018
		Chief Privacy Officer, City of New	
		York	



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BIENNIAL AGENCY REPORT (Due on or before July 31, 2024)

1. Agency: Department of Design and Construction

2. APO Contact Details

a. Name: David Varoli

b. Title: Deputy Commissioner/General Counsel

c. Email: varolid@ddc.nyc.gov

d. Telephone: 718-391-1721

COLLECTIONS

3. How many collections does the agency have to describe?

3

4. **COLLECTIONS.** Upload worksheet 1.



- Proceed to the next page -



5. For all **collections**, select the types of identifying information collected (check all that apply). *See*Citywide Privacy Protection Policies and Protocols § 3.1.

■ Name	Work-Related Information
■ Social security number (full or last 4 digits)*	■ Employer information
■ Taxpayer ID number (full or last 4 digits)*	■ Employment address
Biometric Information	Government Program Information
■ Fingerprints	☐ Any scheduled appointments with any
■ Photographs	employee, contractor, or subcontractor
■ Palm and handprints*	☐ Any scheduled court appearances
☐ Retina and iris patterns*	☐ Eligibility for or receipt of public assistance or
☐ Facial geometry*	City services
☐ Gait or movement patterns*	☐ Income tax information
☐ Voiceprints*	☐ Motor vehicle information
☐ DNA sequences*	
☐ Height	
☐ Weight	
Contact Information	Law Enforcement Information
Current and/or previous home address	Arrest record or criminal conviction
Email address	☐ Date and/or time of release from custody of
■ Phone number	ACS, DOCS, or NYPD
	Information obtained from any surveillance
	system operated by, for the benefit of, or at the
	direction of the NYPD
<u>Demographic Information</u>	Technology-Related Information
☐ Country of origin	■ Device identifier including media access
■ Date of birth*	control (MAC) address or Internet mobile
Gender identity	equipment identity (IMEI)*
☐ Languages spoken	GPS-based location obtained or derived from a
☐ Marital or partnership status	device that can be used to track or locate an
☐ Nationality	individual*
☐ Race	Internet protocol (IP) address*
☐ Religion	Social media account information
☐ Sexual orientation	
Status information	
☐ Citizenship or immigration status	
Employment status	
☐ Status as a victim of domestic violence or	
sexual assault	
Status as crime victim or witness	
Other Types of Identifying Information (list below)	:
*Type of identifying information designated by the	CPO (see CPO Policies & Protocols, §3.1.1).



DISCLOSURES

6. How many disclosures does the agency have to describe?

5

7. **DISCLOSURES**. Upload worksheet 2.



- Proceed to the next page -



8. For all **disclosures**, select the types of identifying information disclosed (check all that apply). See Citywide Privacy Protection Policies and Protocols § 3.1.

■ Name	Work-Related Information
■ Social security number (full or last 4 digits)*	■ Employer information
☐ Taxpayer ID number (full or last 4 digits)*	■ Employment address
Biometric Information	Government Program Information
■ Fingerprints	Any scheduled appointments with any
Photographs	employee, contractor, or subcontractor
■ Palm and handprints*	☐ Any scheduled court appearances
☐ Retina and iris patterns*	☐ Eligibility for or receipt of public assistance or
☐ Facial geometry*	City services
☐ Gait or movement patterns*	☐ Income tax information
☐ Voiceprints*	☐ Motor vehicle information
☐ DNA sequences*	
☐ Height	
☐ Weight	
Contact Information	Law Enforcement Information
■ Current and/or previous home address	Arrest record or criminal conviction
■ Email address	☐ Date and/or time of release from custody of
■ Phone number	ACS, DOCS, or NYPD
	Information obtained from any surveillance
	system operated by, for the benefit of, or at the
	direction of the NYPD
Demographic Information	Technology-Related Information
☐ Country of origin	Device identifier including media access
■ Date of birth*	control (MAC) address or Internet mobile
☐ Gender identity	equipment identity (IMEI)*
☐ Languages spoken	GPS-based location obtained or derived from a
☐ Marital or partnership status	device that can be used to track or locate an individual*
Nationality	
Race	☐ Internet protocol (IP) address* ☐ Social media account information
Religion	Social media account information
☐ Sexual orientation	
Status information	
☐ Citizenship or immigration status	
Employment status	
☐ Status as a victim of domestic violence or	
sexual assault	
Status as crime victim or witness	
Other Types of Identifying Information (list below)) :
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*Type of identifying information designated by the	CPO (see CPO Policies & Protocols, §3.1.1).



9.	policies local pu	te from the Citywide Privacy Protection Policies and Protocols, what are the agency's regarding requests for disclosures from other City agencies, local public authorities or ublic benefit corporations, and third parties? Please summarize or upload a copy of the See N.Y.C. Admin. Code § 23-1205(a)(1)(c)(1).
10.		divisions of employees within the agency make disclosures of identifying information ng the approval of the privacy officer? See § N.Y.C Admin. Code § 23-1205(a)(1)(c)(4).
11.		categories of employees within the agency make disclosures of identifying information ng the approval of the privacy officer? See § N.Y.C Admin. Code § 23-1205(a)(1)(c)(4).
12.		of the agency's policies address access to identifying information by employees, stors, and subcontractors? See § N.Y.C. Admin Code § 23-1205(a)(4).
	•	Yes – GO TO QUESTION 13
	0	No – GO TO QUESTION 16
13.	employ	use policies state that access to identifying information must be necessary for the rees, contractors, and subcontractors to perform their duties? See N.Y.C. Admin Code 105(a)(4).
	•	Yes – GO TO QUESTION 14
	0	No – GO TO QUESTION 16
14.		se policies implemented so that access is limited to the greatest extent possible, but also s the purpose or mission of the agency?
	•	Yes – GO TO QUESTION 15
	0	No – GO TO QUESTION 16



15. Describe how access is limited to the greatest extent possible while furthering the purpose or mission of the agency.
16. Summarize or upload the agency's current policies for handling proposals for disclosures to other City agencies, local public authorities, or local public benefit corporations, and third parties. See N.Y.C Admin Code § 23-1205(a)(1)(c)(2).
17. Summarize or upload the agency's current policies regarding the classification of disclosures as necessitated by the existence of exigent circumstances or as routine. See N.Y.C Admin Code § 23-1205(a)(1)(c)(3).
18. Since 2022, has the agency considered or implemented , where applicable, policies that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible
while furthering the purpose or mission of the agency? See N.Y.C Admin Code § 23-1205(a)(3).
Yes – GO TO QUESTION 19
No – GO TO QUESTION 20
19. Summarize the policies that the agency has considered or implemented regarding data minimization for the collection, retention, and disclosure of identifying information. See N.Y.C Admin Code § 23-1205(a)(4).



20. Summarize the agency's use of agreements for any use or disclosure of identifying information. See N.Y.C Admin Code § 23-1205 (a)(1)(d).
21. Since 2022, describe the impact of the Identifying Information Law and any other local, state, or federal laws upon your agency's practices in relation to the collection, retention, and disclosure of identifying information (i.e., if such practices would differ in the absence of these laws). The impact can be positive or negative. See N.Y.C Admin Code § 23-1205(a)(2).
22. Describe how the current privacy policies and protocols issued by the Chief Privacy Officer, or the guidance issued by the Citywide Privacy Protection Committee affected your agency's practices in relation to the collection, retention, and disclosure of identifying information. The effects can be positive or negative. See N.Y.C Admin Code § 23-1205(a)(2).
- Proceed to the next page -



APPROVAL SIGNATURE FOR AGENCY REPORT

PREPARER OF AGENCY REPORT

Samantha Salanitro Name:

Assistant General Counsel Title:

salanitsa@ddc.nyc.gov Email:

Phone: 718-391-1856

ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

David Varoli Name:

Deputy Commissioner and Deputy General Counsel Title:

varolid@ddc.nyc.gov Email:

9177690909 Phone:

Date: 07/18/2024 Signature: David Varoli

David Varoli (Jul 18, 2024 10:37 EDT)



Describe the following types of collections. *Note, you may have multiple collections of the same type.*

	COLLECTIONS						
	Type of Collection	Describe the Specific Activity	Classification	Describe the agency purpose or mission served by this Collection.			
1	Technology	IT collects the serial numbers of devices related to agency employees and the respective employees' names to manage and maintain devices.	Pre-approved as routine	To keep track of the City owned devices.			
2	Human Resources and other Personnel Matters	The HR, EEO, and labor relations units collect information including personnel, employee benefits, payroll, and related employee information.	Pre-approved as routine	The HR, EEO, and labor relations units collect such information for purposes of processing new hires, payroll, employment benefits, and EEO compliance for personnel in the agency.			
3	Procurement	ACCO. This includes personnel, payroll, and related employee information. ACCO manages the procurement process and data is collected only as part of the procurement and contract management/payment process.	Pre-approved as routine	ACCO manages the procurement process and data is collected only as part of the procurement and contract management/payment process.			
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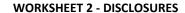


Describe the following types of disclosures. Note, you may have multiple disclosures of the same type.

	DISCLOSURES						
	Type of Disclosure	Describe the Specific Activity	Classification	Describe the agency purpose or mission served by this Disclosure.	Was this disclosure made pursuant to an external request?		
1	Technology	IT collects the serial numbers of devices related to agency employees and the respective employees' names to manage and maintain devices.	Pre-approved as routine	IT may disclose this information to the City when necessary, in an effort to keep track of the City owned devices.	No		
2	Human Resources and other Personnel Matters	The HR, EEO, and labor relations units collect information including personnel, employee benefits, payroll, and related employee information.	Pre-approved as routine	The HR, EEO, and labor relations units collect such information for purposes of processing new hires, payroll, employment benefits, and EEO compliance for personnel in the agency, and discloses in accordance with labor agreements.	No		
3	Legal Matters or Proceeding	The Legal Division may disclose collected personnel, payroll, and related employee information for litigation matters, investigations, and in response to FOIL.	Pre-approved as routine	This information is provided to the NYC Law Dept. in the preparation or in the course of litigation. It is provided to the Dept. of Investigation to prevent fraud, waste,	No		

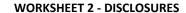


	Procurement	ACCO. This includes personnel, payroll, and related employee	Pre-approved as routine	and abuse. It is also provided to law enforcement agencies for purposes of law enforcement activities. ACCO manages the procurement process and data is collected only as	No
4		information. ACCO manages the procurement process and data is collected, and then disclosed if necessary, only as part of the procurement and contract management/payment process.		part of the procurement and contract management/payment process, and will disclose if legally necessary.	
5	Audit	Engineering Audit Office. This includes personnel, payroll, and related employee information, which is reviewed as part of the payment process.	Pre-approved as routine	This information is provided to oversight agencies and auditors.	No
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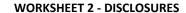


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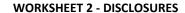


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	Type of Disclosure	Describe the Specific	Classification	Describe the agency	Was this disclosure
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80	Choose an item.	[free text]	Choose an item.	[free text]	Choose an item.
80 81	Choose an item. Choose an item.	[free text]	Choose an item. Choose an item.	[free text]	Choose an item. Choose an item.
80 81 82	Choose an item. Choose an item. Choose an item.	[free text]	Choose an item. Choose an item. Choose an item.	[free text]	Choose an item. Choose an item. Choose an item.
80 81 82 83	Choose an item. Choose an item. Choose an item. Choose an item.	[free text]	Choose an item. Choose an item. Choose an item. Choose an item.	[free text]	Choose an item. Choose an item. Choose an item. Choose an item.
80 81 82 83 84	Choose an item.	[free text]	Choose an item.	[free text]	Choose an item.
80 81 82 83 84 85	Choose an item.	[free text]	Choose an item.	[free text]	Choose an item.
80 81 82 83 84 85	Choose an item.	[free text]	Choose an item.	[free text]	Choose an item.
80 81 82 83 84 85 86	Choose an item.	[free text]	Choose an item.	[free text]	Choose an item.
80 81 82 83 84 85 86 87	Choose an item.	[free text]	Choose an item.	[free text]	Choose an item.
80 81 82 83 84 85 86 87 88	Choose an item.	[free text]	Choose an item.	[free text]	Choose an item.
80 81 82 83 84 85 86 87 88 89	Choose an item.	[free text]	Choose an item.	[free text]	Choose an item.





94	Choose an item.	Choose an item.	Choose an item.
95	Choose an item.	Choose an item.	Choose an item.
96	Choose an item.	Choose an item.	Choose an item.
97	Choose an item.	Choose an item.	Choose an item.
98	Choose an item.	Choose an item.	Choose an item.
99	Choose an item.	Choose an item.	Choose an item.
100	Choose an item.	Choose an item.	Choose an item.



For each **disclosure**, select the <u>type</u> of entity **and** provide the <u>name</u> of the entity that received the identifying information.

	Type of Entity	Name of Entity
1	City Agency	DCAS, the Mayor's Office, and/or OMB
2	Other Private Sector Company	Labor organizations in accordance with the Labor Agreements
3	City Agency	NYC Law Dept, Department of Investigations, Law Enforcement
4	City Agency	Same as above
5	Other Private Sector Company	Oversight Agencies and/or Auditors
6	Choose an item.	
7	Choose an item.	
8	Choose an item.	
9	Choose an item.	
10	Choose an item.	
11	Choose an item.	
12	Choose an item.	
13	Choose an item.	
14	Choose an item.	
15	Choose an item.	
16	Choose an item.	
17	Choose an item.	
18	Choose an item.	
19	Choose an item.	
20	Choose an item.	
21	Choose an item.	
22	Choose an item.	
23	Choose an item.	
24	Choose an item.	
25	Choose an item.	
26	Choose an item.	
27	Choose an item.	



	Type of Entity	Name of Entity
28	Choose an item.	[free text]
29	Choose an item.	
30	Choose an item.	
31	Choose an item.	
32	Choose an item.	
33	Choose an item.	
34	Choose an item.	
35	Choose an item.	
36	Choose an item.	
37	Choose an item.	
38	Choose an item.	
39	Choose an item.	
40	Choose an item.	
41	Choose an item.	
42	Choose an item.	
43	Choose an item.	
44	Choose an item.	
45	Choose an item.	
46	Choose an item.	
47	Choose an item.	
48	Choose an item.	
49	Choose an item.	
50	Choose an item.	
51	Choose an item.	
52	Choose an item.	
53	Choose an item.	
54	Choose an item.	
55	Choose an item.	
56	Choose an item.	



	Type of Entity	Name of Entity
57	Choose an item.	[free text]
58	Choose an item.	
59	Choose an item.	
60	Choose an item.	
61	Choose an item.	
62	Choose an item.	
63	Choose an item.	
64	Choose an item.	
65	Choose an item.	
66	Choose an item.	
67	Choose an item.	
68	Choose an item.	
69	Choose an item.	
70	Choose an item.	
71	Choose an item.	
72	Choose an item.	
73	Choose an item.	
74	Choose an item.	
75	Choose an item.	
76	Choose an item.	
77	Choose an item.	
78	Choose an item.	
79	Choose an item.	
80	Choose an item.	
81	Choose an item.	
82	Choose an item.	
83	Choose an item.	
84	Choose an item.	
85	Choose an item.	



	Type of Entity	Name of Entity
86	Choose an item.	[free text]
87	Choose an item.	
88	Choose an item.	
89	Choose an item.	
90	Choose an item.	
91	Choose an item.	
92	Choose an item.	
93	Choose an item.	
94	Choose an item.	
95	Choose an item.	
96	Choose an item.	
97	Choose an item.	
98	Choose an item.	
99	Choose an item.	
100	Choose an item.	



OPTIONAL QUESTION: Using the table below, describe any proposals for disclosures of identifying information that your agency declined to approve.

	Type of Entity that Requested the Identifying Information	Name of the Entity	Reason for the Request	Description of Agency's Rationale for Rejection
1	Choose an item.	[free text]	[free text]	[free text]
2	Choose an item.			
3	Choose an item.			
4	Choose an item.			
5	Choose an item.			
6	Choose an item.			
7	Choose an item.			
8	Choose an item.			
9	Choose an item.			
10	Choose an item.			
11	Choose an item.			
12	Choose an item.			
13	Choose an item.			
14	Choose an item.			
15	Choose an item.			
16	Choose an item.			
17	Choose an item.			
18	Choose an item.			
19	Choose an item.			
20	Choose an item.			
21	Choose an item.			
22	Choose an item.			
23	Choose an item.			
24	Choose an item.			
25	Choose an item.			



	Type of Entity that Requested the Identifying Information	Name of the Entity	Reason for the Request	Description of Agency's Rationale for Rejection
26	Choose an item.	[free text]	[free text]	[free text]
27	Choose an item.			
28	Choose an item.			
29	Choose an item.			
30	Choose an item.			
31	Choose an item.			
32	Choose an item.			
33	Choose an item.			
34	Choose an item.			
35	Choose an item.			
36	Choose an item.			
37	Choose an item.			
38	Choose an item.			
39	Choose an item.			
40	Choose an item.			
41	Choose an item.			
42	Choose an item.			
43	Choose an item.			
44	Choose an item.			
45	Choose an item.			
46	Choose an item.			
47	Choose an item.			
48	Choose an item.			
49	Choose an item.			
50	Choose an item.			
51	Choose an item.			
52	Choose an item.			
53	Choose an item.			



	Type of Entity that Requested the Identifying Information	Name of the Entity	Reason for the Request	Description of Agency's Rationale for Rejection
54	Choose an item.	[free text]	[free text]	[free text]
55	Choose an item.			
56	Choose an item.			
57	Choose an item.			
58	Choose an item.			
59	Choose an item.			
60	Choose an item.			
61	Choose an item.			
62	Choose an item.			
63	Choose an item.			
64	Choose an item.			
65	Choose an item.			
66	Choose an item.			
67	Choose an item.			
68	Choose an item.			
69	Choose an item.			
70	Choose an item.			
71	Choose an item.			
72	Choose an item.			
73	Choose an item.			
74	Choose an item.			
75	Choose an item.			
76	Choose an item.			
77	Choose an item.			
78	Choose an item.			
79	Choose an item.			
80	Choose an item.			
81	Choose an item.			



	Type of Entity that Requested the Identifying Information	Name of the Entity	Reason for the Request	Description of Agency's Rationale for Rejection
82	Choose an item.	[free text]	[free text]	[free text]
83	Choose an item.			
84	Choose an item.			
85	Choose an item.			
86	Choose an item.			
87	Choose an item.			
88	Choose an item.			
89	Choose an item.			
90	Choose an item.			
91	Choose an item.			
92	Choose an item.			
93	Choose an item.			
94	Choose an item.			
95	Choose an item.			
96	Choose an item.			
97	Choose an item.			
98	Choose an item.			
99	Choose an item.			
100	Choose an item.			