



THE CITY RECORD

Official Journal of The City of New York

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THE CITY RECORD

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101 FLEET PLACE REZONING

BROOKLYN CD 2

C 180524 ZMK

IN THE MATTER OF an application submitted by Fleet Center, Inc.,
pursuant to Sections 197-c and 201 of the New York City Charter for
the amendment of the Zoning Map, Section No. 16c by:

1. changing from an R6 District to a C6-4 District property,
bounded by the easterly centerline prolongation of former
Fair Street, a line 200 feet easterly of Fleet Place, a line 150
feet northerly of Willoughby Street, and Fleet place; and
2. establishing a Special Downtown Brooklyn District, bounded
by the easterly centerline prolongation of former Fair Street,
a line 200 feet easterly of Fleet Place, a line 150 feet
northerly of Willoughby Street, and Fleet place;

as shown on a diagram (for illustrative purposes only) dated June 17,
2019, and subject to the conditions of CEQR Declaration of E-539.

101 FLEET PLACE REZONING

BROOKLYN CD 2

N 180525 ZRK

IN THE MATTER OF an application submitted by Fleet Center, Inc.,
pursuant to Section 201 of the New York City Charter, for an
amendment of the Zoning Resolution of the City of New York,
modifying Article X, Chapter 1 (Special Downtown Brooklyn District)
for the purpose of modifying the Special Downtown Brooklyn District
boundary and modifying Appendix F for the purpose of establishing a
Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

*** indicates where unchanged text appears in the Zoning Resolution
* * *

Article X

Special Purpose Districts

Chapter 1

PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

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 in the Council Committee Room, City Hall, New York,
NY 10007, commencing, at 10:30 A.M. on October 16, 2019:

Special Downtown Brooklyn District

* * *

Appendix E

Special Downtown Brooklyn District Maps

Map 1 — Special Downtown Brooklyn District and Subdistricts
(10/31/17) [date of adoption]

[EXISTING MAP]



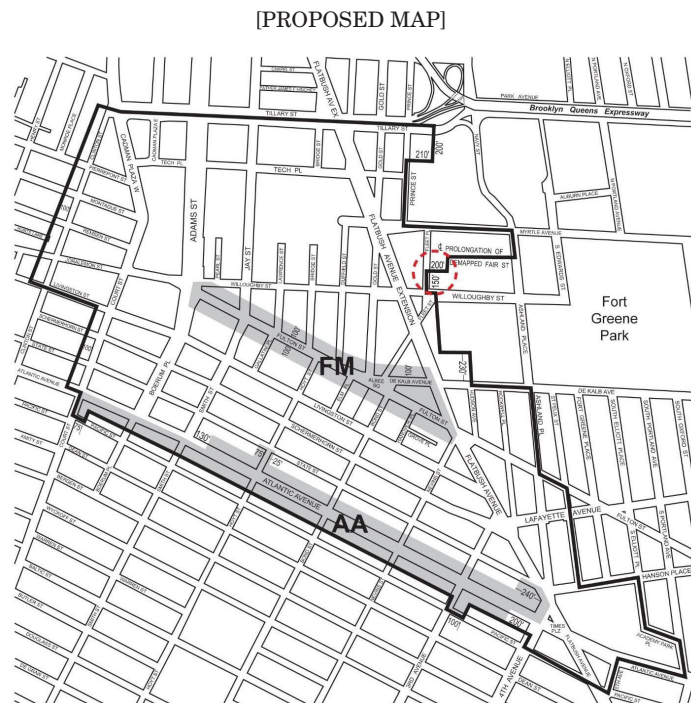
— Special Downtown Brooklyn District
AA Atlantic Avenue Subdistrict
FM Fulton Mall Subdistrict

[EXISTING MAP]



— Special Downtown Brooklyn District
 --- Retail Continuity Required
 Non-Residential Requirement
 ■ Subdistricts

[PROPOSED MAP]



— Special Downtown Brooklyn District
AA Atlantic Avenue Subdistrict
FM Fulton Mall Subdistrict

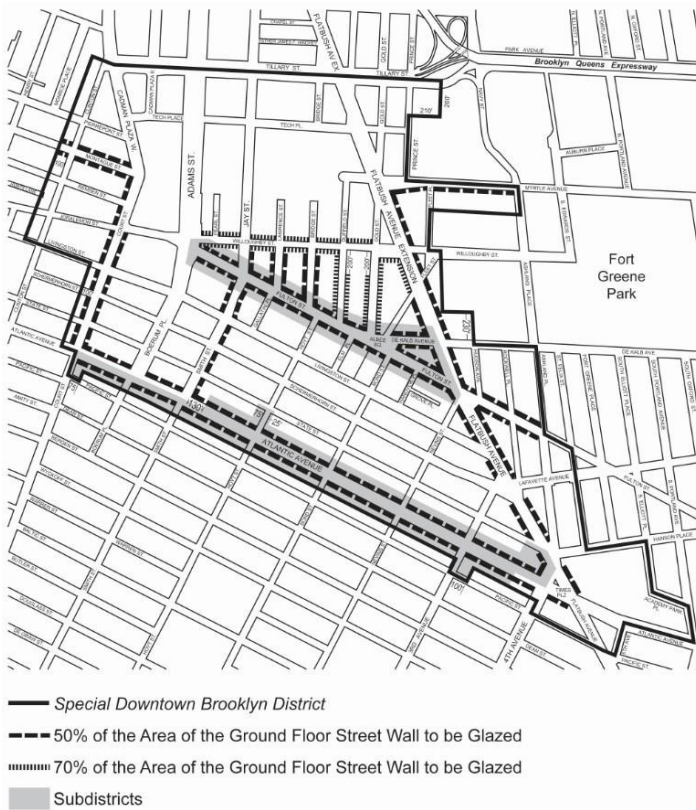


— Special Downtown Brooklyn District
 --- Retail Continuity Required
 Non-Residential Requirement
 ■ Subdistricts

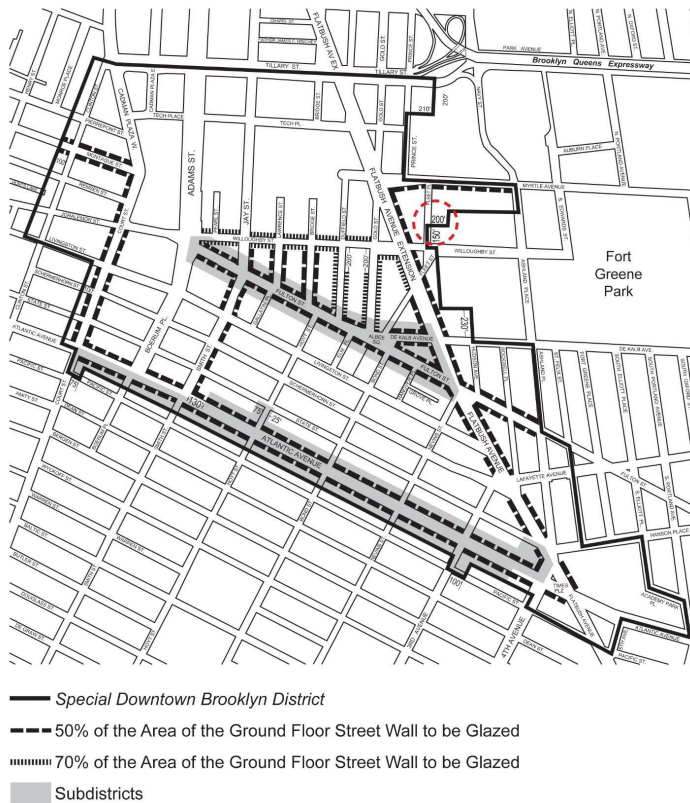
Map 2 — Ground Floor Retail Frontage (10/17/18) [date of adoption]

Map 3 — Ground Floor Transparency Requirements (10/31/17) [date of adoption]

[EXISTING MAP]

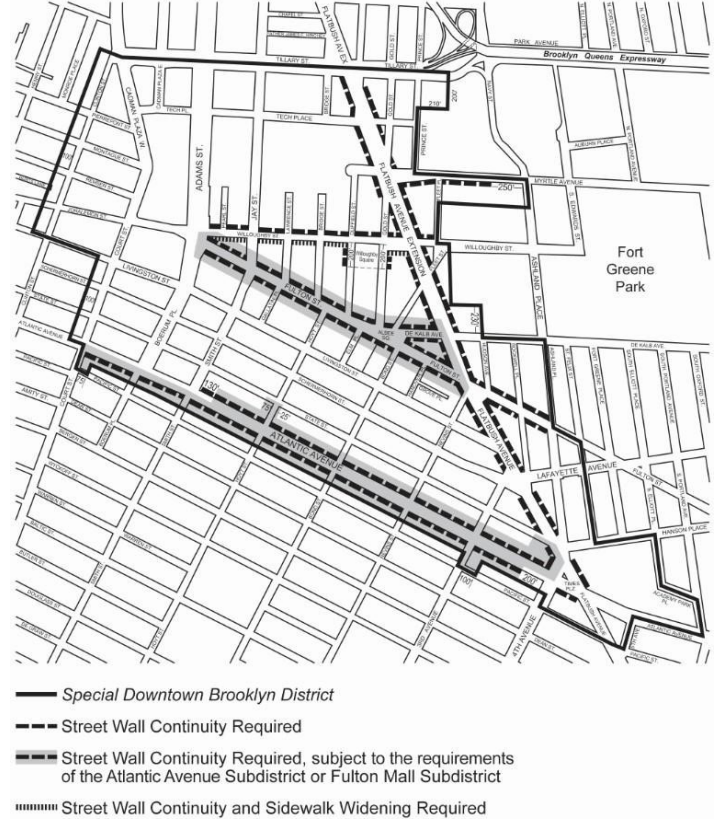


[PROPOSED MAP]

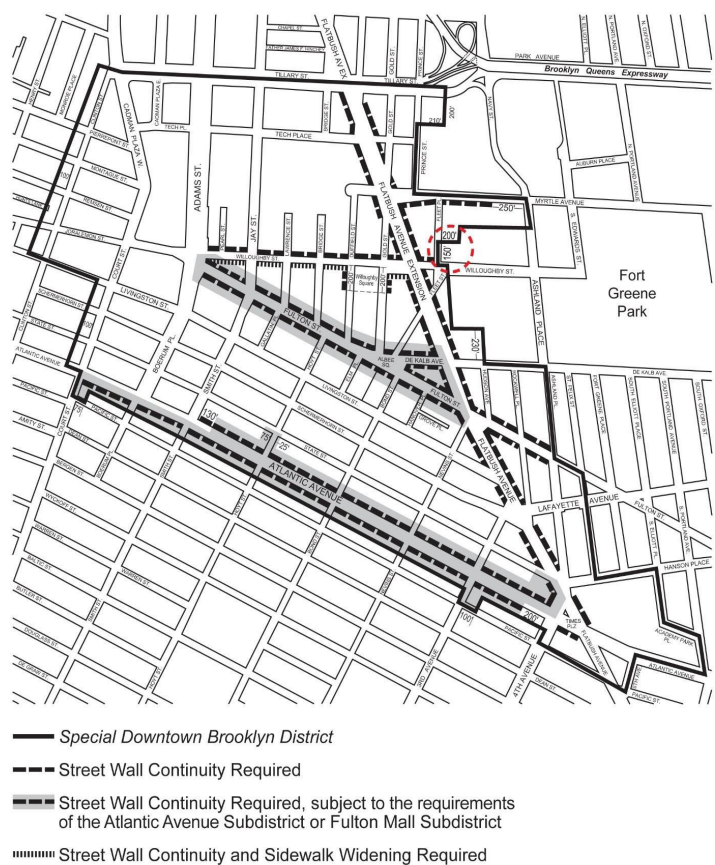


Map 4 — Street Wall Continuity and Mandatory Sidewalk Widenings
 (10/31/17) [date of adoption]

[EXISTING MAP]

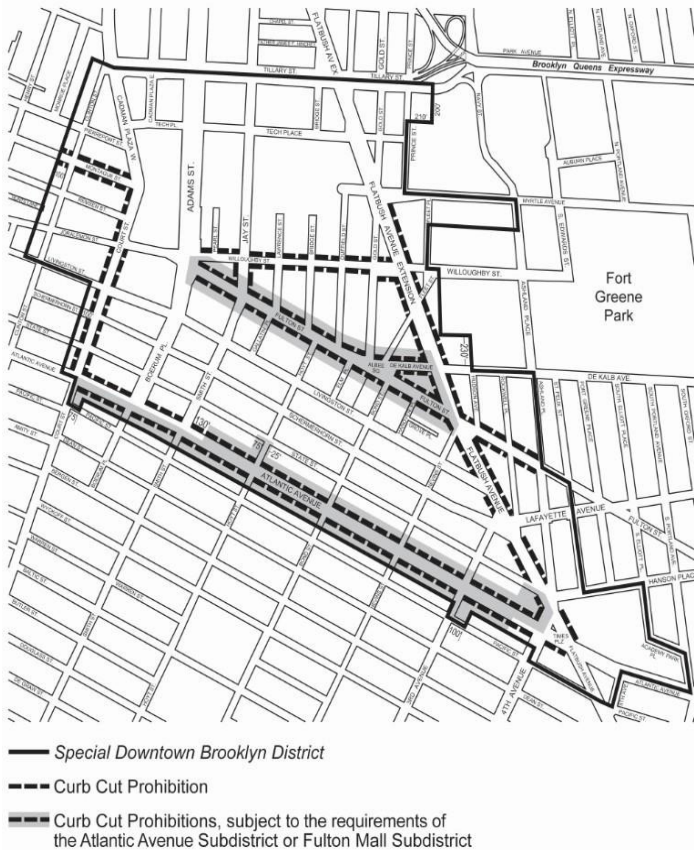


[PROPOSED MAP]

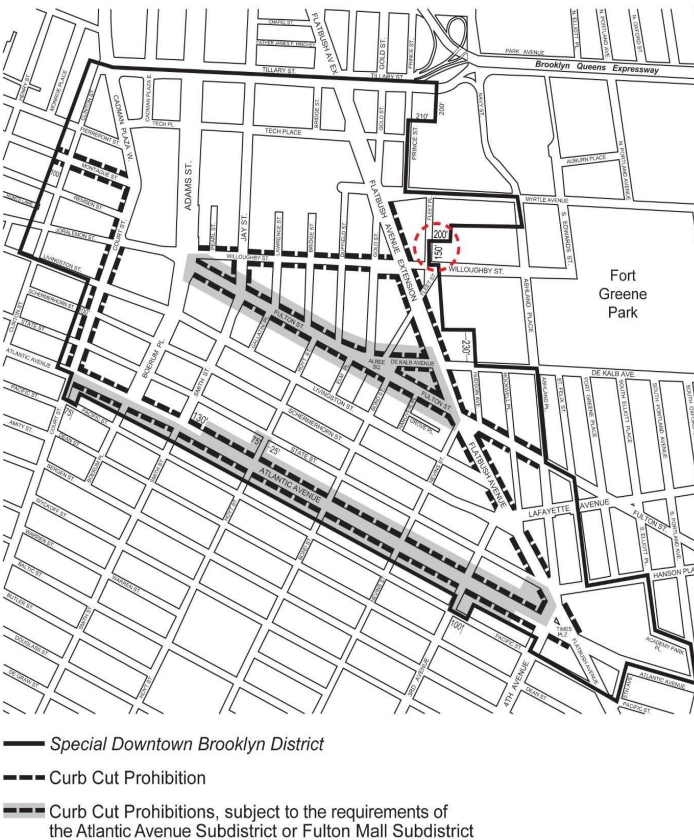


Map 5 — Curb Cut Restrictions (10/31/17) [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]



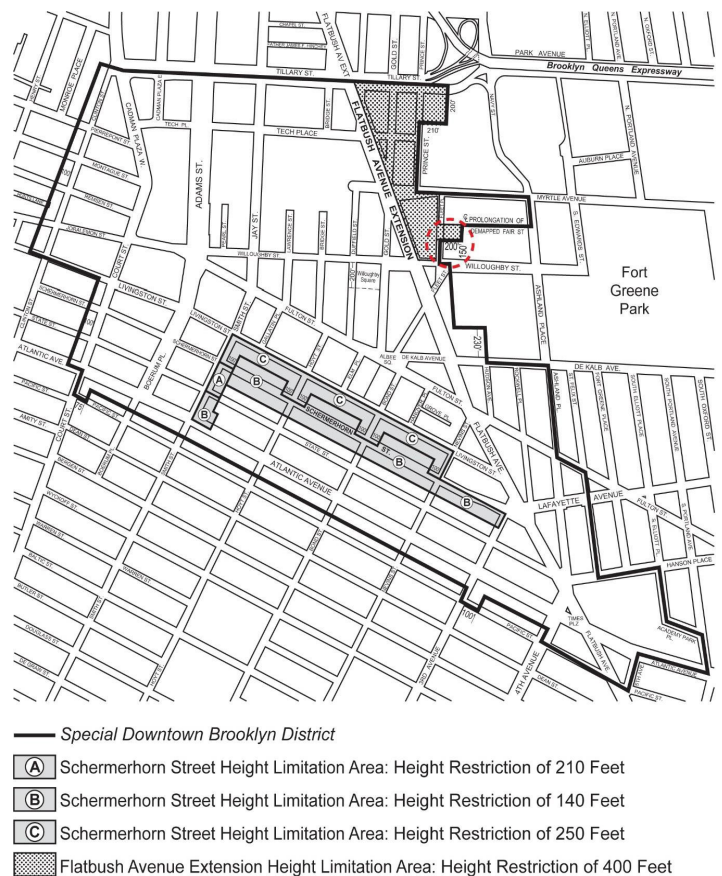
Map 6 — Height Limitation Areas (10/31/17) [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]

Map 7 — Subway Station Improvement Areas (10/31/17) [date of adoption]



[EXISTING MAP]

[PROPOSED MAP]



- | | |
|--------------------------------------|----------------------------|
| — Special Downtown Brooklyn District | — 6th Ave. Line |
| ■ Subway Station | — Broadway–60th St. Line |
| ● Subway Entrance | — 4th Ave. Line |
| ① Court St.-Borough Hall Station | — Brighton Line |
| ② DeKalb Ave. Station | — Crosstown Line |
| ③ Hoyt St. Station | — Culver Line |
| ④ Hoyt-Schermerhorn Streets Station | — Fulton St. Line |
| ⑤ Jay St.-Metro Tech Station | — Montague St. Tunnel Line |
| ⑥ Nevins St. Station | — Eastern Parkway Line |
| ⑦ Atlantic Ave.-Pacific St. Station | |

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory

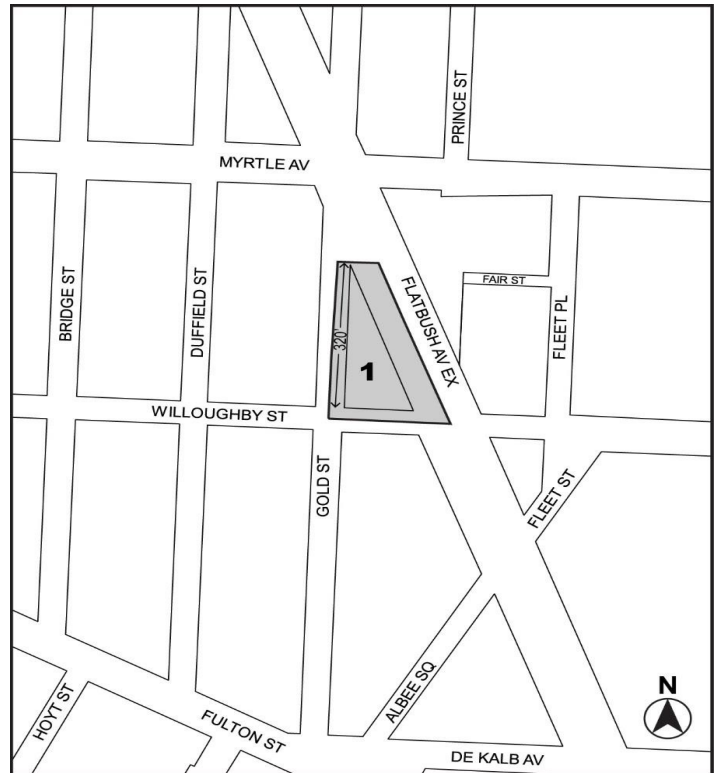
Inclusionary Housing Areas

Brooklyn

Brooklyn Community District 2

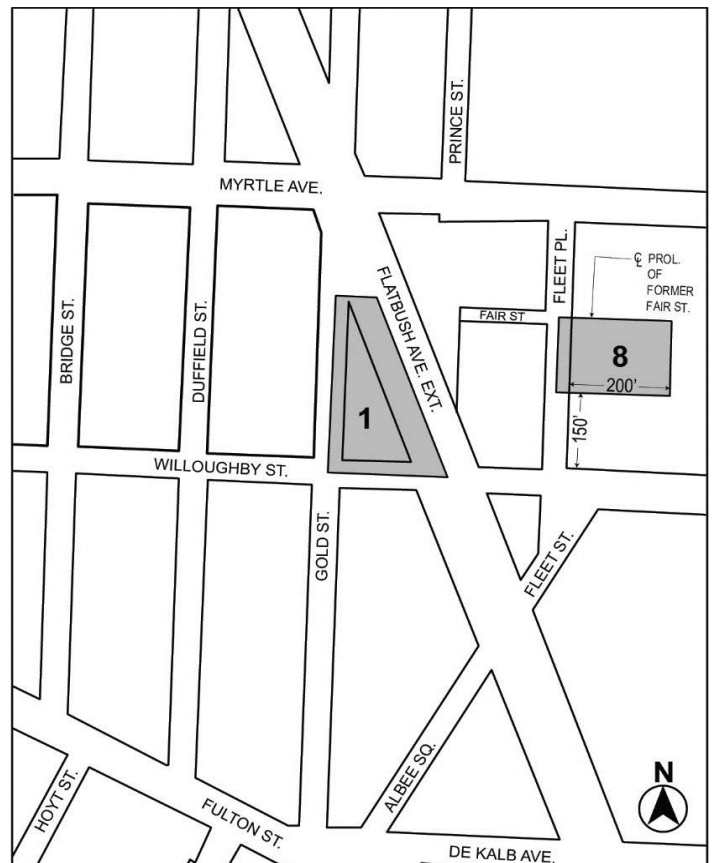
Map 5. (11/16/16) [date of adoption]

[EXISTING MAP]



■ Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)
Area 1 — 11/16/16 MIH Program Option 2

[PROPOSED MAP]





Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)

Area 1 - 11/16/16 MIH Program Option 2

Area 8 - [date of adoption] MIH Program Option 1 and 2

Portion of Community District 2, Brooklyn

* * *

Accessibility questions: Land Use Division (212) 482 - 5154, by: Friday, October 11, 2019, 3:00 P.M.



o9-16

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a resolution has been adopted by the City Planning Commission, scheduling a public hearing on the following matter to be held, at NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY, on Wednesday, October 16, 2019, at 10:00 A.M.

CITYWIDE

No. 1

POPS SIGNAGE AND AMENITIES TEXT AMENDMENT CITYWIDE N 190408 ZRY

IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to facilitate the updating of Privately Owned Public Spaces (POPS) signage and furniture regulations.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10; and

* * * indicates where unchanged text appears in the Zoning Resolution

ARTICLE III – COMMERCIAL DISTRICT REGULATIONS Chapter 7 – Special Urban Design Regulations

* * *

37-50

Requirements for Pedestrian Circulation Space

* * *

37-53

Design Standards for Pedestrian Circulation Spaces

* * *

(h) Through #block# connection

* * *

A through #block# connection shall meet the following requirements:

* * *

(2) Design standards for a through #block# connection

* * *

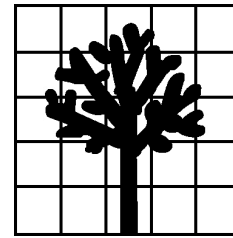
(viii) A through #block# connection shall provide the following information for public access, at each public entry to the through #block# connection:

(a) For an unenclosed through #block# connection, the public access information shall be an entry plaque located, at the entrance to the through #block# connection, at each #street# frontage. The entry plaque shall contain:

- (1) a public space symbol, provided in the Required Signage Symbols file, at the Department of City Planning website. And, which is, at least 14 inches square in dimension, has a white background, has a grid of four straight lines no greater than one-eighth inch wide and green in color, and has a tree-shaped symbol as shown: a public space symbol and supplemental text that matches the dimensions and graphic standards provided in the Privately Owned Public Space Signage file from the Required Signage Symbols on the Department of City Planning

website. Such symbol and text shall be provided with a highly contrasting background, in a format that ensures legibility. Additional requirements and review procedures for privately owned public space signage systems are specified in Title 62, Chapter 11, of the Rules of the City of New York; and

[IMAGE TO BE REMOVED]



- (2) lettering, at least two inches in height stating “OPEN TO PUBLIC.” This lettering shall be located within nine inches of the public space symbol; and
- (3)(2) an international Symbol of Access for people with disabilities that is, at least three inches square.

The entry plaque shall be mounted with its center five feet above the elevation of the nearest walkable pavement on a wall or a permanent freestanding post. It shall be placed so that the entire entry plaque is obvious and directly visible without any obstruction, along every line of sight from all paths of pedestrian access to the through #block# connection, in a position that clearly identifies the entry to the connection.

- (b) For an enclosed through #block# connection or a portion thereof:
 - (1) a public space symbol and supplemental text as described in paragraph (h)(2)(viii)(a) of this Section, not less than six inches square, shall be mounted with its center five feet above the elevation of the nearest walkable pavement;
 - (2) lettering stating “PUBLIC ACCESS TO ____ STREET,” indicating the opposite #street# to which the through #block# connection passes and which lettering shall not be less than three inches in height and located not more than three inches away from the public space symbol and supplemental text; and
 - (3) lettering not more than two inches or less than one and a half inches in height stating “Open.” OPEN TO PUBLIC” with the hours and days of operation of the through #block# connection. This lettering shall be located not more than three inches from the public space symbol and supplemental text.

The above required information shall be permanently affixed on the glass panel of the entry doors of the through #block# connection clearly facing the direction of pedestrian flow. The information shall be located not higher than six feet or lower than three feet above the level of the pedestrian path, at the entry; ~~and shall be in a format and color which will ensure legibility.~~

* * *

37-60

PUBLICLY ACCESSIBLE OPEN AREAS EXISTING PRIOR TO OCTOBER 17, 2007

37-61

Design Standards

Design standards for #plazas#, #residential plazas# and #urban plazas# developed# prior to October 17, 2007, are located in APPENDIX E of this Resolution.

Notwithstanding the foregoing, the applicable provisions of APPENDIX E shall be superseded as follows:

- (a) all #plazas#, #residential plazas# and #urban plazas# shall provide an information plaque that contains a public space symbol and supplemental text that matches the dimensions and graphic standards provided in the Privately Owned Public Space Signage file from the Required Signage Symbols on the Department of City

Planning website. Such symbol and text shall be provided with a highly contrasting background, in a format that ensures legibility. Additional requirements and review procedures for privately owned public space signage systems are specified in Title 62, Chapter 11, of the Rules of the City of New York;

- (b) the introduction of moveable tables and chairs, pursuant to Section 37-626 (Moveable tables and chairs) shall be permitted within #plazas#, and shall not constitute a design change, pursuant to Section 37-625 (Design changes).

* * *

37-625

Design changes

* * *

37-626

Moveable tables and chairs

Publicly accessible tables and chairs shall be considered permitted obstructions within #plazas# that have not received a certification by the Chairperson of the City Planning Commission, pursuant to Section 37-625 (Design changes), provided that such obstructions comply with the provisions of this Section.

The following provisions shall apply to all tables and chairs permitted by this Section.

- (a) General requirements

Tables and chairs provided, pursuant to this Section may be used by the public without restriction. All furnishings shall be moveable and made of high quality and durable materials. Tables and chairs shall not be chained, fixed, or otherwise secured between the hours of 7:00 A.M. and 9:00 P.M., and may be stored or secured between the hours of 9:00 P.M. and 7:00 A.M.

- (b) Circulation requirements for tables and chairs

No furnishings, including storage of furnishings, shall be permitted within five feet of any #building# entrance, nor shall they be permitted within any required circulation paths. For #plazas# with a depth of 10 feet or less, as measured perpendicular from the #street# line#, an unobstructed path of not less than three feet wide shall be provided, and for those with a depth greater than 10 feet, the width of such unobstructed path shall be increased to, at least six feet.

* * *

37-70

PUBLIC PLAZAS

* * *

37-75

Signs

37-751

Public space signage systems

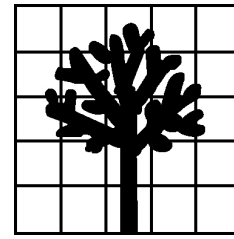
The following public space signage systems shall be required for all #public plazas#:

- (a) Entry plaque

The entry plaque shall be located, at each #street# frontage or point of pedestrian entry to the #public plaza#. On each #street# frontage occupied by the #public plaza#, a minimum of one entry plaque shall be provided for every 40 feet of linear #street# frontage occupied by the #public plaza#. The entry plaque shall contain:

- (1) a public space symbol which is 12 inches square in dimension and dark green or black in color with a highly contrasting background, a grid and tree-shaped symbol, as shown in this paragraph, (a)(1). The symbol shall match exactly the symbol provided in the Required Signage Symbols file, at the Department of City Planning website; a public space symbol and supplemental text that matches the dimensions and graphic standards provided in the Privately Owned Public Space Signage file from the Required Signage Symbols on the Department of City Planning website. Such symbol and text shall be provided with a highly contrasting background, in a format that ensures legibility. Additional requirements and review procedures for privately owned public space signage systems are specified in Title 62, Chapter 11, of the Rules of the City of New York;

[IMAGE TO BE REMOVED]



- (2) lettering, at least two inches in height stating "OPEN TO PUBLIC." This lettering shall be located immediately adjacent to the public space symbol;
- (3)(2) lettering, at least one inch in height stating the words "Open 24 hours" or, if a nighttime closing has been authorized, pursuant to Section 37-727, shall contain the words "Open to the public:" followed by the approved hours of operation; and
- (4)(3) an International Symbol of Access for persons with disabilities that is, at least three inches square.

The entry plaque shall be mounted on a wall or a permanent free-standing post within five feet of the sidewalk with its center five feet above the elevation of the nearest walkable pavement. The maximum height of such free-standing post shall be six feet, with a maximum width and depth of 16 inches. It shall be in a position that clearly identifies the entry into the #public plaza#, and placed so that the entire entry plaque is obvious and directly visible, without any obstruction, along every line of sight from all paths of pedestrian access to the #public plaza#.

- (b) Information plaque

An information plaque constructed from the same permanent materials as the entry plaque or combined with one or more of the required entry plaques shall be provided. Information plaques shall be mounted on a wall or a permanent free-standing post within five feet of the sidewalk and shall have all required lettering located three feet above the elevation of the nearest walkable pavement. The maximum height of such free-standing post shall be six feet, with a maximum width and depth of 16 inches. The information plaque shall consist of:

- (1) if provided on a separate plaque from a required entry plaque; a public space symbol and supplemental text that matches the dimensions and graphic standards provided in the Privately Owned Public Space Signage file from the Required Signage Symbols on the Department of City Planning website. Such symbol and text shall be provided with a highly contrasting background, in a format that ensures legibility. Additional requirements and review procedures for privately owned public space signage systems are specified in Title 62, Chapter 11, of the Rules of the City of New York; which is, at least six inches square in dimension and dark green or black in color with a highly contrasting background, a grid and tree-shaped symbol, as shown in paragraph (a)(1) of this Section. The symbol shall match exactly the symbol provided in Required Signage Symbols file, at the Department of City Planning website.
- (2) if provided on a separate plaque from a required entry plaque; the words, in lettering one-half inch in height, "Open 24 hours" or, if a nighttime closing has been authorized, pursuant to Section 37-727, the words, in lettering one-half inch in height, "Open to the public:" followed by the approved hours of operation;

* * *

- (c) Hours of access plaque

On each #street# frontage occupied by the #public plaza# and where the City Planning Commission has authorized a limitation on the hours of access for a #public plaza#, pursuant to the provisions of Section 37-727, a minimum of one hours of access plaque shall be provided for every 40 linear feet of approved barrier that limits public access. The hours of access plaque shall be located on the barrier that limits public access to the #public plaza# and shall consist of:

* * *

- (1) A public space symbol and supplemental text that matches the dimensions and graphic standards provided in the Privately Owned Public Space Signage file from the Required Signage Symbols on the Department of City Planning website. Such symbol and text shall be provided with a highly contrasting background, in a format that ensures legibility. Additional requirements and review procedures for privately owned public space signage systems are specified in Title 62,

Chapter 11, of the Rules of the City of New York; and which is two inches square in dimension and dark green or black in color with a highly contrasting background, a grid and tree-shaped symbol, as shown in paragraph (a)(1) of this Section. The symbol shall match exactly the symbol provided in the Required Signage Symbols file, at the Department of City Planning website:

- (2) the statement: "Open to the Public," followed by the approved hours of operation.

[CORRECTING TAB LOCATION OF THE NEXT TWO PARAGRAPHS]

All required public space signage shall be fully opaque, non-reflective and constructed of permanent, highly durable materials such as steel or stone.

All lettering provided on required public space signage shall be in a clear, bold, sans-serif, non-narrow font such as Arial, Helvetica or Verdana, solid in color with a minimum height of three-quarters of an inch, unless otherwise specified above, and shall highly contrast with the background color of the #sign#.

* * *

37-80 ARCADES

The provisions of this Section shall apply to all #developments# and #enlargements# containing an #arcade# that qualifies for a #floor area# bonus, pursuant to Sections 24-15, 33-14 or 43-14.

(a) General provisions

An #arcade# shall be #developed# as a continuous covered space extending along a #street line#, or #publicly accessible open area#. An #arcade# shall be open for its entire length to the #street line# or #publicly accessible open area#, except for #building# columns and tables and chairs provided, pursuant to Section 37-81 (Moveable Tables and Chairs). Such #arcade# shall be, and unobstructed to a height of not less than 12 feet, and either:

- (a)(1) have a depth not less than 10 feet nor more than 30 feet measured perpendicular to the #street line# or boundary of the #publicly accessible open area# on which it fronts, and extend for, at least 50 feet, or the full length of the #street line# or boundary of the #publicly accessible open area# on which it fronts, whichever is the lesser distance; or
- (b)(2) on a #corner lot#, is bounded on two sides by the two intersecting #street lines#, and has an area of not less than 500 square feet and a minimum dimension of 10 feet.

(b) Permitted elevation

Such an #arcade# shall not, at any point be above the level of the #street#, or #publicly accessible open area# that it adjoins, whichever is higher. Any portion of an #arcade# occupied by #building# columns shall be considered to be part of the area of the #arcade# for the purposes of computing a #floor area# bonus.

(c) Permitted parking, drop offs or loading berths

No off-street parking spaces, passenger drop offs, driveways or off-street loading berths are permitted anywhere within an #arcade# or within 10 feet of any bonusable portion thereof. By certification, the Commission may permit such activity in the immediate vicinity of an #arcade# provided such activity will not adversely affect the functioning of the #arcade#. In no event shall such vehicular areas be eligible for an #arcade# bonus.

(d) Hours of operation

#Arcades# shall be accessible to the public, at all times.

(e) Signage

An information plaque shall be provided that contains a public space symbol and supplemental text that matches the dimensions and graphic standards provided in the Privately Owned Public Space Signage file from the Required Signage Symbols on the Department of City Planning website. Such symbol and text shall be provided with a highly contrasting background, in a format that ensures legibility. Additional requirements and review procedures for privately owned public space signage systems are specified in Title 62, Chapter 11, of the Rules of the City of New York.

37-81 Moveable Tables and Chairs

Publicly accessible tables and chairs shall be considered permitted obstructions within an #arcade#, provided that such obstructions comply with the provisions of this Section.

The following provisions shall apply to all tables and chairs permitted by this Section.

(a) General requirements

Tables and chairs provided, pursuant to this Section may be used by the public without restriction. All furnishings shall be moveable and made of high quality and durable materials. Tables and chairs shall not be chained, fixed, or otherwise secured between the hours of 7:00 A.M. and 9:00 P.M., and may be stored or secured between the hours of 9:00 P.M. and 7:00 A.M.

(b) Circulation requirements for tables and chairs

No furnishings, including storage of furnishings, shall be permitted within five feet of any #building# entrance, nor shall they be permitted within any required circulation paths. For #arcades# with a depth of 10 feet or less, an unobstructed path of not less than three feet wide shall be provided, and for those with a depth greater than 10 feet, the width of such unobstructed path shall be increased to, at least six feet. For the purpose of such calculation, the depth of an #arcade# shall be measured from the column face furthest from the #street line# or #publicly accessible open area# to the #building# wall fronting on such #street line# or #publicly accessible open area#.

* * *

ARTICLE VII - ADMINISTRATION

Chapter 4 – Special Permits by the City Planning Commission

* * *

74-87

Covered Pedestrian Space

* * *

74-872

Design requirements for covered pedestrian spaces

* * *

For the purpose of ensuring prominent public attention to the #covered pedestrian space#, the openings, at the face of the #building# for entrances to the #covered pedestrian space# shall be, at least 20 feet wide, 30 feet high and unobstructed for a depth of 30 feet, except, where the #covered pedestrian space# is air-conditioned, the openings, at the entrances may be partially enclosed. Such enclosure, at the entrances shall be transparent in nature, commence, at a height not less than eight feet above the floor level, at the entrances, and be set back from the face of the #building#, at least 12 feet. Air curtains are permitted but shall be located, at a height not less than eight feet. Such entrances are permitted to be fully enclosed only for that portion of the year between October 15 and April 15, provided, however, that such space is readily accessible to the public between 7:00 A.M. and 12 midnight or on a schedule suitable to meet the public need.

An information plaque shall be provided that contains a public space symbol and supplemental text that matches the dimensions and graphic standards provided in the Privately Owned Public Space Signage file from the Required Signage Symbols on the Department of City Planning website. Such symbol and text shall be provided with a highly contrasting background, in a format that ensures legibility. Additional requirements and review procedures for privately owned public space signage systems are specified in Title 62, Chapter 11, of the Rules of the City of New York.

* * *

APPENDIX E

Design Requirements for Plazas, Residential Plazas and Urban Plazas Developed Prior to October 17, 2007

The following text has been relocated from Article II, Chapter 7, and Section 37-04 (Requirements for Urban Plazas). APPENDIX E is intended for **reference purposes only** and contains design requirements for #plazas#, #residential plazas# and #urban plazas# developed prior to October 17, 2007.

[THE FOLLOWING TEXT IS ADDED FOR FURTHER CLARITY]

The provisions of Section 37-60 (PUBLICLY ACCESSIBLE OPEN AREAS EXISTING PRIOR TO OCTOBER 17, 2007) sets forth instances where the provisions of this APPENDIX E are superseded.

* * *

YVETTE V. GRUEL, Calendar Officer
City Planning Commission
120 Broadway, 31st Floor, New York, NY 10271
Telephone (212) 720-3370



CITY UNIVERSITY

■ PUBLIC HEARINGS

The Annual Manhattan Borough Hearing, will take place on Monday, October 21, 2019, at 4:30 P.M., Hunter College, the Silberman School of Social Work, 1st Floor, Conference Room (Rooms 115/116), 2180 Third Avenue, New York, NY 10035.

o15

COMMUNITY BOARDS

■ NOTICE

NOTICE IS HEREBY GIVEN that the following matter has been scheduled for a public hearing by Community Board 10:

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 10 - Monday, October 21, 2019, at 7:00 P.M., Fort Hamilton Senior Center, 9941 Fort Hamilton Parkway, Brooklyn, NY.

Public hearing on Capital and Expense Budget items to be considered for inclusion in FY 2021 budget priorities.



o15-21

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 18 - Wednesday, October 16, 2019, at 7:00 P.M., Brooklyn Community Board 18 Meeting Room, 1097 Bergen Avenue, Brooklyn, NY.

A Public Hearing on the Capital & Expense Budget Submissions for Fiscal Year 2021.

IN THE MATTER OF the Capital & Expense Budget Submissions for Fiscal Year 2021, in preparation for the FY 2021 Capital and Expense Budget submissions. The community-at-large is invited to submit budget requests for consideration for inclusion in the Capital & Expense Budget Submissions for Fiscal Year 2021.

o9-15

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

BOROUGH OF THE BRONX

COMMUNITY BOARD NO. 10 - Thursday, October 17, 2019, at 7:00 P.M., at Riverbay Corporation, 2049 Bartow Avenue, Room 31, Bronx, NY 10475.

A public hearing with respect to the 2021 Capital and Expense Budget Priorities. Members of the Bronx Community Board #10 community, are encouraged to bring forth ideas/suggestions for the Board's 2021 Capital and Expense Budget Priorities and present them, at this public hearing. Ideas/suggestions may also be submitted via email to Bronx Community Board #10: bx10@cb.nyc.gov; **please write "2021 Budget Priorities" in the subject line of the email.**

Land Use Review Application 200088ZMX. A public hearing with respect to the request by New York City Department of City Planning, for a zoning map amendment to rezone Block 5141 Lots 101, 102, and a portion of Lot 110 in the neighborhood of Baychester, in Bronx Community Board #10. The land that constitutes the proposed rezoning area is all privately-owned, and the zoning map change proposes a district change from C7 to C8-2.

Accessibility questions: Bronx Community Board #10, (718) 892-1161, by: Tuesday, October 15, 2019, 12:00 P.M.



o9-16

BOARD OF EDUCATION RETIREMENT SYSTEM

■ MEETING

The Board of Trustees of the Board of Education Retirement System, will be meeting, at 5:00 P.M., on Tuesday, October 22, 2019, at Michael

J. Petrides High School, 715 Ocean Terrace, Room D134, Staten Island, NY 10301.

o1-22

The Executive Committee of the Board of Trustees of the New York City Board of Education Retirement System, will participate in a Common Investment Meeting of the New York City Pension Systems. The meeting will be held, at 9:00 A.M., on Friday, October 25, 2019, at 1 Centre Street, 10th Floor (North Side), New York, NY 10007.

o11-25

HOUSING AUTHORITY

■ MEETING

The next Board Meeting of the New York City Housing Authority is scheduled for Wednesday, October 30, 2019, at 10:00 A.M., in the Board Room on the 12th Floor of 250 Broadway, New York, NY (unless otherwise noted). Copies of the Calendar will be available on NYCHA's website or may be picked up, at the Office of the Corporate Secretary, at 250 Broadway, 12th Floor, New York, NY, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes will also be available on NYCHA's website or may be picked up, at the Office of the Corporate Secretary, no earlier than 3:00 P.M. on the Thursday following the Board Meeting.

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

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

The meeting will be streamed live on NYCHA's website, at <http://nyc.gov/nycha>, and <http://on.nyc.gov/boardmeetings>.

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

Accessibility questions: Office of the Corporate Secretary by phone, at (212) 306-6088 or by email, at corporate.secretary@nycha.nyc.gov, by: Wednesday, October 16, 2019, 5:00 P.M.



o9-30

OFFICE OF LABOR RELATIONS

■ NOTICE

The New York City Deferred Compensation Board, will hold its next Deferred Compensation Board Hardship Meeting, on Thursday, October 17, 2019, at 3:00 P.M. The meeting will be held, at 22 Cortlandt Street, 28th Floor, Conference Room A, New York, NY 10007.

o10-17

BOARD OF STANDARDS AND APPEALS

■ PUBLIC HEARINGS

October 29, 2019, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, October 29, 2019, 10:00 A.M., in Spector Hall, 22 Reade Street, New York, NY 10007, on the following matters:

SPECIAL ORDER CALENDAR

75-00-BZ

APPLICANT – Law Office of Fredrick A. Becker, for Mercy Drive Inc., owner.

SUBJECT – Application May 30, 2019 – Extension of Term of a previously approve Variance (72-21) which permitted office use (UG 6B) which expires on July 25, 2020. R5 zoning district.

PREMISES AFFECTED – 60-69 Woodhaven Boulevard, Block 3089, Lot 1, Borough of Queens.

COMMUNITY BOARD #6Q

343-12-BZ

APPLICANT – Slater & Beckerman, P.C., for Kolel Beis Yakov LLC, owner; Ocean Avenue Education Support, Inc., lessee.
 SUBJECT – Application July 23, 2019 – Extension of Time to Complete Construction of a previously approved Variance (§72-21) to permit the construction of a Use Group 3 school (Brooklyn School for Medically Frail Children) with dormitory facilities which expires on July 28, 2019. R1-2/R7A zoning district.
 PREMISES AFFECTED – 570 East 21st Street, Block 5184, Lot(s) 39, 62, 66, Borough of Brooklyn.

COMMUNITY BOARD #14BK**APPEALS CALENDAR****2018-170-A**

APPLICANT – Tarter Krinsky & Drogin LLP, for Van Dam Specialty & Promotion Inc., owner; Clear Channel Outdoor, Inc., lessee.
 SUBJECT – Application October 30, 2018 – Appeal of a NYC Department of Buildings determination that a sign does not comply with the provisions of ZR §42-55c.
 PREMISES AFFECTED – 51-03 Van Dam Street, Block 305, Lot 17, Borough of Queens.

COMMUNITY BOARD #2Q**2019-172-A**

APPLICANT – Eric Palatnik, P.C., for John Deluca and Lilian Deluca, owners.
 SUBJECT – Application June 11, 2019 – Appeal seeking a determination that the owner has acquired a common law vested right to obtain a Certificate of Occupancy for a development commenced under the prior R3-2 zoning district regulations. R3X zoning district.
 PREMISES AFFECTED – 10 Maguire Court, Block 6977, Lot 350, Borough of Staten Island.

COMMUNITY BOARD #3SI**October 29, 2019, 1:00 P.M.**

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, October 29, 2019, 1:00 P.M., in Spector Hall, 22 Reade Street, New York, NY 10007, on the following matters:

ZONING CALENDAR**2018-91-BZ**

APPLICANT – Klein Slowik PLLC, for LW Retail Associates, owner.
 SUBJECT – Application May 17, 2018 – Special Permit (§73-36) to operate a physical culture establishment (*Crunch Fitness*) within an existing building. C6-2A zoning district.
 PREMISES AFFECTED – 78-80 Leonard Street a/k/a 79 Worth Street, Block 173, Lot 7503, Borough of Manhattan.

COMMUNITY BOARD #1M**2019-9-BZ**

APPLICANT – Law Office of Steven Simicich, for CeeJay Real Estate Development Corp., owner.
 SUBJECT – Application January 18, 2019 – Variance (§72-21) to permit the construction of a new single family detached home, contrary to side yard and open area regulations, ZR §23-461(c), and front yard regulations, ZR §23-45. R3A zoning district.
 PREMISES AFFECTED – 468 Targee Street, Block 647, Lot 73, Borough of Staten Island.

COMMUNITY BOARD #1SI**2019-21-BZ**

APPLICANT – Sheldon Lobel, P.C., for Yanjun Luo, owner.
 SUBJECT – Application January 25, 2019 – Special Permit (§73-622) to permit the enlargement and conversion of an existing single-family home to a two-family residence, contrary to FAR, open space and lot coverage (ZR §23-142); side yards (ZR §23-461(a) and 23-48) and rear yard (§23-47). R4 zoning district.
 PREMISES AFFECTED – 2223 East 14th Street, Block 7373, Lot 78, Borough of Brooklyn.

COMMUNITY BOARD #15BK**2019-75-BZ**

APPLICANT – Law Office of Fredrick A. Becker, for 704 Broadway Realty LLC, owner; Bright Horizons Children's Centers LLC, lessee.
 SUBJECT – Application April 12, 2019 – Special Permit (§73-19) to permit the operation of a school (UG 3) (*Bright Horizons Child Care Center*) to be located on the first floor, mezzanine and cellar of an existing eight story building contrary to ZR §42-10. M1-5B NoHo Historic District.
 PREMISES AFFECTED – 704 Broadway, Block 545, Lot 7502, Borough of Manhattan.

COMMUNITY BOARD #2M**2019-161-BZ**

APPLICANT – Law Office of Jay Goldstein, for RFR/K Prospect Owner LLC, owner; Catmar Dumbo LLC, lessee.
 SUBJECT – Application May 30, 2019 – Special Permit (§73-36) to permit the operation of a physical cultural establishment (*F45 Training Dumbo*) on portions of the cellar and first floor of an existing building contrary to ZR §42-10. M1-6 zoning district.

PREMISES AFFECTED – 55 Prospect Street, Block 63, Lot 1, Borough of Brooklyn.

COMMUNITY BOARD #2BK**2019-163-BZ**

APPLICANT – Law Office of Jay Goldstein, for EM Real Estate LLC, owner; Bar Nala NYC LLC, lessee.
 SUBJECT – Application June 3, 2019 – Special Permit (§73-36) to permit the operation of a physical cultural establishment (Bar Method) on the second floor of an existing building contrary to ZR 42-10. M1-5B Noho Historic District.
 PREMISES AFFECTED – 678 Broadway, Block 530, Lot 5, Borough of Manhattan.

COMMUNITY BOARD #2M**2019-164-BZ**

APPLICANT – Law Office of Jay Goldstein, for 9 E 16 by 1771 Holdings LLC, owner; Change Your Life LLC, lessee.
 SUBJECT – Application June 3, 2019 – Special Permit (§73-36) to permit the operation of a physical cultural establishment (Grit Boxing) on portions of the cellar and first floor of an existing building contrary to ZR §32-10. C6-2A Ladies Mile Historic District.
 PREMISES AFFECTED – 9 East 16th Street (9-11 East 16th Street), Block 844, Lot 8, Borough of Manhattan.

COMMUNITY BOARD #5M**2019-178-BZ**

APPLICANT – Jay Goldstein, Esq., for Yosef and Rivka Goldfeder, owners.
 SUBJECT – Application October 29, 2019 – Special Permit (§73-622) to permit the enlargement of a single-family home contrary to ZR §23-141 (floor area and open space ratio) and ZR §23-47 (rear yard). R2 zoning district.
 PREMISES AFFECTED – 1426 East 24th Street, Block 7677, Lot 30, Borough of Brooklyn.

COMMUNITY BOARD #14BK**Margery Perlmutter, Chair/Commissioner**

Accessibility questions: mmilfort@bsa.nyc.gov, (212) 386-0078, by: Monday, October 28, 2019, 4:00 P.M.

**o11-15****TRANSPORTATION****■ PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held, at 55 Water Street, 9th Floor, Room 945 commencing, at 2:00 P.M. on Wednesday, October 30, 2019. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with, at least seven days prior notice), at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 IN THE MATTER OF a proposed revocable consent authorizing 450 Partners LLC, to construct, maintain and use planters along the east sidewalk of Tenth Avenue and benches along the south sidewalk of West 33rd Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2480**

For the period from July 1, 2019 to June 30, 2029 - \$1,638/per annum

the maintenance of a security deposit in the sum of \$20,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#2 IN THE MATTER OF a proposed revocable consent authorizing Central Park Tower Condominium, to construct, maintain and use two snowmelt systems under the north sidewalk of West 57th Street and under the south sidewalk of West 58th Street, both between Broadway and 7th Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2490**

From the Approval Date by the Mayor to June 30, 2020 - \$6,007/per annum

For the period July 1, 2020 to June 30, 2021 - \$6,100

For the period July 1, 2021 to June 30, 2022 - \$6,193

For the period July 1, 2022 to June 30, 2023 - \$6,286

For the period July 1, 2023 to June 30, 2024 - \$6,379

For the period July 1, 2024 to June 30, 2025 - \$6,472

For the period July 1, 2025 to June 30, 2026 - \$6,565

For the period July 1, 2026 to June 30, 2027 - \$6,658
 For the period July 1, 2027 to June 30, 2028 - \$6,751
 For the period July 1, 2028 to June 30, 2029 - \$6,844
 For the period July 1, 2029 to June 30, 2030 - \$6,937

the maintenance of a security deposit in the sum of \$10,000 the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#3 IN THE MATTER OF a proposed revocable consent authorizing Creative Lofts LLC, to construct, maintain and use a walled-in area on the east sidewalk of Convent Avenue, between West 149th and West 150th Streets, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and schedule: **R.P. # 2489**

From the date of the final approval by the Mayor to June 30, 2030 - \$25/per annum

the maintenance of a security deposit in the sum of \$1,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#4 IN THE MATTER OF a proposed revocable consent authorizing DW 540 Madison LLC, to continue to maintain and use a clock, together with an electrical conduit, on the south sidewalk of East 55th Street, west of Madison Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1675**

For the period from July 1, 2019 to June 30, 2029 - \$300/per annum

the maintenance of a security deposit in the sum of \$2,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#5 IN THE MATTER OF a proposed revocable consent authorizing Horatio St. LLC, to continue to maintain and use a stoop and a fenced-in area on the north sidewalk of Horatio Street, east of Washington Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2015 to June 30, 2025 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1927**

For the period July 1, 2015 to June 30, 2016 - \$1,880/per annum
 For the period July 1, 2016 to June 30, 2017 - \$1,928
 For the period July 1, 2017 to June 30, 2018 - \$1,976
 For the period July 1, 2018 to June 30, 2019 - \$2,024
 For the period July 1, 2019 to June 30, 2020 - \$2,072
 For the period July 1, 2020 to June 30, 2021 - \$2,120
 For the period July 1, 2021 to June 30, 2022 - \$2,168
 For the period July 1, 2022 to June 30, 2023 - \$2,216
 For the period July 1, 2023 to June 30, 2024 - \$2,264
 For the period July 1, 2024 to June 30, 2025 - \$2,312

the maintenance of a security deposit in the sum of \$5,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#6 IN THE MATTER OF a proposed revocable consent authorizing Maimonides Medical Center, to continue to maintain and use a two-level pedestrian bridge over and across 48th Street, between 10th Avenue and Fort Hamilton Parkway, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2014 to June 30, 2024 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1894**

For the period July 1, 2014 to June 30, 2015 - \$9,836
 For the period July 1, 2015 to June 30, 2016 - \$10,105
 For the period July 1, 2016 to June 30, 2017 - \$10,374
 For the period July 1, 2017 to June 30, 2018 - \$10,643
 For the period July 1, 2018 to June 30, 2019 - \$10,912
 For the period July 1, 2019 to June 30, 2020 - \$11,181
 For the period July 1, 2020 to June 30, 2021 - \$11,450
 For the period July 1, 2021 to June 30, 2022 - \$11,719
 For the period July 1, 2022 to June 30, 2023 - \$11,988
 For the period July 1, 2023 to June 30, 2024 - \$12,257

the maintenance of a security deposit in the sum of \$30,000 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#7 IN THE MATTER OF a proposed revocable consent authorizing New York University, to continue to maintain and use a conduit under and across a public walkway, between West 3rd and West 4th Streets, east of LaGuardia Place, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1338**

For the period July 1, 2019 to June 30, 2020 - \$2,278
 For the period July 1, 2020 to June 30, 2021 - \$2,313
 For the period July 1, 2021 to June 30, 2022 - \$2,348
 For the period July 1, 2022 to June 30, 2023 - \$2,383
 For the period July 1, 2023 to June 30, 2024 - \$2,418
 For the period July 1, 2024 to June 30, 2025 - \$2,453
 For the period July 1, 2025 to June 30, 2026 - \$2,488
 For the period July 1, 2026 to June 30, 2027 - \$2,523
 For the period July 1, 2027 to June 30, 2028 - \$2,558
 For the period July 1, 2028 to June 30, 2029 - \$2,593

the maintenance of a security deposit in the sum of \$2,600 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#8 IN THE MATTER OF a proposed revocable consent authorizing Pei Xin Yang and Xue Dan Que, to continue to maintain and use a fenced-in area on the southwest sidewalk of 246th Street, northwest of Service Road of Grand Central Parkway, in the Borough of Queens. The proposed revocable consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2051**

For the period from July 1, 2019 to June 30, 2029 - \$100/per annum

the maintenance of a security deposit in the sum of \$1,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#9 IN THE MATTER OF a proposed revocable consent authorizing TGA 730 Third Avenue Owner LLC, to continue to maintain and use a conduit under and across East 46th Street, west of Third Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2018 to June 30, 2028 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1309**

For the period July 1, 2018 to June 30, 2019 - \$8,086
 For the period July 1, 2019 to June 30, 2020 - \$8,215
 For the period July 1, 2020 to June 30, 2021 - \$8,344
 For the period July 1, 2021 to June 30, 2022 - \$8,473
 For the period July 1, 2022 to June 30, 2023 - \$8,602
 For the period July 1, 2023 to June 30, 2024 - \$8,731
 For the period July 1, 2024 to June 30, 2025 - \$8,860
 For the period July 1, 2025 to June 30, 2026 - \$8,989
 For the period July 1, 2026 to June 30, 2027 - \$9,118
 For the period July 1, 2027 to June 30, 2028 - \$9,247

the maintenance of a security deposit in the sum of \$9,300 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#10 IN THE MATTER OF a proposed revocable consent authorizing The New School, to continue to maintain and use sidewalk lights, together with electrical conduits, in the west sidewalk of Fifth Avenue, south of West 13th Street, and in the south sidewalk of West 13th Street, west of Fifth Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2080**

For the period July 1, 2019 to June 30, 2020 - \$1,217
 For the period July 1, 2020 to June 30, 2021 - \$1,236
 For the period July 1, 2021 to June 30, 2022 - \$1,255
 For the period July 1, 2022 to June 30, 2023 - \$1,274
 For the period July 1, 2023 to June 30, 2024 - \$1,293
 For the period July 1, 2024 to June 30, 2025 - \$1,312

For the period July 1, 2025 to June 30, 2026 - \$1,331
 For the period July 1, 2026 to June 30, 2027 - \$1,350
 For the period July 1, 2027 to June 30, 2028 - \$1,369
 For the period July 1, 2028 to June 30, 2029 - \$1,388

the maintenance of a security deposit in the sum of \$4,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#11 IN THE MATTER OF a proposed revocable consent authorizing The Trustees of Columbia University, to construct, maintain and use a new guard booth and electrical conduit on and under the south sidewalk of West 120th Street, between Broadway and Amsterdam Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2465**

There shall be no compensation required for this Consent, in accordance with Title 34 Section 7-04(a)(33) of the Rules of the City of New York

the maintenance of a security deposit in the sum of \$6,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#12 IN THE MATTER OF a proposed revocable consent authorizing Times Square Studios Limited, to continue to maintain and use a building projection over the sidewalk on the east side of Broadway, between West 43rd Street and West 44th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1709**

For the period July 1, 2019 to June 30, 2020 - \$182,129
 For the period July 1, 2020 to June 30, 2021 - \$184,904
 For the period July 1, 2021 to June 30, 2022 - \$187,679
 For the period July 1, 2022 to June 30, 2023 - \$190,454
 For the period July 1, 2023 to June 30, 2024 - \$193,229
 For the period July 1, 2024 to June 30, 2025 - \$196,004
 For the period July 1, 2025 to June 30, 2026 - \$198,779
 For the period July 1, 2026 to June 30, 2027 - \$201,554
 For the period July 1, 2027 to June 30, 2028 - \$204,329
 For the period July 1, 2028 to June 30, 2029 - \$207,104

the maintenance of a security deposit in the sum of \$207,104 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#13 IN THE MATTER OF a proposed revocable consent authorizing Felix Van De Maele, to continue to maintain and use stairs and planted areas on the north sidewalk of State Street, east of Smith Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2015 to June 30, 2025 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1934**

For the period July 1, 2015 to June 30, 2016 - \$575
 For the period July 1, 2016 to June 30, 2017 - \$590
 For the period July 1, 2017 to June 30, 2018 - \$605
 For the period July 1, 2018 to June 30, 2019 - \$620
 For the period July 1, 2019 to June 30, 2020 - \$635
 For the period July 1, 2020 to June 30, 2021 - \$650
 For the period July 1, 2021 to June 30, 2022 - \$665
 For the period July 1, 2022 to June 30, 2023 - \$680
 For the period July 1, 2023 to June 30, 2024 - \$695
 For the period July 1, 2024 to June 30, 2025 - \$710

the maintenance of a security deposit in the sum of \$3,700 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

o9-30

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

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

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

Vehicles can be viewed in person at:
 Insurance Auto Auctions, North Yard
 156 Peconic Avenue, Medford, NY 11763
 Phone: (631) 294-2797

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

s4-f22

OFFICE OF CITYWIDE PROCUREMENT

■ NOTICE

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

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

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

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

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

j2-d31

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

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

j9-30

POLICE

■ NOTICE

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

The following list of properties is in the custody of the Property Clerk Division without claimants:

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.

Items are recovered, lost, abandoned property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.

INQUIRIES

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

FOR MOTOR VEHICLES (All Boroughs):

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

FOR ALL OTHER PROPERTY

- Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906
- Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675
- Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806
- Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678
- Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484

j2-d31

PROCUREMENT***“Compete To Win” More Contracts!***

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

- **Win More Contracts, at nyc.gov/competetowin**

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

HHS ACCELERATOR

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York (“PPB Rules”), vendors must first complete and submit an electronic prequalification application using the City’s Health and Human Services (HHS) Accelerator System. The HHS Accelerator System is a web-based system maintained by the City of New York for use by its human services Agencies to manage procurement. The process removes redundancy by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding are more focused on program design, scope, and budget.

Important information about the new method

- Prequalification applications are required every three years.
- Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete.
- Prequalification applications will be reviewed to validate compliance with corporate filings, organizational capacity, and relevant service experience.
- Approved organizations will be eligible to compete and would submit electronic proposals through the system.

The Client and Community Service Catalog, which lists all Prequalification service categories and the NYC Procurement Roadmap, which lists all RFPs to be managed by HHS Accelerator may be viewed, at <http://www.nyc.gov/html/hhsaccelerator/html/roadmap/roadmap.shtml>. All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding.

Participating NYC Agencies

HHS Accelerator, led by the Office of the Mayor, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Agencies:

Administration for Children’s Services (ACS)
 Department for the Aging (DFTA)
 Department of Consumer Affairs (DCA)
 Department of Corrections (DOC)
 Department of Health and Mental Hygiene (DOHMH)
 Department of Homeless Services (DHS)
 Department of Probation (DOP)
 Department of Small Business Services (SBS)
 Department of Youth and Community Development (DYCD)
 Housing and Preservation Department (HPD)
 Human Resources Administration (HRA)
 Office of the Criminal Justice Coordinator (CJC)

To sign up for training on the new system, and for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit www.nyc.gov/hhsaccelerator

ADMINISTRATION FOR CHILDREN’S SERVICES**■ AWARD***Human Services/Client Services*

PREVENTION SERVICES - Other - PIN#06820IFPS01001 - AMT: \$3,100,059.38 - TO: Edwin Gould Services for Children and Families, 151 Lawrence Street, Brooklyn, NY 11201.

Assignment contract.

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Services (other than human services)

SIGN LANGUAGE INTERPRETATION SERVICES - Renewal - PIN#06820IFPS01001 - AMT: \$200,000.00 - TO: Accurate Communications, Inc., 85 Broad Street, New York, NY 10006.

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■ INTENT TO AWARD*Human Services/Client Services*

GIRLS JUSTICE - Demonstration Project - Testing or experimentation is required - PIN#06820D0001 - Due 10-24-19 at 5:00 P.M.

The Administration for Children’s Services (ACS) Division of Youth and Family Justice (DYFJ), intends to enter into a demonstration project called Girls Justice, pursuant to Section 3-11 of the Procurement Policy Board Rules. Girls Justice is designed to fill the gap in gender-responsive community programming, for New York’s girls and gender expansive youth who are at high risk for - or already experiencing - involvement in the juvenile justice system. The goal is to reduce incarceration among juvenile girls and gender-expansive youth. ACS, intends to contract with the Rising Ground, Inc., located at 463 Hawthorne Avenue, Yonkers, NY 10705, for this demonstration project.

This notice is for informational purposes only. Organizations interested, in a future solicitation, for these services, are invited to do so, by enrolling in New York City’s Health and Human Services Accelerator, at www.nyc.gov/hhsaccelerator.

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

Administration for Children’s Services, 150 William Street, 9th Floor, New York, NY 10038. Onajite Edah (212) 341-3518; onajite.edah@acs.nyc.gov

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AGING**CONTRACT PROCUREMENT AND SUPPORT SERVICES****■ AWARD***Human Services/Client Services*

SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003144N001 - AMT: \$1,961,526.00 - TO: Chinese-American Planning Council Inc, 150 Elizabeth Street, New York, NY 10012.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Chinese-American Planning Council Inc, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District MN-02 in the Borough of Manhattan.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003105N001 - AMT: \$968,065.00 - TO: Sebco Development Inc, 885 Bruckner Boulevard, Bronx, NY 10459.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Sebco Development Inc, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District BX-02 in the Borough of Bronx.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003168N001 - AMT: \$780,900.00 - TO: Goddard Riverside Community Center, 593 Columbus Avenue, New York, NY 10024.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Goddard Riverside Community Center, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District MN-07 in the Borough of Manhattan.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003042N001 - AMT: \$1,252,256.00 - TO: Peter Cardella Senior Citizen Center Inc., 68-52 Fresh Pond Road, Ridgewood, NY 11385.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Peter Cardella Senior Citizen Center Inc., to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District QN-05 in the Borough of Queens.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003140N001 - AMT: \$2,089,153.00 - TO: Carter Burden Network Inc, 415 East 73rd Street, New York, NY 10021.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Carter Burden Network Inc, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District MN-08 in the Borough of Manhattan.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N00030112N001 - AMT: \$807,903.00 - TO: Regional Aid for Interim Needs Inc, 811 Morris Park Avenue, Bronx, NY 10462.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Regional Aid for Interim Needs Inc, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District BX-10 in the Borough of Bronx.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003178N001 - AMT: \$731,204.00 - TO: The Jewish Association for Services for the Aged, 247 West 37th Street, 9th Floor, New York, NY 10018.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with The Jewish Association for Services for the Aged, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District BK-18 in the Borough of Brooklyn.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003218N001 - AMT: \$896,314.00 - TO: New York Foundation for Senior Citizens, Inc., 11 Park Place, Suite 1416, New York, NY 10007.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with New York Foundation for Senior Citizens, Inc., to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District MN-02 in the Borough of Manhattan.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003082N001 - AMT: \$1,004,408.00 - TO: Staten Island Community Services Friendship Clubs Inc., 11 Sampson Avenue, Staten Island, NY 10308.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Staten Island Community Services Friendship Clubs Inc., to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District SI-03 in the Borough of Staten Island.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003038N001 - AMT: \$923,468.00 - TO: Korean Community Services of Metropolitan New York Inc, 203-05 32nd Avenue, Bayside, NY 11361.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Korean Community Services of Metropolitan New York Inc, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District QN-03 in the Borough of Queens.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003225N001 - AMT: \$623,200.00 - TO: Wayside Out-Reach Development Inc, 460 Dumont Avenue, Brooklyn, NY 11212.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Wayside Out-Reach Development Inc, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District BK-16 in the Borough of Brooklyn.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003160N001 - AMT: \$1,031,681.00 - TO: Find Aid for the Aged Inc, 160 West 71st Street, Room 2F, New York, NY 10023.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Find Aid for the Aged Inc, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District MN-04 in the Borough of Manhattan.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003117N001 - AMT: \$1,453,701.00 - TO: Agudath Israel of America Community Services, Inc., 42 Broadway, 14th Floor, New York, NY 10004.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with The Agudath Israel of America Community Services, Inc., to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District BK-14 in the Borough of Queens.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N000318N001 - AMT: \$598,055.00 - TO: The Jewish Association for Services for the Aged, 247 West 37th Street, 9th Floor, New York, NY 10018.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with The Jewish Association for Services for the Aged, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District BK-13 in the Borough of Brooklyn.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003126N001 - AMT: \$2,671,255.00 - TO: Central Harlem Senior Citizen's Center, Inc., 34 West 134th Street, New York, NY 10037.

The Department for the Aging has negotiated a 20 month extension, from 11/1/19 to 6/30/21, with Central Harlem Senior Citizen's Center, Inc., to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District MN-10 in the Borough of Manhattan.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003132N001 - AMT: \$964,520.00 - TO: Association of Black Social Workers, 1969 Madison Avenue, New York, NY 10035.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Association of Black Social Workers, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District MN-07 in the Borough of Manhattan.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003106N001 - AMT: \$1,453,701.00 - TO: Riverdale Senior Services Inc., 2600 Netherland Avenue, Bronx, NY 10463.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Riverdale Senior Services Inc., to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District BX-08 in the Borough of Bronx.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003181N001 - AMT: \$904,685.00 - TO: The Jewish Association for Services for the Aged, 247 West 37th Street, 9th Floor, New York, NY 10018.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with The Jewish Association for Services for the Aged, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District BK-15 in the Borough of Brooklyn.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003083N001 - AMT: \$722,665.00 - TO: Institute for the Puerto Rican Hispanic Elderly Inc, 300 East 175th Street, Bronx, NY 10457.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Institute for the Puerto Rican Hispanic Elderly Inc, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District BX-09 in the Borough of Bronx.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003035N001 - AMT: \$2,179,340.00 - TO: The Jewish Association for Services for the Aged, 247 West 37th Street, 9th Floor, New York, NY 10018.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with The Jewish Association for Services for the Aged, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District QN-08 in the Borough of Queens.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003076N001 - AMT: \$1,385,590.00 - TO: Staten Island Community Services Friendship Clubs Inc, 11 Sampson Avenue, Staten Island, NY 10308.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Staten Island Community Services Friendship Clubs Inc, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District SI-03 in the Borough of Staten Island.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003190N001 - AMT: \$689,620.00 - TO: Greenwich House Inc, 122 West 27th Street, 6th Floor, New York, NY 10001.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Greenwich House Inc, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District MN-02 in the Borough of Manhattan.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003113N001 - AMT: \$1,055,849.00 - TO: Regional Aid for Interim Needs Inc, 811 Morris Park Avenue, Bronx, NY 10462.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Regional Aid for Interim Needs Inc, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District BX-11 in the Borough of Bronx.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003080N001 - AMT: \$613,419.00 - TO: Staten Island Community Services Friendship Clubs Inc., 11 Sampson Avenue, Staten Island, NY 10308.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Staten Island Community Services Friendship Clubs Inc., to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District SI-02 in the Borough of Staten Island.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003142N001 - AMT: \$1,414,736.00 - TO: Chinese-American Planning Council Inc, 150 Elizabeth Street, New York, NY 10012.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Chinese-American Planning Council Inc, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District MN-03 in the Borough of Manhattan.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003051N001 - AMT: \$635,436.00 - TO: Selfhelp Community Services, Inc., 520 Eighth Avenue, 5th Floor, New York, NY 10018.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Selfhelp Community Services, Inc., to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District QN-07 in the Borough of Queens.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003114N001 - AMT: \$567,633.00 - TO: Regional Aid for Interim Needs Inc., 811 Morris Park Avenue, Bronx, NY 10462.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Regional Aid for Interim Needs Inc., to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District BX-12 in the Borough of Bronx.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003118N001 - AMT: \$1,013,160.00 - TO: American Italian Coalition of Organizations Inc., 5901 13th Avenue, Brooklyn, NY 11219.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with American Italian Coalition of Organizations Inc., to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District BK-12 in the Borough of Brooklyn.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003154N001 - AMT: \$1,270,895.00 - TO: The Educational Alliance Inc., 197 East Broadway, New York, NY 10002.

The Department for the Aging has negotiated a 20 month extension, from 11/1/19 to 6/30/21, with The Educational Alliance Inc., to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District MN-03 in the Borough of Manhattan.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003188N001 - AMT: \$659,365.00 - TO: Greenwich House Inc, 122 West 27th Street, 6th Floor, New York, NY 10001.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Greenwich House Inc, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District MN-02 in the Borough of Manhattan.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003073N001 - AMT: \$547,553.00 - TO: Child Development Center of the Mosholu-Montefiore Community Center, 3450 Dekalb Avenue, Bronx, NY 10467.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Child Development Center of the Mosholu-Montefiore Comm Ctr, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District BX-08 in the Borough of Bronx.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003035N001 - AMT: \$2,179,340.00 - TO: The Jewish Association for Services for the Aged, 247 West 37th Street, 9th Floor, New York, NY 10018.

The Department for the Aging has negotiated a 20 month extension, from 11/1/19 to 6/30/21, with The Jewish Association for Services for the Aged, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District QN-08 in the Borough of Queens.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003075N001 - AMT: \$1,185,767.00 - TO: Child Development Center of the Mosholu-Montefiore Community Center, 3450 Dekalb Avenue, Bronx, NY 10467.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Development Center of the Mosholu-Montefiore Comm Ctr, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District BX-07 in the Borough of Bronx.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003172N001 - AMT: \$941,184.00 - TO: Greenwich House Inc., 122 West 27th Street, 6th Floor, New York, NY 10002.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Greenwich House Inc., to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District MN-02 in the Borough of Manhattan.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003179N001 - AMT: \$566,766.00 - TO: The Jewish Association for Services for the Aged, 247 West 37th Street, 9th Floor, New York, NY 10018.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with The Jewish Association for Services for the Aged, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District BK-13 in the Borough of Brooklyn.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003158N001 - AMT: \$702,654.00 - TO: Find Aid for the Aged Inc, 160 West 71st Street, Room 2F, New York, NY 10023.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Find Aid for the Aged Inc, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District MN-04 in the Borough of Manhattan.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003186N001 - AMT: \$387,535.00 - TO: Greenwich House Inc., 122 West 27th Street, 6th Floor, New York, NY 10001.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Greenwich House Inc., to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District MN-01 in the Borough of Manhattan.

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SENIOR CENTER SERVICES - Negotiated Acquisition - Available only from a single source - PIN# 12511N0003110N001 - AMT: \$1,899,685.00 - TO: Regional Aid for Interim Needs Inc, 811 Morris Park Avenue, Bronx, NY 10462.

The Department for the Aging has negotiated a 19 month extension, from 12/1/19 to 6/30/21, with Regional Aid for Interim Needs Inc, to continue providing services for elderly persons and conduct a program for eligible elderly residents of Community District BX-09 in the Borough of Bronx.

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CITYWIDE ADMINISTRATIVE SERVICES

OFFICE OF CITYWIDE PROCUREMENT

■ AWARD

Goods

MACHINES, STAMPING; TIME/DATE AND PAYROLL - Competitive Sealed Bids - PIN# 8571900154 - AMT: \$920,290.00 - TO: Widmer Time Recorder Co Inc, 228 Park Street, Hackensack, NJ 07601.

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GENTEX AVIATION HELMETS - Competitive Sealed Bids - PIN# 8571900262 - AMT: \$227,492.02 - TO: Flight Suits DBA Gibson and Barnes, 1900 Weld Boulevard, #140, El Cajon, CA 92020.

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EFI PRO 16H UV WIDE FORMAT PRINTER (BRAND SPECIFIC) - Competitive Sealed Bids - PIN# 8571900213 - AMT: \$112,995.00 - TO: Nazdar Company DBA Nazdar Sourceone, 8501 Hedge Lane Terrace, Shawnee, KS 66227-3290.

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DESIGN AND CONSTRUCTION

AGENCY CHIEF CONTRACTING OFFICE

■ SOLICITATION

Construction/Construction Services

REQUIREMENTS CONTRACT FOR COMMUNITY OUTREACH AND ENGAGEMENT SERVICES IN CONNECTION WITH VARIOUS INFRASTRUCTURE PROJECTS IN THE BOROUGH OF MANHATTAN, QUEENS, AND BROOKLYN - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# 8502020VP0002P-4P - Due 11-21-19 at 4:00 P.M.

CCLPROJ

All qualified and interested firms are advised to download the Request for Proposal, at <http://ddcftp.nyc.gov/rfpweb/>, starting October 15, 2019, or contact the person listed for this RFP. There will be a Pre-Proposal Conference. Please download the RFP from DDCs website, for further details. The submission date is indicated above.

Procurement and Sourcing Solutions Portal (PASSPort) Disclosure Filing (formerly known as Vendor Information Exchange System (VENDEX) Forms or Certificate of No Change).

All organizations intending to do business with the City of New York must complete a disclosure process in order to be considered for a contract. This disclosure process was formerly completed using Vendor Information Exchange System (VENDEX) paper-based forms. Beginning in summer 2017, the City of New York moved collection of vendor disclosure information online. In anticipation of awards, proposers to Requirements Contract for Community Outreach and Engagement Services in Connection with Various Infrastructure Projects in The Boroughs of Manhattan, Queens, and Brooklyn, must create online accounts in the new Procurement and Sourcing Solutions Portal (PASSPort) and file all disclosure information. Paper submissions, including certifications of no changes to existing VENDEX packages will not be accepted in lieu of complete online filings. Disclosure filing completion will be required prior to any award through this RFP. For more information about PASSPort, please visit nyc.gov/passport.

This procurement is subject to MBE and/or WBE participation goals as required by Section 6-129 of the New York City Administrative code.

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.

Design and Construction, 30-30 Thomson Avenue, 1st Floor, Long Island City, NY 11101. Lisa Rigatti (718) 391-2520; Fax: (718) 371-1886; rigattili@ddc.nyc.gov

Accessibility questions: Disability Services Facilitator (718) 391-2815, or accessibility @ddc.nyc.gov, by: Thursday, November 7, 2019, 4:00 P.M.



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■ AWARD

Construction/Construction Services

TAKING OF DEEP BORINGS CITYWIDE WITHIN NEW YORK

- Competitive Sealed Bids - PIN# 85019B0059 - AMT: \$1,539,915.00 - TO: Aquifer Drilling and Testing, Inc., 75 East 2nd Street, Mineola, NY 11501.

Project PW311S17C.

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REPLACEMENT OF TRUNK WATER MAIN, VALVES AND APPURTENANCES IN SHAFT 16A CHAMBER AT THE INTERSECTION OF STATE STREET AND NEVINS STREET- BOROUGH OF BROOKLYN - Competitive Sealed Bids - PIN# 850B0116 - AMT: \$7,211,983.00 - TO: Perfetto Contracting Co. Inc., 152 41st Street, Brooklyn, NY 11232.

Project CT2-INTER.

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TAKING OF LAND BORINGS FOR HIGHWAY PROJECTS CITYWIDE - Competitive Sealed Bids - PIN# 85019B0061 - AMT: \$1,519,015.00 - TO: Aquifer Drilling and Testing, Inc., 75 East 2nd Street, Mineola, NY 11501.

Project BC-10HW02.

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ECONOMIC DEVELOPMENT CORPORATION

CONTRACTS

■ SOLICITATION

Goods and Services

CM SERVICES, HHC – METROPOLITAN HOSPITAL FLOOD WALL PROJECT - Request for Proposals - PIN#6307-0002 - Due 11-14-19 at 4:00 P.M.

The New York City Economic Development Corporation (NYCEDC), on behalf of the City of New York (the "City"), benefitting the New York City Health and Hospitals Corporation ("HHC"), is seeking a consultant or consultant team to provide CM and related consultant services, for the repair / restoration and hazard mitigation of Metropolitan Hospital (MET) campus, located in New York, NY. MET was severely impacted by Hurricane Sandy, and this project seeks to address MET's high risk of flooding by renovating and rebuilding portions of the MET campus, including the construction of a perimeter flood wall that will provide greater resiliency, to the Project Site, in order to withstand a FEMA 500-year storm.

NYCEDC, plans to select a consultant on the basis of factors stated in the RFP which include, but are not limited to: the approach and quality of the proposal, experience of key staff identified in the proposal, experience and quality of any subcontractors proposed, demonstrated successful experience in performing services similar to those encompassed in the RFP, the proposed fee and the quality of the plan for M/WBE participation. These services are expected to be funded with grant funding, provided by the Federal Emergency Management Agency (FEMA).

It is the policy of NYCEDC, to comply with all Federal, State and City laws and regulations which prohibit unlawful discrimination because of race, creed, color, national origin, sex, age, disability, marital status and other protected category and to take affirmative action in working with contracting parties to ensure certified Minority and Women-Owned Business Enterprises (M/WBEs) share in the economic opportunities generated by NYCEDC's projects and initiatives. Please refer to the Equal Employment and Affirmative Compliance for Construction Contracts Addendum in the RFP.

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

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

An optional pre-proposal session will be held on Monday, October 21, 2019, at 10:00 A.M., at NYCEDC. Those who wish to attend should RSVP, by email, to METCMRFP@edc.nyc, on or before October 17, 2019.

Respondents may submit questions and/or request clarifications from NYCEDC, no later than 5:00 P.M., on Friday, October 25, 2019. Questions regarding the subject matter of this RFP should be directed to METCMRFP@edc.nyc. For all questions that do not pertain to the subject matter of this RFP, please contact NYCEDC's Contracts Hotline at (212) 312-3969. Answers to all questions will be posted by Wednesday, November 6, 2019, to www.nycedc.com/RFP.

Detailed submission guidelines and requirements are outlined in the RFP, available as of Tuesday, October 15, 2019. The RFP is available for in-person pick-up between 9:30 A.M. and 4:30 P.M., Monday through Friday, from NYCEDC, One Liberty Plaza, 14th Floor, New York, NY. To download a copy of the solicitation documents, please visit www.nycedc.com/RFP. RESPONSES ARE DUE NO LATER THAN 4:00 P.M. on Thursday, November 14, 2019. Please submit five (5) sets in hard copy and one (1) USB flash drives in electronic copy of your proposal to: NYCEDC, One Liberty Plaza, 14th Floor, New York, NY 10006, Attention: Maryann Catalano, Chief Contracting Officer, Contracts.

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

Economic Development Corporation, One Liberty Plaza, 165 Broadway, 14th Floor, Mailroom, New York, NY 10006. Maryann Catalano (212) 312-3969; Fax: (212) 312-3918; mcatalano@edc.nyc

RFQ PROVISION OF CONSTRUCTION CONTRACTOR SERVICES CONEY ISLAND HOSPITAL - Request for Qualifications - PIN#6162- 0006 - Due 11-13-19 at 4:00 P.M.

New York City Economic Development Corporation ("NYCEDC"), on behalf of the projects' construction manager ("CM"), is seeking qualified firms for the construction of the Major Work project, at Coney Island Hospital, 2601 Ocean Parkway, Brooklyn, NY 11235.

Due to its location, Coney Island Hospital ("CIH"), is vulnerable to extreme coastal storms, and in October 2012, the facility suffered extensive flood damage because of Superstorm Sandy. Since then, the hospital has temporarily restored the damaged areas and, working with the Federal Emergency Management Agency ("FEMA"), have developed plans to mitigate damage from future storms and flooding.

NYCEDC, as the lead of an interagency team, is now focused on the Major Work project. The construction of the Coney Island Hospital campus project includes the following components:

- Build a new resilient acute care hospital tower to be known as the Critical Services Structure ("CSS");
- Provide on-site parking,
- Demolition of existing buildings, including Hammett Pavilion, Building 6, and various existing site improvements;
- Renovation and selective demolition of 60,000 gross sq. feet including portions of the existing Main Building and Tower Building; and
- Build a new permanent flood mitigation structure (s) (e.g. flood wall) around the campus.

NYCEDC has contracted with NBBJ, to lead the design effort, for all contract documents associated with the Services.

Turner/McKissack, a JV has been selected as the CM, and will provide construction management services for the Project, including holding all construction subcontracts.

NYCEDC is seeking qualifications for the following types of construction contractors:

- Demolition Contractors
- Abatement Contractors

The purpose of this RFQ advertisement is specifically to request additional qualified firms for the following bid packages of the project:

- Hammett Building Abatement and Demolition
- Main Building Renovations

Those interested in these packages along with the other trades listed above, are required to respond to the RFQ, as per the schedule noted below. Respondents who do not submit within the outlined timeframe, may not be included in the initial packages.

Note: The RFQ will remain open for submissions during the multiple procurement phases of the CIH Major Work Project. NYCEDC will advertise in the City Record when qualifications for a specific sub-project included in the Project is due to ensure that firms have adequate time to respond to the RFQ, and have those responses reviewed by the CM, to create the pre-qualified list of firms, to receive the RFP, for the specific sub-project.

If a firm has already submitted qualifications in response to a prior RFQ advertisement and been prequalified, the firm should not resubmit its qualifications; any firms successfully pre-qualified will remain pre-qualified for all subsequent projects released under the CIH Major Work Project, assuming the firm's compliance with all contract requirements. Similarly, any firms successfully pre-qualified under this RFQ, will remain pre-qualified for all subsequent projects released under the CIH Major Work project, assuming contract compliance is maintained.

NYCEDC, plans to prequalify firms on the basis of factors stated in the RFQ which include, but are not limited to: the firm's demonstrated experience and expertise in the particular trade for which the firm is submitting its qualifications; the firm's record regarding accidents and lost work days on construction projects; and the firm's resources available for the Projects.

The Services described above will require extensive coordination and collaboration among the Construction Management firm (the "CM"), hired by NYCEDC, the other construction trades working within the Project Site and the Project Team.

It is the policy of NYCEDC, to comply with all Federal, State and City laws and regulations which prohibit unlawful discrimination because of race, creed, color, national origin, sex, age, disability, marital status and other protected category and to take affirmative action in working with contracting parties to ensure certified Minority and Women-Owned Business Enterprises (M/WBEs) share in the economic opportunities generated by NYCEDC's projects and initiatives.

The H plus H Coney Island Hospital Major Work has a Minority and Women-Owned Business Enterprises ("M/WBE") participation goal of 35 percent. Companies who have been certified with the Empire State Development's Division of Minority and Women's Owned Business

Development as M/WBE are strongly encouraged to apply to this RFQ. To learn more about M/WBE certification and NYCEDC's M/WBE program, please visit <http://www.nycedc.com/opportunitymwdbe>.

Respondents may submit questions and/or request clarifications regarding the RFQ in writing to NYCEDC on an ongoing basis. Questions should be directed to CIHRFQ@edc.nyc. If NYCEDC determines that answers will provide material clarification to the RFQ, questions will be answered within two (2) weeks of receipt and NYCEDC shall post such answers on the RFQ website available through www.nycedc.com/RFP, so as to be available to all respondents. Note that the CM will separately manage the Question and Answer process for each bid package.

Firms responding to multiple trades may submit one comprehensive SOQ for all trades. Four (4) hard copies of the SOQ and attachments as well as four (4) jump drives must be submitted to:
New York City Economic Development Corporation
One Liberty Plaza
165 Broadway, 14th Floor – Mailroom
New York, NY 10006
Attn: Maryann Catalano, Chief Contracting Officer
Detailed submission guidelines and requirements are outlined in the RFQ, available as of Tuesday, November 15, 2016. The RFQ is available for in-person pick-up between 9:30 A.M. and 4:30 P.M., Monday through Friday, from NYCEDC, One Liberty Plaza, 165 Broadway, 14th Floor, New York, NY. To download a copy of the solicitation documents, please visit www.nycedc.com/RFP.

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

Economic Development Corporation, One Liberty Plaza, 165 Broadway, 14th Floor, Mailroom, New York, NY 10006. Maryann Catalano (212) 312-3969; Fax: (212) 312-3918; cihrfq@edc.nyc

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EDUCATION

CONTRACTS AND PURCHASING

■ SOLICITATION

Goods and Services

REQUIREMENTS CONTRACT FOR INTERIOR AND EXTERIOR STEEL AND WOOD DOOR REPLACEMENT

- Competitive Sealed Bids - PIN#B3435040 - Due 12-3-19 at 4:00 P.M.

To download, please go to <https://infohub.nyced.org/resources/vendors/open-doe-solicitations/request-for-bids>.

If you cannot download, send an email to vendorhotline@schools.nyc.gov, with the RFB number and title in the subject line.

For all questions related to this RFB, please email tellis@schools.nyc.gov, with the RFB number and title in the subject line of your email.

Description: Replacement and maintenance of interior and exterior steel and wood doors.

There will be a Pre-Bid Conference on Wednesday, November 6, 2019, at 2:30 P.M., at 65 Court Street, 12th Floor, Conference Room 1201, Brooklyn, NY 11201.

The New York City Department of Education (DOE), strives to give all businesses, including Minority and Women-Owned Business Enterprises (MWBEs), an equal opportunity to compete for DOE procurements. The DOE's mission is to provide equal access to procurement opportunities for all qualified vendors, including MWBEs, from all segments of the community. The DOE works to enhance the ability of MWBEs to compete for contracts. DOE is committed to ensuring that MWBEs fully participate in the procurement process.

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.

Education, 65 Court Street, Room 1201, Brooklyn, NY 11201. Vendor Hotline (718) 935-2300; vendorhotline@schools.nyc.gov



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HOUSING AUTHORITY

■ SOLICITATION

Construction/Construction Services

GAS PIPING REPLACEMENT AT SAINT NICHOLAS HOUSES - Competitive Sealed Bids - PIN#PL1711326 - Due 11-4-19 at 11:00 A.M.

Bid documents can be picked up and dropped off, Monday through Friday, 9:00 A.M. to 4:00 P.M., on the 6th Floor, CPD Bid Reception Window, for a \$25.00 fee. Documents can also be obtained by registering with I-supplier and downloading documents. Please note that original bid bonds are due, at the time of Bid Opening.

Please note that in the event only one bidder has submitted a bid in connection with the contract on or before the original bid submission deadline, the bid submission deadline shall automatically be extended for fourteen (14) calendar days. The foregoing extension does not in any way limit NYCHA's right to extend the bid submission deadline for any other reason.

This contract shall be subject to the New York City Housing Authority's Project Labor Agreement, if the Bidder's price exceeds \$250,000.00.

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

Housing Authority, 90 Church Street, New York, NY 10007. Latrena Johnson (212) 306-3223; latrena.johnson@nycha.nyc.gov

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SUPPLY MANAGEMENT

■ SOLICITATION

Goods and Services

SMD SERVICE AND REPAIR OF INTERCOM SYSTEMS AND COMPONENTS - VARIOUS DEVELOPMENTS IN THE FIVE (5) BOROUGHES OF NYC - Competitive Sealed Bids - Due 11-7-19

PIN#69744 - Service and Repair of Intercom Systems - Brooklyn Developments - Due at 10:00 A.M.

PIN#69745 - Service and Repair of Intercom Systems - Bronx Developments - Due at 10:05 A.M.

PIN#69746 - Service and Repair of Intercom Systems - Queens and Staten Island Developments - Due at 10:10 A.M.

The proposed work shall include the supply of all labor, equipment, and materials necessary to provide intercom services. Installation procedures shall be in accordance with the product manufacturer's recommendations. The Contractor is to perform all necessary actions, to ensure that assigned locations, at NYCHA's sites, are kept safe and operable to residents affected at all times.

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

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

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

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. Mimose Julien (212) 306-8141; Fax: (212) 306-5109; mimose.julien@nycha.nyc.gov

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HUMAN RESOURCES ADMINISTRATION

■ SOLICITATION

Services (other than human services)

PROVISION AND MAINTENANCE OF PERSONAL EMERGENCY RESPONSE SERVICE (PERS) TO HOME CARE AND CERTIFIED HOME HEALTH AGENCY CLIENTS, CITYWIDE - Competitive Sealed Bids - Due 12-3-19 at 11:00 A.M.

PIN# 18BHEHC00101
EPIN# 09618B0012

PERS means the provision and maintenance of electronic communication equipment in the home of a participant, which signals an emergency response center (ERC), for assistance and intervention when activated by the participant. Needs continuous monitoring and may mean notification of the emergency response organization or persons. The contractor shall furnish, install, maintain, test and service the PERS equipment, as required. Trained staff will need to respond to participants that speak multiple languages.

A non-mandatory Pre-Bid Conference is scheduled on Tuesday, October 29, 2019, at 11:00 A.M.

Bidders are hereby notified that this contract is subject to Local Law 1, Minority-Owned and Women-Owned Business Enterprises (MWBE) Requirements.

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.

Human Resources Administration, 150 Greenwich Street, 37th Floor, New York, NY 10007. Dorothy Leocadi (929) 221-5535; Fax: (929) 221-0756; leocadid@dss.nyc.gov

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LAW DEPARTMENT

ADMINISTRATION

■ SOLICITATION

Services (other than human services)

NOTICE OF INTENT TO ENTER INTO A NEGOTIATED ACQUISITION CONTRACT - Negotiated Acquisition - Other - PIN# 02520X100010 - Due 10-17-19 at 9:00 A.M.

IT IS THE INTENT of the New York City Law Department ("Department"), to enter into a contract with the firm White and Case LLP ("White"), pursuant to PPB Rules Section 3-04(b)(2)(iv). Under the terms of the contract, White will provide legal and other services to the City regarding (i) the possible procurement of renewable power, and (ii) the possible participation by the City in the financing of a proposed power transmission line that would deliver said renewable power to the City.

The term of the contract will commence on or about October 16, 2019, and continues through October 15, 2022.

Legal firms that believe they are qualified to provide these services and wish to be considered for future procurements for the same or similar services should send an expression of interest to the Department's ACCO at the following address: Richard Friedman, ACCO, New York City Law Department, 100 Church Street, Room 5-204, New York, NY 10007; Phone (212) 356-1024; email rifriedm@law.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.

Law Department, 100 Church Street, 5th Floor, Room 5-204, New York, NY 10007. Richard Friedman (212) 356-1024; rifriedm@law.nyc.gov

o9-16

NYC HEALTH + HOSPITALS

SUPPLY CHAIN

■ SOLICITATION

Goods and Services

CONEY ISLAND HOSPITAL: FURNITURE - MAIN BUILDING LEVEL 2 RENOVATION - Public Bid - PIN# CIH-CP1F-01 - Due 10-29-19 at 3:00 P.M.

Please contact directly Thomas McLoughlin, for the Exhibit D excel workbook and likewise, for the EEO workbook.

Coney Island Hospital (CIH), is in the process of constructing a multi-story Critical Services Structure (CSS) building, on its current campus location, at 2601 Ocean Parkway, Brooklyn, NY 11235.

This project will be procured, via FEMA and US government funding sources, administered through a project management team, from Health and Hospitals Corporation, the NYC Economic Development Board (EDC), and FEMA program management consultants. As such, the vast majority of Furniture, Fixtures, and Equipment (to include Medical Equipment), for the new CSS, will be acquired through an open bid tender process that H plus H Supply Chain will be managing in its entirety.

Coney Island Hospital, is seeking a comprehensive quotation, for the purchase and installation of furniture systems and chairs, to support the renovation of Main Building, Level 2.

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

NYC Health + Hospitals, 160 Water Street, 13th Floor, New York, NY 10038. Thomas McLoughlin (646) 458-8644; thomas.mcloughlin@nychhc.org

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PARKS AND RECREATION

■ VENDOR LIST

Construction Related Services

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

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

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

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

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

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

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

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

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

Parks and Recreation, Olmsted Center Annex, Flushing Meadows-Corona Park, Flushing, NY 11368. Alicia H. Williams (718) 760-6925; Fax: (718) 760-6885; dmwbe.capital@parks.nyc.gov

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POLICE

CONTRACT ADMINISTRATION

■ SOLICITATION

Goods

SEARCH AND RESCUE HELICOPTERS - Negotiated Acquisition - Other - PIN#05620N0001 - Due 10-31-19 at 2:00 P.M.

The New York City Police Department ("NYPD"), is conducting a solicitation in order to obtain an appropriately qualified vendor, to provide a Requirements Contract for New Search and Rescue Helicopters and Related Goods and Services. The New York City Police Department's (NYPD) Aviation Unit (AU) manages the New York City Police Department's airborne law enforcement program. The Aviation Unit is a service-oriented entity, which assists any command of the Department in the conduct police operations, as the need arises. Search and Rescue Helicopters of the Aviation Unit perform some of the most critical assignments, including: medevac flights in medical emergencies, high rise fire rescues, firefighting in areas that are inaccessible to the Fire Department, tactical rappelling, Counter-terrorism, Search and Rescue operations, and flying in instrument flight rule (IFR) conditions. The Aviation Unit is anticipating the initial purchase of two (2) Search and Rescue helicopters from this new Requirements contract for the New York City Police Department.

There is a compelling need for the goods and services that cannot be timely met through competitive sealed bidding or competitive sealed proposals. See Sec. 3-04(b)(2)(i)(D). In addition, in accordance with Section 3-04(b)(2)(ii) of the PPB Rules, there are a limited number of vendors able to provide helicopters of the nature and specificity required by the NYPD. Thus, the NYPD has decided to use the Negotiated Acquisition method of procurement for this solicitation, pursuant to Section 3-04 of the PPB Rules.

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

Police, Contract Administration Unit, 90 Church Street, Suite 1206, New York, NY 10007. Jordan Glickstein (646) 610-5222; Fax: (646) 610-5224; jordan.glickstein@nypd.org

Accessibility questions: Jordan Glickstein (646) 610-5222, jordan.glickstein@nypd.org, by: Monday, October 28, 2019, 2:00 P.M.



o11-18

VIGOR KVICHAK - 45 FOOT RESPONSE BOAT - Sole Source - Available only from a single source - PIN#05620S0001 - Due 11-1-19 at 2:00 P.M.

The NYPD, intends to award a contract, to Vigor Kvichak LLC, located at 469 NW Bowdin Place, Seattle, WA 98107, for the purchase of one (1) 45 foot Response Boat-Medium Commercial (45 RB-MC). This 45 foot response boat, is a boat that is optimized for police patrol operations and based on the US Coast Guard Response Boat-Medium. This boat will be used to support the operations of the NYPD's Harbor Unit.

Vigor Kvichak holds a worldwide exclusive design license for the design of this boat. Moreover, Vigor Kvichak has represented to the NYPD, that it does not have any arrangements with any other suppliers or resellers for this 45 Foot Response Boat. Therefore, the NYPD has determined, pursuant to Section 3-05 of the City's Procurement Policy Board Rules, that the Sole Source procurement method is the best method, to procure this boat.

Any other supplier who is capable of providing this same boat may express an interest in writing or by email to Dorothy Carter-Starks,

Procurement Analyst, NYPD Office of Contract Administration, 90 Church Street, Suite 1206, New York, NY 10007, or Dorothy. Carterstarks@nypd.org, on or before November 1, 2019, 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.

Police, 90 Church Street, Room 1206, New York, NY 10007. Dorothy Carter-Starks (646) 610-5193; Fax: (646) 610-5224; dorothy.carterstarks@nypd.org

o15-21

PROBATION

■ AWARD

Human Services/Client Services

YOUNG ADULT JUSTICE PROGRAM NAE - Negotiated Acquisition - Other - PIN#78111P0002008N003 - AMT: \$67,199.10 - TO: Center for Alternative Sentencing and Employment Services Inc., 151 Lawrence Street, 3rd Floor, Brooklyn, NY 11201.

Contract has been awarded, pursuant to Section 3-04(b)(2)(iii) of the PPB Rules, to continue provision of the Young Adult Justice Program, for six additional months, from 7/1/19 - 12/31/19. Public notice of intent to enter into negotiations was previously published, starting on 7/25/19 - 7/31/19.

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SANITATION

AGENCY CHIEF CONTRACTING OFFICE

■ AWARD

Goods and Services

POLARIS- GEM REPLACEMENT PARTS - Innovative Procurement - Other - PIN#20205020228 - AMT: \$100,000.00 - TO: Kal-bro Inc., 114-14 14th Road College Point, NY 11356 .

MWBE Award.

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ENERGY EFFICIENT LIGHTING PARTS - Innovative Procurement - Other - PIN#20204020175 - AMT: \$100,000.00 - TO: Edge Electronics, Inc, 75 Orville Drive, Bohemia, NY 11716.

MWBE Award.

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BAR GRATING - Innovative Procurement - Other - PIN#20205022323 - AMT: \$100,000.00 - TO: Finesse Creations Inc., 3004 Avenue J, Brooklyn, NY 11210.

MWBE Award.

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TRANSPORTATION

FLEET SERVICES

■ AWARD

Goods

PRINTER SUPPLIES AND ACCESSORIES - Innovative Procurement - Other - PIN#84120P0022FS - AMT: \$50,000.00 - TO: TTI Business Products Inc., 381 Park Avenue South, Suite 1312, New York, NY 10016.

Pursuant to Section 3-12 of the New York City Procurement Policy Board (PPB) Rules, NYCDOT has procured Printer Supplies and Accessories.

The New York City Department of Transportation (NYCDOT), on behalf of all New York City agencies and entities subject to the New York City Procurement Policy Board (PPB) Rules, utilized the Innovative Procurement Method, under Section 3-12 of the Procurement Policy Board Rules.

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CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. FOR FURTHER INFORMATION ON ACCESSIBILITY OR TO MAKE A REQUEST FOR ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION SERVICES, PLEASE CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES (MOCS) VIA E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 788-0010. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



DESIGN AND CONSTRUCTION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, October 24, 2019, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 AM on the following:

IN THE MATTER of three (3) proposed contracts between the Department of Design and Construction of the City of New York and the contractors listed below, for HWDRCW06, Requirements Contracts for Engineering Design and Related Services for Bridges, Step Streets, Retaining Walls/Bulkheads and Other Miscellaneous Structures, Citywide. The term of the contracts shall be 1,095 Consecutive Calendar Days from the date of Comptroller's registration, with an option to renew for a term of 730 Consecutive Calendar Days.

	Consultants	Address	Contract Amount	Renewal Amount	PIN #	E-PIN #
1	AECOM USA, Inc.	605 Third Ave. New York, NY 10158	\$30,000,000	\$15,000,000	8502018HW0055P	85019P0005001
2	Dewberry Engineers, Inc.	132 West 31st St., Suite 301 New York, NY 10001	\$30,000,000	\$15,000,000	8502018HW0056P	85019P0005002
3	MBTT Engineering Joint Venture	14 Penn Plaza, 225 W. 34th St., Suite 1304 New York, NY 10122	\$30,000,000	\$15,000,000	8502018HW0057P	85019P0005003

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

Draft copies of the proposed contracts are available for public inspection at the Department of Design and Construction, Professional Contracts Section, 30-30 Thomson Avenue, Fourth Floor, Long Island City, NY 11101, from October 15, 2019 to October 24, 2019, excluding Saturdays, Sundays, and Holidays from 9:00 AM to 4:00 PM. Contact Lisa Rigatti at (718) 391-2520.



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ENVIRONMENTAL PROTECTION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held at the Department of Environmental Protection Offices at 59-17 Junction Boulevard, 17th Floor Conference Room, Flushing, New York, on Tuesday, October 29, 2019 commencing at 11:00 A.M. on the Following:

IN THE MATTER OF a Purchase between the Department of Environmental Protection and Bradley Consulting & Training., for the purchase Workforce Development & Training. The Contract term is to extend through June 30, 2020. The Contract amount shall be not to exceed \$100,000.00. Location: Citywide PIN 2X080035.

Contract was selected by Innovative Procurement pursuant to Section 3-12 (e) of the PPB Rules.

A copy of the Purchase may be inspected at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, New York, 11373, on the 17th Floor Bid Room, on business days from October 15th through October 29th between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DEP does not receive October 22, 2019, from any individual a written request to speak at this hearing, then DEP need not conduct this hearing. Written notice should be sent to Mrs. Jessica Reyes, NYC DEP, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373 or via email to jreyes@dep.nyc.gov.

Note: Individuals requesting Wheel Chair Accessibility should contact Mrs. Jessica Reyes, Office of the ACCO, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373, (718) 595-3292, no later than FIVE (5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

Accessibility questions: Jessica Reyes, jreyes@dep.nyc.gov, by: Tuesday, October 22, 2019, 11:00 A.M.



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FINANCE

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, October 24, 2019, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 AM on the following:

IN THE MATTER of a proposed contract between the New York City Department of Finance and CGI Technologies and Solutions Inc., located at 7 Hanover Square, 7th Floor, New York, NY 10004, to provide Summons Tracking and Accounts Receivables (STARS) and Computer-Assisted Collection Systems (CACS) Applications Maintenance and Support Services. The amount shall not exceed \$11,644,934.40. The contract term shall be from November 1, 2019 through October 31, 2022 with two one-year renewal options. E-PIN #: 83619P0003001.

The vendor has been selected by Competitive Sealed Proposal method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

A draft copy of the proposed contract will be available at the Department of Finance, 1 Centre Street, New York, NY 10007, 10th Floor, from October 15, 2019 to October 24, 2019, exclusive of Saturdays, Sundays and Holidays, 10:00 AM to 3:00 PM.

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 of Finance within five business days after publication of this notice. Written requests to speak should be sent to Adenike Bamgboye, Agency Chief Contracting Officer at 1 Centre Street, Room 1040, New York, NY 10007 or via email BamgboyeA@finance.nyc.gov.

IN THE MATTER of a proposed contract between the New York City Department of Finance and IPT LLC PAYLOCK, located at 205 West Main Street, Suite 402, Somerville, NJ 08876, to provide booting services for parking debt enforcement for the Department's Sheriff Division. The contract amount is not to exceed \$8,500,000.00. The contract term shall be from May 1, 2019 through October 31, 2019. E-PIN #: 83612S0005CNVN003.

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

A draft copy of the proposed contract will be available at the Department of Finance, 1 Centre Street, New York, NY 10007, 10th Floor, from October 15, 2019 to October 24, 2019, exclusive of Saturdays, Sundays and Holidays, from 10:00 AM to 3:00 PM.

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 of Finance within five business days after publication of this notice. Written requests to speak should be sent to Adenike Bamgboye, Agency Chief Contracting Officer at 1 Centre Street, Room 1040, New York, NY 10007 or via email BamgboyeA@finance.nyc.gov.



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HUMAN RESOURCES ADMINISTRATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, October 24, 2019, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 AM 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 Scattered-Site Supportive Housing Services. The term of this contract will be for five years from December 1, 2019 to November 30, 2024 with one four-year renewal option from December 1, 2024 to November 30, 2028.

Contractor/Address	E-PIN #	Amount	Service Area
Bowery Residents' Committee, Inc. d/b/a BRC Human Services Corp. 131 West 25th Street, 12th Floor New York, NY 10001	09617I0009009	\$12,263,850.00	Bronx

The proposed contractor has been selected through HHS ACCELERATOR, pursuant to Section 3-16 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Human Resources Administration of the City of New York, 150 Greenwich Street, 37th Floor, New York, NY 10007, on business days, from October 15, 2019 to October 24, 2019, excluding Saturdays, Sundays and Holidays, from 10:00 AM to 5:00 PM. If you need to schedule an inspection appointment and/or need additional information, please contact Paul Romain at (929) 221-5555.



◀ o15

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, October 24, 2019, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 AM on the following:

IN THE MATTER of a proposed contract between the Department of Information Technology and Telecommunications and Accenture LLP, 1345 Avenue of the Americas, New York, NY 10105, for the Government x Design: Citywide Design Services. The term of the contract shall be for three years with one two-year renewal option. The contract amount is \$2,000,000.00. E-PIN #: 85818P0001011.

The proposed contractor has been selected by Competitive Sealed Proposal procurement 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 Information Technology and Telecommunications, 15 Metrotech, 18th Floor, Brooklyn, NY 11201, from October 15, 2019 to October 24, 2019, Monday to Friday, from 10:00 AM to 3:00 PM, excluding Holidays.

IN THE MATTER of a proposed contract between the Department of Information Technology and Telecommunications and Deloitte Consulting L.P., 30 Rockefeller Plaza, New York, NY 10112, for the Government x Design: Citywide Design Services. The term of the contract shall be for three years with one two-year renewal option. The contract amount is \$1,000,000.00. E-PIN #: 85818P0001004.

The proposed contractor has been selected by Competitive Sealed Proposal procurement 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 Information Technology and Telecommunications, 15 Metrotech, 18th Floor, Brooklyn, NY 11201, from October 15, 2019 to October 24, 2019, Monday to Friday, from 10:00 AM to 3:00 PM, excluding Holidays.

IN THE MATTER of a proposed contract between the Department of Information Technology and Telecommunications and Gartner Inc., 291 Broadway, 9th floor, New York, NY 10007, for the Government x

Design: Citywide Design Services. The term of the contract shall be for three years with one two-year renewal option. The contract amount is \$1,000,000.00. E-PIN #: 85818P0001007.

The proposed contractor has been selected by Competitive Sealed Proposal procurement 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 Information Technology and Telecommunications, 15 Metrotech, 18th Floor, Brooklyn, NY 11201, from October 15, 2019 to October 24, 2019, Monday to Friday, from 10:00 AM to 3:00 PM, excluding Holidays.

IN THE MATTER of a proposed contract between the Department of Information Technology and Telecommunications and Guidehouse LLP, 1800 Tysons Boulevard, 7th Floor, McLean, VA 22102, for the Government x Design: Citywide Design Services. The term of the contract shall be for three years with one two-year renewal option. The contract amount is \$2,000,000.00. E-PIN #: 85818P0001009.

The proposed contractor has been selected by Competitive Sealed Proposal procurement 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 Information Technology and Telecommunications, 15 Metrotech, 18th Floor, Brooklyn, NY 11201, from October 15, 2019 to October 24, 2019, Monday to Friday, from 10:00 AM to 3:00 PM, excluding Holidays.

IN THE MATTER of a proposed contract between the Department of Information Technology and Telecommunications and Ideo.org., 395 Hudson Street, 8th Floor, New York, NY 10014, for the Government x Design: Citywide Design Services. The term of the contract shall be for three years with one two-year renewal option. The contract amount is \$2,000,000.00. E-PIN #: 85818P0001010.

The proposed contractor has been selected by Competitive Sealed Proposal procurement 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 Information Technology and Telecommunications, 15 Metrotech, 18th Floor, Brooklyn, NY 11201, from October 15, 2019 to October 24, 2019, Monday to Friday, from 10:00 AM to 3:00 PM, excluding Holidays.

IN THE MATTER of a proposed contract between the Department of Information Technology and Telecommunications and Public Policy Lab, Inc., 20 Jay Street, Suite 203, Brooklyn, NY, 11201, for the Government x Design: Citywide Design Services. The term of the contract shall be for three years with one two-year renewal option. The contract amount is \$1,000,000.00. E-PIN #: 85818P0001006.

The proposed contractor has been selected by Competitive Sealed Proposal procurement 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 Information Technology and Telecommunications, 15 Metrotech, 18th Floor, Brooklyn, NY 11201, from October 15, 2019 to October 24, 2019, Monday to Friday, from 10:00 AM to 3:00 PM, excluding Holidays.

IN THE MATTER of a proposed contract between the Department of Information Technology and Telecommunications and Public Works Partners LLC, 99 Madison Avenue, Suite 403, New York, NY 10016, for the Government x Design: Citywide Design Services. The term of the contract shall be for three years with one two-year renewal option. The contract amount is \$1,000,000.00. E-PIN #: 85818P0001005.

The proposed contractor has been selected by Competitive Sealed Proposal procurement 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 Information Technology and Telecommunications, 15 Metrotech, 18th Floor, Brooklyn, NY 11201, from October 15, 2019 to October 24, 2019, Monday to Friday, from 10:00 AM to 3:00 PM, excluding Holidays.



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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 a new rule section 3301-03 in Chapter 3300 of Title 1 of the Rules of the City of New York, regarding placing worker safety information on construction fences.

This rule was published in the City Record on July 23, 2019 and a public hearing was held on August 22, 2019.

Dated: 9/17/19 /s/
New York, New York Melanie E. La Rocca
Commissioner

Statement of Substantial Need for Earlier Implementation

I hereby find, pursuant to §1043(f)(1)(c) of the New York City Charter, and hereby represent to the Mayor, that there is substantial need for the implementation of the new rule section 3301-03 in Chapter 3300 of Title 1 of the Rules of the City of New York, regarding placing worker safety information on construction fences

Construction safety is a critical concern for the Department. Local Law 196 of 2017, which went into effect on October 16, 2017, requires certain workers and supervisors at certain construction sites to have site safety training. To date, the training is required at nearly 8,600 construction sites throughout New York City. Given that this training requirement will apply to many thousands of workers throughout New York City, it is imperative that they know when the training is required and the number of hours of training they will need to be safe and to continue working on construction sites where the training is mandated.

/s/
Melanie E. La Rocca
Commissioner
Department of Buildings

APPROVED: /s/
Bill de Blasio
Mayor

DATE: 9/20/19

Statement of Basis and Purpose of Rule

Local Law 196 of 2017, which went into effect on October 16, 2017, requires certain workers and supervisors at certain construction sites to have site safety training. Such training is being implemented in three parts, with 10 hours of training for workers being required by March 1, 2018, 30 hours of training for workers and 62 hours of training for supervisors being required by December 1, 2019, and 40 hours of training for workers being required by September 1, 2020. The rule requires that information pertaining to the site safety training requirements and applicable deadlines be available to workers and supervisors within construction sites.

The Department of Buildings' authority for these rules is found in sections 643 and 1043 of the New York City Charter and section 3301.9.5 of the New York City Building Code.

New material is underlined.

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

Chapter 3300 of Title 1 of the Rules of the City of New York is amended by adding a new Section 3301-03, to read as follows:

§ 3301-03 Worker Safety Information at Construction Sites.

(a) Required signs. Worker safety information signs are required at all construction sites where site safety training is required as set forth in BC Section 3321. Such signs must be posted by the general contractor.

(b) Content of signs. Worker safety information signs at construction sites must state as follows in all the languages used by the workers to communicate at the construction site:

(1) "As of December 1, 2019, workers will not be permitted to work on this site unless they have 30 hours of safety training, demonstrated by an OSHA 30 card, a Limited Site Safety Training Card, or a Site Safety Training Card.

As of December 1, 2019, workers serving as a site safety manager, site safety coordinator, concrete safety manager, construction superintendent or a competent person, as required by Section 3301.13.12 of the Building Code, will not be permitted to work on this site unless they have 62 hours of safety training, demonstrated by a Supervisor Site Safety Training Card.

As of September 1, 2020, workers will not be permitted to work on this site unless they have 40 hours of safety training, demonstrated by a Site Safety Training Card.

Visit www.nyc.gov/nycsafety or call 311 for more information."

(2) The statement "TO ANONYMOUSLY REPORT UNSAFE CONDITIONS AT THIS WORK SITE, CALL 311"

(3) Any additional information related to safe work practices provided by the department.

(c) Specifications for signs. Worker safety information signs must comply with the following requirements:

(1) Such signs must be 44 inches wide and 30 inches high, with the content required by subdivision (b) of this section written in the Calibri font or similar sans serif font style, with letters a minimum of 1 inch (25 mm) high, as measured by the upper case character. Such letters must be white, on a blue background, with such blue color of a shade matching Pantone 296, or RGB 15, 43, 84, or CMYK 100, 88, 38, 35.

(2) Such signs must be constructed out of a durable and weatherproof material such as vinyl, plastic, or aluminum, and such material must be flame retardant in accordance with NFPA 701 or listed under UL 214.

(d) Placement of signs.

(1) Visibility. Worker safety information signs must be posted within the site in a location that is readily visible to workers.

(2) Site areas with construction fencing. In site areas bound by construction fencing, at least one sign must be placed at each egress point on the inside of the fencing, including vehicle delivery fence gates and existing loading docks.

(3) Site areas without construction fencing. In site areas not bound by construction fencing, at least one sign must be placed at each egress point within the controlled access zone where construction is taking place and at each existing loading dock or location being used for construction delivery or access.

(e) Violations. Failure to comply with any of the requirements of subdivisions (a) through (d) of this section may result in the issuance of a violation.

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HEALTH AND MENTAL HYGIENE

■ NOTICE

Notice of Adoption of Amendments to Articles 11 and 13 of the New York City Health Code

In accordance with Section 1043 of the New York City Charter (the "Charter") and pursuant to the authority granted to the Board of Health (the "Board") by Section 558 of the Charter, a notice of intention to amend Articles 11 and 13 of the New York City Health Code (the "Health Code") was published in the City Record on June 19, 2019, and a public hearing was held on July 22, 2019. No individuals testified at the public hearing; three written comments were received. After consideration of those comments one change was made for clarity. At its meeting on October 8, 2019, the Board adopted the following resolution.

Statement of Basis and Purpose

Statutory Authority

The Board's authority to codify these proposed amendments is found in Sections 556, 558 and 1043 of the New York City Charter (the "Charter"). Sections 558(b) and (c) of the Charter empower the Board to amend the Health Code and to include all matters to which the Department's authority extends. Section 556 of the Charter provides

the Department with jurisdiction to protect and promote the health of all persons in the City of New York. Section 1043 grants the Department rule-making authority.

Background

The Department is responsible under the Charter for supervising matters affecting the health of New Yorkers. Through its Division of Disease Control, the Department conducts disease surveillance and control activities for most of the diseases listed in Article 11 (Reportable Diseases and Conditions) of the Health Code. The same Division also enforces Article 13 (Clinical Laboratories) of the Health Code, which regulates the performance of laboratory tests and the reporting of test results. In addition, the Department must comply with various provisions of Part 2 of the New York State Sanitary Code, found in Title 10 of the New York Codes, Rules and Regulations (NYCRR), with respect to the control of communicable diseases.

To conduct more effective, timely, and complete disease surveillance and control, the Department proposed to the Board and the Board is amending Health Code Articles 11 and 13 as follows:

Tuberculosis Infection Reporting

The Board is amending Health Code Sections 11.03(a) and 13.03(b)(1) to require laboratories to report all test results for tuberculosis (TB) infection, including negative results. Prior to the adoption of these amendments, the Health Code required reporting only of test results and other information attendant to active TB disease, and tests positive for TB infection and related information for children under five years old.

TB is a disease caused by the bacterium *Mycobacterium tuberculosis*, which is spread person-to-person through the air. Most commonly, TB disease affects the lungs, but it can also affect other parts of the body. Individuals who have a positive test for TB infection but do not have symptoms or other test results consistent with active TB disease are diagnosed with latent TB infection (LTBI). Persons with LTBI are asymptomatic and cannot transmit the infection to others. It is estimated that approximately 10 percent of individuals with LTBI will develop active TB disease at some point in their life. Treating LTBI is the only way to significantly reduce the risk of developing active disease and thus is a vital component of TB prevention efforts.

There is no reliable data on the prevalence of LTBI in the United States or New York City. National estimates from the National Health and Nutrition Examination Survey study, when combined with New York City population data, result in an estimate of approximately 700,000 people with LTBI in the City. However, data from the Department's TB clinics suggests there could be as many as 1.8 million people in New York City with LTBI. Based on these estimates, there is a large reservoir of TB infection in New York City, some of which will result in future cases of active TB disease.

While the Department has made major strides in reducing the number of active TB cases in New York City – from 3,755 at the height of the TB epidemic in 1992 to 559 in 2018 – the number of TB cases has largely plateaued in the last 10 years. The Department is working to expand its efforts to identify and treat people with LTBI to further reduce the burden of TB in New York City, and reporting of test results for TB infection will help focus that effort.

Reporting of tests for TB infection will give the Department a better understanding of the prevalence of TB infection in order to better direct public health resources. Also, the data collected will provide information about testing practices, which will help inform provider outreach. Reports of laboratory tests negative for TB infection will provide the Department with a more complete picture of testing practices and allow for better estimates of testing prevalence to inform the Department's programming.

In addition, the Board has made minor related language changes to Health Code § 11.21(a) for consistency.

In response to public comments received, the language of the Department's proposal as to this provision has been revised to clarify that laboratories must report all test results, including negatives, for tests for TB infection only, and not tests performed in connection with diagnosing or monitoring active TB disease, such as mycobacteria culture tests.

Syphilis Amendment Proposal

The Board is adding a new Section 11.33 to the Health Code to require healthcare providers to test pregnant persons for syphilis at 28 weeks of pregnancy, or as soon thereafter as reasonably possible but no later than at 32 weeks of pregnancy, and that test results and a treatment plan be documented.

Syphilis is a sexually transmitted infection caused by the bacterium *Treponema pallidum*. Untreated syphilis during pregnancy can result in devastating health outcomes, including stillbirth. Infants with congenital syphilis may manifest abnormalities of the central nervous system, bones and joints, teeth, eyes, and skin. In New York City, the number of congenital syphilis cases increased 186% between

2017 (7 cases) and 2018 (20 cases). Twenty is the largest number of congenital syphilis cases reported in the City in over ten years and included one syphilitic stillbirth at 31 weeks. In general, New York City has much higher rates of primary, secondary, and early latent syphilis as compared to the U.S. population. In 2017, the rate of syphilis at all stages was 95.33 per 100,000 in NYC vs. 31.4 cases per 100,000 nationally. Syphilis is increasing among New York City women; from 2017 to 2018, the number of primary, secondary, and early latent syphilis cases among NYC women increased 44%, from 219 to 315 cases.

Congenital syphilis can be prevented by timely treatment of maternal syphilis. However, symptoms of maternal syphilis during pregnancy may not be apparent, so serologic screening during pregnancy is critical. New York State mandates syphilis screening at the first prenatal care examination (NYS Public Health Law § 2308) and at delivery (10 NYCRR § 69-2.2). Increasingly, the Department has documented congenital cases resulting from maternal syphilis infections acquired subsequent to screening negative earlier during pregnancy; this accounted for 11 cases (55%) of congenital syphilis cases in 2018. At least half of these cases may have been averted by screening women at 28 weeks of pregnancy.

The Board adopts the Department's proposal to require an additional syphilis test at 28 to 32 weeks of pregnancy to identify pregnant people who become infected subsequent to initial mandatory screening, which will enable treatment, improve the health of the pregnant person, and prevent potentially grave health outcomes attendant to vertical transmission. Requiring documentation of test results and a treatment plan will help ensure appropriate follow-up care. Twenty-eight weeks is the most appropriate time for third trimester re-screening because other screening tests are routinely performed at 28 weeks, and because screening at this time would allow sufficient time to treat pregnant people who have syphilis prior to delivery. These changes now align the Health Code with laws in several other states that require third trimester syphilis testing of all pregnant persons.

Exclusion of Cases and Carriers of Enteric Pathogens

The Board is amending Health Code § 11.15(a) to provide the Department with the discretion to end "exclusion" of people infected with enteric pathogens when doing so is appropriate under the circumstances.

Under the Health Code, individuals infected with or carrying certain enteric pathogens were required to be excluded from certain settings where there was an elevated risk of disease transmission. Thus, cases and carriers who are food handlers or health care workers have to be excluded from their place of work, and staff and attendees of schools, child care programs, camps, and other facilities attended by children under five years of age had to be excluded from those facilities. Under the current provision, the Health Code provides that exclusion can end only when the excluded person no longer has symptoms and the Department had received two or three (depending on the pathogen) successive negative stool specimens demonstrating that transmission is no longer likely and that the excluded person's illness is no longer a public health concern.

The enteric diseases addressed in Health Code § 11.15 – Campylobacteriosis, Cholera, *Escherichia (E.) coli* 0157:H7 and other Shiga toxin-producing *E. coli* (STEC) infections, Salmonellosis (other than typhoid), Shigellosis, Yersiniosis, Amebiasis, Cryptosporidiosis, and Giardiasis – are transmitted via the fecal-oral route. People infected with or carrying enteric pathogens who are food handlers, health care workers providing oral care or feeding, child care workers, or child care attendees can shed the organism in their stool and transmit the infection to others if they have poor hand hygiene practices. Exclusion can last from days to months.

The number of people identified requiring exclusion has increased significantly in recent years. In 2018, there were 187 exclusions ranging in duration from 1 to 135 days, with a mean length of 22 days, as compared to 69 exclusions in 2015. The increase in exclusions is due to improved surveillance practices and increased use of culture-independent diagnostic tests (CIDT), a testing method that is more sensitive than other types of traditional tests, leading to more positive test results. Stool samples can be positive by a CIDT but negative by traditional tests, such as bacterial culture, indicating that although the organism's DNA is detectable, it may not be alive and capable of being transmitted. However, under the Health Code provision prior to the adoption of these changes, individuals have to be excluded based on the positive CIDT result while awaiting for multiple follow-up culture results. Also, some individuals shed the organism in the stool for many weeks or months even after symptoms have ended, and experience suggests that the risk of transmission in that circumstance is low. As there are no clear national guidelines on exclusion, exclusion requirements of jurisdictions vary. Many jurisdictions, including New York State, are less strict than New York City without any measured increase in disease transmission.

For these reasons the Department proposes a more flexible approach that takes into consideration the circumstances of a particular case, including the type of infection, the type of test used to

detect the pathogen, the presence or absence of symptoms, the individual's treatment with antimicrobial drugs, the individual's job responsibilities, and the likelihood of infectiousness based on the length of time since symptom onset. The adoption of this proposal still allows the Department to exclude people with enteric pathogens until consecutive negative test results are received if, in the view of Department experts, there remained a public health threat. However, the Department would have the discretion to allow people to return to work or school sooner if their illness no longer poses a risk to others.

In addition, the Board is adopting minor language changes to this provision for consistency and clarity, and to correct typographical errors.

Campylobacter Testing and Reporting

The Board is amending Health Code § 13.03(b) to no longer require laboratories to perform culture testing on all specimens found to be positive for *Campylobacter* by CIDT. Culture testing involves a laboratory using a specimen to grow the pathogen; a sample of the pathogen grown by culture is termed an "isolate".

In January 2017, the Health Code was amended to require follow-up culture tests on the following enteric pathogens: *Campylobacter*, *Listeria monocytogenes*, *Salmonella*, *Shigella*, *Vibrio*, *Yersinia*, and Shiga toxin-producing *Escherichia coli*. The laboratory must report the results of the culture and submit any resulting isolates to the Department. The Department proposed the amendment to enable it to obtain information about the pathogens not available from CIDT and used to assist in outbreak detection and response.

Campylobacter bacteria can be transmitted to people through contaminated food and liquid or contact with certain animal feces. It causes diarrhea, fever, and abdominal cramps and, in rare cases, more serious illness. Compared to other enteric pathogens, *Campylobacter* is difficult to isolate and found relatively frequently, particularly given an increase in positive test results stemming from more expansive use of CIDT. Further, other enteric pathogens that are required to be cultured per the Health Code, including *Salmonella* and Shiga toxin-producing *Escherichia coli*, have more significant public health consequences than *Campylobacter*, including that they are more likely to be part of local and multi-state disease outbreaks.

The Department has determined that appropriate monitoring of *Campylobacter* can occur without routine culture testing and isolate submission. Given the high number of *Campylobacter* reports (approximately 2500 cases in New York City in 2018), the Department generally has been able to investigate only clusters, as opposed to isolated cases. Accordingly, the Department does not make use of most of the isolates received from laboratories. The Department can request additional testing and isolates from laboratories in the event of a suspected cluster or outbreak, rather than requiring laboratories to perform the additional testing as a matter of course. The Department believes this approach better balances laboratory burden and public health needs.

In addition, in order to address questions raised by reporting laboratories, the Board is adopting minor language changes to clarify that reports must be sent to the Department.

Accordingly, the Board amends Health Code Articles 11 and 13 as follows:

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

"Shall" and "must" denote mandatory requirements and may be used interchangeably unless otherwise specified or unless the context clearly indicates otherwise.

RESOLVED, that subdivision (a) of section 11.03 of Article 11 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to read as follows:

(a) Cases and carriers affected with any of the following diseases and conditions of public health interest, and persons who at the time of their death were apparently so affected, shall be reported to the Department as specified in this article:

* * * * *

Tuberculosis, as demonstrated by:

- (1) Positive culture for *Mycobacterium tuberculosis* complex; or
- (2) Positive DNA probe, polymerase chain reaction (PCR), or other technique for identifying *Mycobacterium tuberculosis* from a clinical or pathology specimen; or
- (3) Positive smear for acid-fast bacillus, with final culture results pending or not available, on either a microbiology or a pathology specimen; or
- (4) Clinically suspected pulmonary or extrapulmonary (meningeal, bone, kidney, etc.) tuberculosis, such that the physician or other health care professional attending the patient has initiated or intends to isolate the patient or initiate treatment for tuberculosis, or to continue

or resume treatment for previously incompletely treated disease, or, if the patient is not available, that the physician or other health care professional would initiate isolation or treatment if the patient were available; or

(5) Biopsy, pathology, or autopsy findings in lung, lymph nodes or other tissue specimens, consistent with active tuberculosis disease including, but not limited to presence of acid-fast bacilli, caseating and non-caseating granulomas, caseous matter, tubercles and fibro-caseous lesions; or

(6) Positive reaction to the [purified protein derivative (PPD) Mantoux test] tuberculin skin test administered using the Mantoux method, blood-based tests positive for tuberculosis infection, or other recognized diagnostic test positive for tuberculosis infection in a child less than five years of age, regardless of whether such child has had a BCG vaccination. This reporting requirement is applicable to healthcare providers only. The related reporting requirement for laboratories is set forth in paragraph (7) below.

(7) Blood-based test for tuberculosis infection, or other later developed diagnostic test for tuberculosis infection, for all persons regardless of age. This reporting requirement is applicable to laboratories only. The related reporting requirement for healthcare providers is set forth in paragraph (6) above.

* * * * *

RESOLVED, that subdivision (a) of section 11.15 of Article 11 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to read as follows:

(a) Any individual required to be isolated pursuant to provisions of this Article, and certain [cases, suspect cases, contacts and carriers] individuals infected with or carrying, suspected to be infected with or carrying, or having contact with people infected with or carrying certain organisms that cause disease, as indicated in this subdivision, shall be excluded by the operator, employer or person in charge of the applicable institution, facility or place as set forth in this subdivision.

(1) [A case or carrier] An individual infected with or carrying an organism that causes any of the following diseases who is a food handler shall be excluded until the individual no longer has symptoms and, as determined by the Department, no longer has an illness that is a risk to others. For the exclusion to be terminated, the excluded individual must provide the Department with clinical evidence of the absence of disease, which, as determined by the Department, may include two negative stool samples, taken not less than 24 hours apart and no less than 48 hours after resolution of symptoms, [are submitted to the Department and until determined by the Department to no longer be a risk to others;] provided that, if the individual has received antimicrobial therapy, the first stool sample shall be taken no less than 48 hours after the last dose:

Campylobacteriosis

Cholera

[*E. coli* O15:H7] *E. coli* O15:H7 and other Shiga [toxin producing *Escherichia coli*] toxin-producing *Escherichia coli* (STEC) infections

Salmonellosis (other than typhoid)

Shigellosis

Yersiniosis

(2) [A case or carrier] An individual infected with or carrying an organism that causes any of the following diseases who is an enrollee or attendee under the age of five or staff member who has contact with children under the age of five in a school, day care facility, camp or other congregate care setting with children under the age of five; or a health care practitioner in a hospital or medical facility who provides oral care shall be excluded until the individual no longer has symptoms and, as determined by the Department, no longer has an illness that is a risk to others. For the exclusion to be terminated, the excluded individual must provide the Department with clinical evidence of the absence of disease, which, as determined by the Department, may include two negative stool samples, taken not less than 24 hours apart and no less than 48 hours after resolution of symptoms, [are submitted to the Department and until determined by the Department to no longer be a risk to others;] provided that, if the individual has received antimicrobial therapy, the first stool sample shall be taken no less than 48 hours after the last dose[;]:

Cholera

[*E. coli* O15:H7] *E. coli* O15:H7 and other Shiga [toxin producing *Escherichia coli*] toxin-producing *Escherichia coli* (STEC) infections

Shigellosis

(3) [A case or carrier] An individual infected with or carrying an organism that causes any of the following diseases who is an enrollee or attendee under the age of five or staff member who has contact with children under the age of five in a school, day care facility, camp or other congregate care setting with children under the age of five;

or a health care practitioner who provides oral care, shall be excluded until the individual no longer has symptoms, unless the Department determines that there is a continuing risk to others:

- Campylobacteriosis
- Salmonellosis (other than typhoid)
- Yersiniosis

(4) [A case or carrier] An individual infected with or carrying an organism that causes any of the diseases listed in this paragraph who is a food handler; an enrollee or attendee under the age of five or staff member who has contact with children under the age of five in a school, day care facility, camp or other congregate care setting with children under the age of five; or a health care practitioner in a hospital or medical facility who provides oral care, shall be excluded until the individual no longer has symptoms and, as determined by the Department, no longer has an illness that is a risk to others. For the exclusion to be terminated, the excluded individual must provide the Department with clinical evidence of the absence of disease, which, as determined by the Department, may include three negative stool samples, taken not less than 24 hours apart and no less than 48 hours after resolution of symptoms, [are submitted to the Department and until determined by the Department to no longer be a risk to others;] provided, however, that, if the individual has received antimicrobial therapy, the first stool sample shall be taken no less than 48 hours after the last dose:

- Amebiasis
- Cryptosporidiosis
- Giardiasis

(5) [A case] An individual, or a household contact of an individual, with Hepatitis A who is a food handler; an enrollee or attendee under the age of five in a school, day care facility, camp or other congregate care setting with children under the age of five; or a health care practitioner in a hospital or medical facility who provides oral care, shall be excluded until determined by the Department to no longer [be] have an illness that is a risk to others.

RESOLVED, that paragraph (5) of subdivision (a) of section 11.21 of Article 11 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to read as follows:

(5) *Reports for children less than five years of age.* When a child less than five years of age has a positive test for tuberculosis infection, the physician who attends the child, or the person in charge of a hospital, dispensary or clinic giving treatment to the child, must submit to the Department reports of all qualitative and quantitative diagnostic tests for tuberculosis infection for such child, including reports of all [blood-based] blood-based tests and [purified protein derivative (PPD) Mantoux tests] tuberculin skin tests (TST) administered using the Mantoux method (including induration where a [PPD] TST is performed); all radiological examinations (including chest x-rays, computerized tomography scans, and magnetic resonance imaging scans); and initiation of treatment for latent tuberculosis infection, in a manner prescribed by the Department.

RESOLVED, that paragraph (1) of subdivision (b) of section 13.03 of Article 13 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to read as follows:

(1) With regard to tuberculosis, reports shall also include all laboratory findings which indicate presumptive or confirmed presence of tuberculosis, the results of smears found positive for acid fast bacilli (AFB), all results including negatives and species identification on samples which had positive smears, all results including negative and indeterminate results of blood-based or other later-developed laboratory [test results positive] tests for tuberculosis infection [for children less than five years of age], all drug susceptibility testing results and all subsequent test results on samples collected within one year from any patient who had a previous positive AFB smear or a positive *Mycobacterium tuberculosis* complex test result (e.g., culture or NAA). Reports shall specify the laboratory methodology used and shall state if applicable whether the specimen was susceptible or resistant to each anti-tuberculosis drug at each concentration tested.

RESOLVED, that paragraph (4) of subdivision (b) of section 13.03 of Article 13 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to read as follows:

(4) If a culture-independent diagnostic test or other laboratory test demonstrates the possible presence of [*Campylobacter*,] *Listeria monocytogenes*, *Salmonella*, *Shigella*, *Vibrio*, or *Yersinia* in a patient specimen, the laboratory must perform, or refer the specimen to another laboratory for performance of, culture on the original specimen to isolate the organism. The culture must be initiated, or the specimen forwarded to another laboratory, within 72 hours of obtaining the positive culture-independent diagnostic test or other laboratory test result. The laboratory that performed the culture-independent diagnostic test or other positive test for one of the listed enteric

pathogens must report the results of the subsequent culture test, whether positive or negative and whether performed by it or another laboratory, to the Department within 24 hours of obtaining the result. The laboratory that performed the culture must submit the resulting isolates, if any, to the Department in a manner and form prescribed by the Department. In the case of Shiga toxin-producing *Escherichia coli*, the laboratory must submit (i) an isolate or (ii) a Shiga toxin-positive broth (if available) and stool to the Department in a manner and form prescribed by the Department.

RESOLVED, that Article 11 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to include a new Section 11.33 to read as follows:

§11.33 Congenital Syphilis

(a) Every physician attending pregnant persons in the City of New York shall in the case of every person so attended take or cause to be taken a sample of blood of such person at 28 weeks of pregnancy, or as soon thereafter as reasonably possible, and in no event later than at 32 weeks of pregnancy, and submit such sample to a laboratory for standard serological testing for syphilis.

(b) Every other person permitted by law to attend pregnant persons in the state, but not permitted by law to take blood tests, shall cause a sample of the blood of any pregnant person under his or her care to be taken by a duly licensed physician at 28 weeks of pregnancy, or as soon thereafter as reasonably possible, and in no event later than at 32 weeks of pregnancy. Such sample shall be submitted to a laboratory for standard serological testing for syphilis.

(c) All syphilis test results, and a treatment plan for persons testing positive, must be prominently recorded in each pregnant person's medical record within one week of receipt of the test results. All test results must be reported to the Department in accordance with the Health Code.

(d) Nothing in this section shall be construed to supplant or otherwise interfere with applicable requirements to perform syphilis testing during pregnancy and at birth pursuant to the New York State Public Health Law and Title 10 of the New York Codes, Rules and Regulations (New York State Sanitary Code), or any successor laws, rules, or regulations.

◀ o15

Notice of Public Hearing and Opportunity to Comment on Proposed Amendments to Article 43 of the New York City Health Code

What are we proposing?

The New York City Department of Health and Mental Hygiene is proposing that the New York City Board of Health amend Article 43 of the New York City Health Code concerning requirements for pre-kindergarten and kindergarten programs of instruction provided for children ages three through five that are located within a school, or that are part of a school. The proposed amendments would align Article 43 child health and safety requirements with those in Article 47. The proposed amendments would also make changes to conform existing rules with recent legislative changes in state and local law, including updated immunization requirements and specifying additional child protections, including from lead-based paint hazards.

When and where is the hearing?

The Department will hold a public hearing on the proposed rule at 9:30AM on November 15, 2019. The hearing will be held in room 3-32 at 42-09 28th Street, Long Island City, New York. This location is wheelchair-accessible.

How do I comment on the proposed rules?

Anyone can comment on the proposed rules via any of the following:

- **Website.** You can submit comments to the Department through the NYC rules website at <http://rules.cityofnewyork.us>
- **Email.** You can email comments to resolutioncomments@health.nyc.gov
- **Mail.** You can mail comments to Roslyn Windholz, Secretary to the Board of Health, New York City Department of Health and Mental Hygiene, 42-09 28th Street, CN-31, Long Island City, NY 11101.
- **Fax.** You can fax comments to the attention of Svetlana Burdeynik at 347-396-6087.
- **By speaking at the hearing.** Anyone who wants to speak on the proposed rule changes at the public hearing must register. You can sign up in advance of the hearing by calling 347-396-6078. You can also sign up at the hearing room before the hearing begins on November 15, 2019. You can speak for up to three minutes.

Is there a deadline to submit comments? Written comments must be received by November 15, 2019, at 5:00 p.m.

What if I need assistance to participate in the hearing?

You must tell us if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 347-396-6078. You must tell us by November 1, 2019.

Can I review the comments made on the proposed rule?

You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public at the Department's Office of the General Counsel, which is located at 42-09 28th Street, Long Island City, New York.

What authorizes the New York City Department of Health and Mental Hygiene to make this rule?

Sections 558 and 1043 of the New York City Charter authorize the Board to make this proposed change to the Health Code. This proposed rule was not included in the Department's regulatory agenda for this fiscal year because it was not contemplated when the Department published the agenda.

Where can I find the New York City Health Code?

The New York City Health Code is located in Title 24 of the Rules of the City of New York and accessible online at the website of the City's official rule publisher: http://www.amlegal.com/codes/client/new-york-city_ny/.

What laws govern the rulemaking process?

The Department and the Board must meet the requirements of § 1043 of the Charter when creating or changing rules. This notice is made according to the requirements of § 1043 of the Charter.

Statement of Basis and Purpose

The New York City Department of Health and Mental Hygiene ("Department") is proposing that the Board of Health ("Board") amend Article 43 of the New York City Health Code ("Health Code"). Article 43 provides health and safety requirements for children ages 3 to 5 attending a kindergarten or pre-K program located within a school or that is part of a school. These programs were previously regulated under Article 47 ("Child Care Programs and Family Shelter-Based Drop-Off Child Supervision Programs") of the Health Code, and were, with certain exceptions, required to hold permits as day care services. Article 43 is intended to supplement regulations in the Health Code that currently apply to all schools. Many of the provisions in Article 43 have not been updated since 2008, whereas Article 47 is and has been far more frequently updated. The proposed amendments would align Article 43 with the more current child health and safety requirements provided in Article 47.

The proposed amendments would also make changes to conform existing rules with recent legislative changes in state and local law, including updated immunization and lead-based paint hazards requirements. On June 13, 2019, NYS Public Health Law § 2164 was amended to remove the exemption from childhood immunization requirements due to religious beliefs. Article 43 (§43.17) of the Health Code is being amended to incorporate this state legislative change. On March 13, 2019, the NYC Council passed multiple amendments to the NYC Administrative Code, which among other things, updated the requirements for conducting an annual survey for lead-based paint hazards for all day care services (See, for example, Local Laws 64, 66, 67 and 71 of 2019). As per Local Law 64 of 2019, "day care service" means "a program or service regulated by articles 43 and 47 of the New York city health code." Accordingly, Article 43 (§43.23) of the Health Code is being amended to incorporate these updated annual survey requirements.

Legal Authority

These amendments to the Health Code are proposed pursuant to §§ 558 and 1043 of the NYC Charter. Sections 558 (b) and (c) of the Charter empower the Board to amend the Health Code and to include in the Health Code all matters to which the authority of the Department extends. Section 1043 grants the Department rule-making authority.

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the text below, unless otherwise specified or unless the context clearly indicates otherwise.

New text is underlined; deleted text is in [brackets].

* * *

RESOLVED, that §§ 43.01, 43.07, 43.11, 43.15, 43.17, 43.19, 43.23 and 43.24 of Article 43 of the New York City Health Code, located in Title 24 of the Rules of the City of New York be amended, and that new §§ 43.14, 43.16, 43.20, 43.22, 43.29 and 43.31 be added, in order to provide additional child health and safety protections and to conform the Health Code with recent changes in state and local law involving immunization requirements and lead-based paint hazards, to be printed together with explanatory notes, to read as follows:

§43.01 Definitions.

When used in this [article] Article:

(g) Imminent or public health hazard means any violation, combination of violations, conditions or combination of conditions occurring in a school making it probable that illness, serious injury or death could occur, or the continued operation of the program could be otherwise detrimental to the health and safety of a child, as determined by the Department. If the hazard cannot be immediately corrected, the Commissioner or designee may order the school to cease operations immediately and to institute such corrective action(s) as may be required by the Department.

§43.07 Written safety plan.

(a) Safety plan required. [Except where a school has established a written safety plan in compliance with applicable State or federal law, every] Every program subject to this Article [shall] must develop, review a written safety plan, which must be reviewed annually and [update,] updated in accordance with changed circumstances, conditions or activities[, a written safety plan]. The safety plan [shall] must be implemented by the person in charge of the program's associated school, used to train staff and volunteers, provided to parents on request, and kept in an accessible location at the school where it may be used by staff for reference[,] and [reviewed] available for review by Department inspectors.

(b) Scope and content. ***

(1) ***

(2) Program operation and maintenance: including, but not limited to:

- (A) schedules and designated staff for facility inspection,
- (B) cleaning and maintenance,
- (C) schedule for boiler/furnace and HVAC system maintenance,
- (D) maintenance of adequate water pressure,
- (E) protection of the potable water supply from submerged inlets and cross-connections in the plumbing system,
- (F) schedule for the annual lead paint survey,
- (G) inspection of window guards,
- (H) indoor and outdoor equipment inspection and replacement schedule,
- (I) evaluation of injury prevention procedures,
- (J) equipment and structures,
- (K) identification of procedures for transportation vehicle maintenance,
- (L) food protection procedures during receipt,
- (M) storage and preparation,
- (N) identity of individuals certified in food protection, and
- (O) schedule for sanitization procedures of food prep areas and identification of approved food sources.

(3) Fire safety:

- (A) evacuation of buildings and property, assembly, supervision, and accounting for children and staff;
- (B) fire prevention;
- (C) coordination with local fire officials;
- (D) fire alarm and detection systems and their operation, maintenance, and routine testing;
- (E) type, location and maintenance of fire extinguishers;
- (F) inspection and maintenance of exits;
- (G) required fire drills and log; and
- (H) electrical safety and
- (I) reporting to the Department within 24 hours any fire of which the Fire Department or other appropriate state or federal government entity is notified, or that damages any facilities, or is threatening to life or health.

(4) ***

(5) Corrective action plans: actions to be taken to protect children on receipt of reports of alleged and confirmed teaching and other staff criminal justice or child abuse histories, or where a failure to maintain adequate supervision results in a lost child incident.

(6) ***

(7) Staff training: new employee orientation; training curricula; procedures for child supervision and discipline; child abuse and neglect recognition and reporting; provision of pediatric first aid and pediatric cardiopulmonary resuscitation, and

other emergency medical assistance; emergency preparedness and response planning for emergencies resulting from natural disasters or a human-caused events, including procedures for evacuation, relocation, shelter-in-place and lockdown, staff and volunteer emergency preparedness training and practice drills, communication and reunification with families, continuity of operations, and accommodation of infants, toddlers, and children with disabilities or chronic medical conditions; prevention of and response to emergencies due to food and allergic reactions; prevention and control of infectious diseases (including immunization); reporting of child injury and illness; fire safety and fire drills; child and staff evacuation procedures; activity specific training for assigned activities; administration of medication, consistent with standards for parental consent; building and physical premises safety, including protection from hazards, bodies of water, and vehicular traffic; handling and storage of hazardous materials and appropriate disposal of biocontaminants; safe transportation of children if applicable; use of safe sleep practices and prevention of sudden infant death syndrome ("SIDS"); prevention of abusive head trauma ("shaken baby syndrome") and child maltreatment; and process to document attendance at staff training. The written safety plan must minimally provide for staff trainings in child abuse, infection and hazard control and emergency procedures as required by § 43.14.

§43.11 Health; staff.

[(a) *Staff to be excluded.* The person in charge of a school shall exclude any staff person from work in accordance with Article 11 of this Code, if such staff person reports having an illness or symptoms of a communicable disease reportable pursuant to Article 11 of this Code. Such staff person shall not be permitted to return to the school without a written statement of recovery from a health care provider if the staff person was a case of measles, mumps, rubella, pertussis (whooping cough), scarlet fever, meningitis (all types), or poliomyelitis, or if the staff person was a case of any other communicable disease reportable pursuant to Article 11.]

(a) Isolation and exclusion pursuant to Article 11 of this Code. The person in charge of a school must isolate and exclude any staff member who is suspected or confirmed with, or has been exposed to, a communicable disease requiring isolation or exclusion under Article 11 of this Code. A staff member who has been excluded must not be permitted to return to the school without a written statement from a health care provider indicating that the staff member is free from such disease in communicable form and that the period of isolation or exclusion required by Article 11 of this Code has ended.

(c) Staff immunizations.

(1) Each staff person and volunteer [shall] must obtain a report from a health care provider who is a licensed physician, nurse practitioner, physician's assistant, or doctor of osteopathy certifying that such person has been immunized [against] with two doses of measles-containing vaccine; two doses of mumps-containing vaccine; one dose of rubella-containing vaccine; two doses of varicella-containing vaccine (chicken pox); [and] one dose of tetanus, diphtheria and acellular pertussis (Tdap) in accordance with recommendations of the CDC Advisory Committee on Immunization Practices (ACIP) or other nationally recognized evidence-based guidelines. Persons born on or before December 31, 1956 are not required to have measles, mumps or rubella vaccines. A history of having health care provider documented varicella or herpes zoster disease [shall be accepted] is acceptable in [lieu] place of varicella vaccine. A history of having measles, mumps or rubella disease shall not be substituted for the measles, mumps or rubella vaccine. A laboratory test demonstrating detectable varicella, measles, mumps, or rubella antibodies [shall] is also [be accepted] acceptable in [lieu] place of varicella, measles, mumps and rubella vaccine. [An employee] A staff person or volunteer may be exempted from this immunization requirement for recognized medical contraindications as provided by ACIP or other nationally recognized evidence-based guidelines, upon submission of appropriate documentation from a physician licensed [physician] in the State of New York.

(2) Each staff person and volunteer [shall] must submit such report of immunization to the person in charge of a school where he or she is employed or volunteers. Reports of immunizations shall be confidential and [shall] must be kept by the person in charge of a school in a paper or electronic file with other staff and volunteer health information, except that such reports [shall] must be made available to the Department upon request.

(3) No principal, teacher, owner, or person in charge of a school shall permit any staff member or volunteer to attend such school without appropriate documentation of the immunizations required by paragraph (1) of this subdivision.

§43.14 Staff trainings.

In addition to the trainings required by §43.07(b)(7), all teaching and

supervisory staff must complete the following trainings. Certificates of completion of all training required pursuant to this section must be kept on-site and made available to the Department upon request.

(a) *Child abuse, maltreatment, and neglect.* All teaching and supervisory staff must receive at least 2 hours of training every 24 months in preventing, identifying and reporting child abuse, maltreatment and neglect, and as required under applicable state law. Such training must be provided by a New York State Office of Children and Family Services-certified trainer. New teaching and supervisory staff must receive such training within 3 months of hire or on the effective date of this rule, whichever is later. Training completed while employed at a different program holding a notice under this Article shall count for purposes of compliance with this paragraph.

(b) *Infection control, administration of medication, protection from hazards and additional safety topics.* Within 3 months of hire or on the effective date of this rule, whichever is later, all teaching and supervisory staff must receive training in infection control, reporting infectious diseases; administration of medication; handling and storage of hazardous materials; appropriate disposal of bio-contaminants; building and physical premises safety, including protection from hazards, bodies of water, and vehicular traffic; and, if applicable, safe transportation of children. Training completed while employed at a different program holding a notice under this Article shall count for purposes of compliance with this paragraph.

(c) *Emergency procedures.* Within 3 months of hire or on the effective date of this rule, whichever is later, all teaching and supervisory staff must receive training in the emergency procedures contained in the approved written safety plan, including:

- (1) Loss of a child;
- (2) Situation requiring lockdown;
- (3) Gas, electrical, sewer, or water main break; and
- (4) Extreme weather.

§43.15 Corrective action plan.

(a) ***

- (1) ***
- (2) ***

(3) When required by the Department, if the person in charge of a school has been cited for violations or conditions deemed imminent or public health hazards, or if there has been a history of failure to comply with applicable provisions of this Code, to demonstrate that the person in charge of a school is able and willing to correct such violations or conditions.

(b) *Contents of corrective action plan.* A corrective action plan [shall] must assess the risk to children in the school, and [shall] must clearly and convincingly demonstrate that such person or condition presents no danger to any child, or other persons. The plan [shall] must include, but need not be limited to, consideration of the following factors:

(c) *Available for Department inspection.* Corrective action plans [shall] must be maintained on-site by the person in charge of a school and [made available] submitted to the Department [for inspection upon request] within 5 business days of discovery of the condition to be corrected.

§43.16 Food service.

(a) School programs that prepare and/or process food for service to children in their care must maintain a food service establishment permit issued in accordance with § 81.05 of this Code.

(b) All food must be stored, prepared and served to children in accordance with the requirements of Article 81 of this Code.

(c) The school must designate as a supervisor of food service operations a person who has a certificate in food protection in accordance with § 81.15(a) of this Code. Such food protection certificate holder must be on-site to supervise all food storage, preparation, cooking, holding and cleaning activities, whenever such activities are in progress.

(d) Food supplied to children must be wholesome, of good quality, properly prepared, age-appropriate in portion size and variety and served at regular hours at appropriate intervals.

(e) Single-use polystyrene (foam) food containers, such as cups and plates, are prohibited.

§43.17 Health; children's examinations and immunizations.

(a) ***

- (1) ***

(2) Immunizations.

(A) (i) All children [shall] must be immunized against diphtheria, tetanus, pertussis, poliomyelitis, measles, mumps, rubella, varicella, hepatitis B, pneumococcal disease and haemophilus influenzae type b (Hib), in accordance with New York State Public Health Law § 2164, or successor law. Exemption from specific immunizations may be permitted if the immunization may be detrimental to the child's health [or on religious grounds], in accordance with New York State Public Health Law § 2164. [In addition, there shall be a 90-day grace period after admission for children who are either homeless, as defined by Section 11434a of Chapter 119 of Title 42 of the United States code, or in foster care, to obtain the required immunizations.] Documentation of

immunizations and exemptions must be kept on-site and made available to the Department immediately upon request. (ii) No principal, teacher, owner, or person in charge of a school shall permit any child to attend such school without appropriate documentation of the immunizations required pursuant to clause (i) of this subparagraph, except as provided for in this subdivision or pursuant to New York State Public Health Law § 2164, or successor law. (B) (i) Children aged from 6 months to 59 months [shall] must be immunized each year before December 31 against influenza with a vaccine approved by the U.S Food and Drug Administration as likely to prevent infection for the influenza season that begins following July 1 of that calendar year, unless the vaccine may be detrimental to the child's health, as certified by a physician licensed [to practice medicine in this state, or the parent, parents, or guardian of a child hold genuine and sincere religious beliefs which are contrary to the practices herein required] in the State of New York. The principal or person in charge of a school may require additional information supporting [either] the exemption request.

(ii) Except where prohibited by law, the principal or person in charge of a school may after December 31 refuse to allow any child to attend such school without acceptable evidence of the child meeting the requirements of clause (i) of this subparagraph. A parent, guardian, or other person in parental relationship to a child denied attendance by a principal or person in charge of a school may appeal by petition to the commissioner. A child who first enrolls in a school after June 30 of any year is not required to meet the requirements of clause (i) of this paragraph for the flu season that ends before July 1 of that calendar year.

[(C)] (C) In addition, for children who are either homeless, as defined by section 11434a of Chapter 119 of Title 42 of the United States Code, or in foster care, there shall be a 90-day grace period to obtain the required immunizations after enrollment.

(D) A school that fails to maintain documentation showing that each child in attendance has either received each vaccination required by this subdivision, or is exempt from such a requirement, pursuant to paragraph A or B of this subdivision or eligible for the grace period specified in paragraph C of this subdivision, will be subject to fines for each child not meeting such requirements, as provided for under this Code.]

[(E)] (C) All children [shall] must have such additional immunizations as the Department may require.

(D) The principal, owner, or person in charge of a school must report to the Department all requests for exemption made pursuant to subparagraphs (A) or (B) of paragraph (2) of this subdivision in a manner and form prescribed by the Department. Upon submission of an exemption request and pending Department determination, the child may attend school. If upon review of the documents submitted and any additional documentation provided to the Department, the Department determines that the exemption request is not valid insofar as it is not in accordance with ACIP guidelines or other nationally-recognized evidence-based guidelines, the person in charge of a school must not allow the child to attend the school without documentation that such child has received the immunizations required pursuant to clause (i) of subparagraph (A) of paragraph (2) of this subdivision.

§43.19 Health; daily requirements; communicable diseases.

[(f) Exclusions pursuant to Article 11 of this Code. The person in charge of a school shall exclude a child who is a case, contact, or carrier of a communicable disease if the child is required to be isolated or excluded by Article 11 of this Code. Such child shall not be permitted to return to the school without a written statement of recovery from a health care provider if the child was a case of measles, mumps, rubella, pertussis (whooping cough), scarlet fever, meningitis (all types), or poliomyelitis, or if the child was a case, carrier, or contact of any other communicable disease reportable pursuant to Article 11 of this Code. The statement shall indicate that the child is free from such disease in communicable form and that the period of isolation or exclusion required by Article 11 of this Code has ended.]

[(f) Isolation and exclusion pursuant to Article 11 of this Code. The person in charge of a school must isolate or exclude any child who is suspected or confirmed with, or has been exposed to, a communicable disease requiring isolation or exclusion under Article 11 of this Code. A child who has been excluded must not be permitted to return to the school without a written statement from a health care provider indicating that the child is free from such disease in communicable form and that the period of isolation or exclusion required by Article 11 of this Code has ended.]

§43.20 Personal hygiene practices; staff and children.

- (a) Hand washing. Staff and children must wash hands before and after toileting or diaper changes, after contact with a child in ill health, and prior to handling or preparing any food and after playing outdoors.
- (b) Signs. Hand washing signs provided by or approved by the Department must be prominently posted in each lavatory and by each sink.
- (c) Individual personal care. Hair brushes or cloth towels must not be provided for use. If toothbrushes, combs, or washcloths are provided, each child must have items for his/her exclusive use and they must be stored in an individually-labeled container.
- (d) Changes of clothing. At least one change of weather-appropriate clothing must be available so that any child who soils clothing may receive a change. Soiled clothing and cloth diapers must be handled in a manner that protects occupants from exposure to wastes and maintains an appropriately sanitary environment.
- (e) Bathing. Children must not be bathed on premises except that they must be washed in case of accidents.
- (f) Safety precautions relating to blood. Schools must implement the following safety precautions for all staff having any exposure to or contact with blood:
 - (1) Disposable gloves must be immediately available and worn whenever there is a possibility for contact with blood, including but not limited to:
 - (A) Changing diapers where there is blood in the stool;
 - (B) Touching blood or blood-contaminated body fluids;
 - (C) Treating cuts that bleed; and
 - (D) Wiping surfaces stained with blood.
 - (2) In an emergency, a child's safety and well-being must take priority. A bleeding child shall not be denied care because gloves are not immediately available.
 - (3) Disposable gloves must be discarded after each use.
 - (4) If blood is touched accidentally, exposed skin must be thoroughly washed with soap and running water.
 - (5) Clothes contaminated with blood must be placed in a securely tied plastic bag and returned to the parent at the end of the day.
 - (6) Surfaces that have been blood stained must be cleaned and disinfected with a germicidal solution.
- (g) Smoking prohibited. There must be no smoking of tobacco or other substances, or use of e-cigarettes, in any indoor or outdoor area of any premises on which a program is located.

§43.22 Fire safety.

- (a) All exits must have clear and legible illuminated exit signs. All exit signs and emergency lighting must be maintained in working condition.
- (b) Programs must have approved fire extinguishers in good working order and have them inspected as required by the Fire Department.
- (c) Fire drills must be conducted monthly and logged. Such logs must be kept on-site and made available to the Department and the Fire Department upon request.
- (d) Heating apparatuses must be equipped with adequate protective guards. Space heaters are prohibited.
- (e) Premises must be free of electrical, chemical, mechanical and all other types of hazards.
- (f) Smoke and carbon monoxide detectors with audible alarms must be provided in accordance with applicable law or as required by the Department or the Fire Department and maintained in working condition.

§43.23 Lead-based paint restricted.

- (a) Applicability. This section [shall apply] applies to all rooms and areas in a school facility that are occupied by children [under six years of age], or to which such children have access.
- (b) Peeling lead-based paint prohibited.

(1) ***

(2) ***

(3) When there has been an order to abate or remediate lead-based paint hazards issued by the Department, the owner of the building in which the program is located must use only the methods specified in such order.

- (A) After such order has been served by the Department, the owner or person in charge of a school must post the notices required by § 173.14 (e)(1)(A) of this Code at or near the entrance of the facility.
- (B) The owner or person in charge of a school must comply with the requirements of the order within 21 days after service of the order. Where compliance with the time period requirements of this subdivision would cause undue hardship and the owner or person in charge of a school demonstrates a good faith effort to timely comply, such as by showing that it has taken steps to remediate, including by retaining a contractor to conduct the remediation, and demonstrates to the satisfaction of the Department that it is maintaining adequate controls to protect children from a lead-based paint hazard, the Department may, at its discretion, extend the time period for compliance.

[(3)] (4) Children [shall] must not be [present] in [and shall not] nor have access to any room or area undergoing abatement, remediation or other work which disturbs lead-based paint or paint of unknown lead content until after completion of final clean-up and clearance dust testing.

[(4)] (5) The work practices of §173.14 of this Code shall not apply to repair and maintenance work which disturbs surfaces of less than two (2) square feet of peeling lead-based paint per room or ten (10) percent of the total surface area of peeling paint on a type of component with a small surface area, such as a window sill or door frame.

(d) ***

(e) Annual survey. [Each] At least once each year, the owner or person in charge of a school [shall] must conduct a survey of the condition of surfaces in classrooms[, where the surfaces of such classrooms] or other areas used by children [under six years of age] that are covered with lead-based paint or paint of unknown lead content. Survey results [shall] must be recorded on a form provided or approved by [or satisfactory to] the Department[, and copies of survey results shall be provided to the Department upon request]. The survey form must include, but need not be limited to, the following: the date of the survey; a description of, and the location of, each surface surveyed and remediation status, if applicable.

(1) Within 30 days of completion of such survey, the annual survey results must be submitted to the Department. Copies of such survey results may be submitted to the Department by mail, fax or electronically.

(2) Within 30 days of submitting to the Department, the school must notify the parent or guardian of each child attending the program of the results of the annual survey. Such notice may be provided electronically if the permittee routinely communicates with parents or guardians electronically and may refer to detailed results on a website if such results are maintained there. The school must maintain documentation indicating the date on which such notice was provided. A copy of the notice and proof of the date when such notification was made must be made available to the Department immediately upon request.

§43.24 Physical facilities.

(c) All items of large furniture and all electronic appliances capable of being tipped over due to design, height, weight, stability or other features must be secured to the floors or walls of such facility, using angle-braces, anchors or other anchoring devices. Any item of furniture or electronic device which cannot be so anchored must be removed from the facility.

§43.29 Closing and enforcement.

(a) Imminent or public health hazards. If the Department determines that a program is being operated in a manner that may reasonably give rise to an imminent or public health hazard as defined in § 43.01, or is maintaining one or more conditions that constitute an imminent or public health hazard, or that its operation otherwise presents an unreasonable risk of endangering the health or safety of children or other persons, the Commissioner may order such program to close and to discontinue operations if the program is unable to correct the hazard, without further proceedings, by service of an order upon the school, or person(s) or entity managing or in control of such program. An order issued pursuant to this section will provide the school, or person(s) or entity in control, an opportunity to be heard and to show cause why such program should not remain closed.

(b) The Commissioner may require any school that consistently fails to correct or repeats violations to prepare a corrective action plan in which factors contributing to violations are analyzed and a plan is created to address and correct violations to prevent their recurrence.

(c) Additional operating terms and conditions authorized. The Department may authorize the reopening of a program that has been ordered closed upon its determination that continuing operation will not present any unreasonable risk to any person and may impose such additional conditions upon reopening and continuing operation that it deems appropriate.

(d) Service of orders. Service of any order issued pursuant to this Article may be made upon any person to whom the order is addressed, to the person in charge of a school, to a person or entity that owns or operates the school, or upon any other person of suitable age and discretion who is asserting ownership, management or control of such program. Service of any order may be made in any manner provided in § 3.05(b) of this Code, or successor provision, and may be delivered to an owner or operator's home, or business address of the school listed in the notice submitted to the Department, or at the place where the program is being operated.

(e) Posting orders to close; notifying parents. Upon issuing an order to close a program for any reason, the Department will post a copy of the closing order at the entrance to the premises subject to such order and will notify and provide a copy of the closing order to the parents or other persons who arrive at the program to pick up children attending the program.

(f) Operation in violation of order prohibited. No person can remove

an order posted pursuant to this section, or open to the public or operate a program in violation of an order issued pursuant to this section.

(g) Department authority not limited by this section. Nothing in this Article can be construed to limit the authority of the Department to take any authorized action it deems appropriate in the protection of children or staff participating in a program subject to this Article, including issuance of summonses seeking monetary penalties for violations cited by the Department, or commencing actions concerning the ongoing ability to operate such a program.

§43.31 Construction and severability.

This Article must be liberally construed for the protection of the health of children attending programs regulated by this Article. If any provision of this Article is adjudged invalid by any court of competent jurisdiction, such judgment shall not affect or impair the validity of the remainder of this Article.

Notes: The Department proposes that the Board of Health amend Article 43 to provide additional child health and safety protections for children attending pre-kindergarten and kindergarten programs, including by aligning Article 43 with child health and safety requirements in Article 47 of the Health Code, as well as to conform Article 43 with recent legislative changes in state and city law, including changes to immunization and lead-based paint requirements and revising certain language to provide greater clarity and in order to remove inadvertent prior inclusions.

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

CERTIFICATION/ANALYSIS PURSUANT TO CHARTER SECTION 1043(d)

**RULE TITLE: Amendment of Health and Safety Requirements
for Kindergarten and Pre-Kindergarten
Programs (Health Code Article 43)**

REFERENCE NUMBER: DOHMH-106

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

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because the violations pose significant risks to public health and safety.

/s/ Francisco X. Navarro
Mayor's Office of Operations

September 30, 2019
Date

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

CERTIFICATION PURSUANT TO CHARTER §1043(d)

**RULE TITLE: Amendment of Health and Safety Requirements for
Kindergarten and Pre-Kindergarten Programs (Health
Code Article 43)**

REFERENCE NUMBER: 2019 RG 079

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

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;

- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN L. GOULDEN
Acting Corporation Counsel

Date: September 30, 2019

Accessibility questions: Svetlana Burdeynik (347) 396-6078,
ResolutionComments@health.nyc.gov, by: Friday, November 1, 2019,
5:00 P.M.



o15

Notice of Public Hearing and Opportunity to Comment on Proposed Amendments to Article 47 of the New York City Health Code

What are we proposing?

The New York City Department of Health and Mental Hygiene is proposing that the New York City Board of Health amend requirements for child care and family shelter-based drop-off child supervision programs in Article 47 of the New York City Health Code. The proposed amendments would align with recent changes to both the New York State Public Health Law eliminating religious exemptions for vaccinations, and to the New York City Administrative Code, concerning annual surveys and remediation of lead-based paint hazards. Changes are also being proposed in response to other recent local legislation prohibiting use of crib bumper pads and to require anchors for furniture that could topple over. Other changes are being proposed to require child-to-staff ratios consistent with those in the federal Head Start program, as well as to provide greater clarity and to modify several provisions which were inadvertently included in earlier amendments.

When and where is the hearing?

The Department will hold a public hearing on the proposed rule at 9:30AM on November 15, 2019. The hearing will be held in room 3-32 at 42-09 28th Street, Long Island City, New York. This location is wheelchair-accessible.

How do I comment on the proposed rules?

Anyone can comment on the proposed rules via any of the following:

- **Website.** You can submit comments to the Department through the NYC rules website at <http://rules.cityofnewyork.us>
- **Email.** You can email comments to resolutioncomments@health.nyc.gov
- **Mail.** You can mail comments to Roslyn Windholz, Secretary to the Board of Health, New York City Department of Health and Mental Hygiene, 42-09 28th Street, Room 14-38, Long Island City, NY 11101.
- **Fax.** You can fax comments to the attention of Svetlana Burdeynik at 347-396-6087.
- **By speaking at the hearing.** Anyone who wants to speak on the proposed rule changes at the public hearing must register. You can sign up in advance of the hearing by calling 347-396-6078. You can also sign up at the hearing room before the hearing begins on November 15, 2019. You can speak for up to 3 minutes.

Is there a deadline to submit comments?

You may submit comments up until and through the day of the hearing.

Do you need assistance to participate in the hearing?

You must tell the Department's Office of General Counsel if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the above address. You may also tell us by telephone at 347-396-6078. You must tell us by November 1, 2019.

Can I review the comments made on the proposed rule?

You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public at the Department's Office of the General Counsel, which is located at 42-09 28th Street, Long Island City, New York.

What authorizes the New York City Department of Health and Mental Hygiene to make this rule?

Sections 558 and 1043 of the New York City Charter authorize the Board to make this proposed change to the Health Code. This proposed rule was not included in the Department's regulatory agenda for this fiscal year because it was not contemplated when the Department published the agenda.

Where can I find the New York City Health Code?

The New York City Health Code is located in Title 24 of the Rules of the City of New York and accessible online at the website of the City's

official rule publisher: http://www.amlegal.com/codes/client/new-york-city_ny/.

What laws govern the rulemaking process?

The Department and the Board must meet the requirements of § 1043 of the Charter when creating or changing rules. This notice is made according to the requirements of § 1043 of the Charter.

Statement of Basis and Purpose

The New York City Department of Health and Mental Hygiene ("Department") is proposing that the New York City Board of Health ("Board") amend Article 47 of the New York City Health Code ("Health Code"). The proposed amendments would align the Health Code with recent legislative changes to the New York State Public Health Law and New York City Administrative Code. On June 13, 2019, NYS Public Health Law § 2164 was amended to remove the exemption from childhood immunization requirements due to religious beliefs. Article 47 (§ 47.25) of the Health Code is being amended to incorporate this change. On March 13, 2019, the NYC Council passed multiple amendments to the NYC Administrative Code, which among other things, updated the requirements for conducting an annual survey for lead-based paint hazards for all day care services (See Local Laws 64, 66, 67 and 71 of 2019). As per Local Law 64 of 2019, "day care service" means "a program or service regulated by articles 43 and 47 of the New York city health code." Accordingly, Article 47 (§47.63) of the Health Code is being amended to incorporate these updated annual survey requirements. Changes to the Health Code are also being proposed in response to other recent local legislation prohibiting use of crib bumper pads and to require anchors for furniture that could topple over. Other changes are being proposed, for example, for child-to-staff ratios to be consistent with those in the federal Head Start program, as well as to provide greater clarity and to remove text which was inadvertently included in prior amendments.

Legal Authority

These amendments to the Health Code are proposed pursuant to §§ 558 and 1043 of the NYC Charter. Sections 558 (b) and (c) of the Charter empower the Board to amend the Health Code and to include in the Health Code all matters to which the authority of the Department extends. Section 1043 grants the Department rule-making authority.

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the text below, unless otherwise specified or unless the context clearly indicates otherwise.

New text is underlined; deleted text is in [brackets].

* * *

RESOLVED, that §§ 47.07, 47.13, 47.19, 47.23, 47.25, 47.27, 47.29, 47.33, 47.37, 47.55, 47.61, 47.63 and 47.67 of Article 47 of the New York City Health Code, located in Title 24 of the Rules of the City of New York, be amended to provide additional child protections and to conform the Health Code with recent changes in state and local law including immunization requirements and lead-based paint hazards, to be printed together with explanatory notes, to read as follows:

§ 47.07 Permit: required approvals and clearances.

No permit shall be issued unless the permit applicant has obtained and submitted to the Department:

(c) *Criminal justice and child abuse screening.* Documentation satisfactory to the Department that the permit applicant has submitted all necessary forms and requests for all persons requiring criminal justice and [State Central Registry of Child Abuse and Maltreatment] Statewide Central Register of Child Abuse and Maltreatment (SCR) screening in accordance with Section 47.19 of this [Code] Article. Such documentation [shall] must be kept on site and made available to the Department upon request.

§ 47.13 Teaching staff qualifications and coverage in child care programs.

(b) *Pending certifications.* A permittee may temporarily employ an education director or group teacher whose application for certification is fully submitted and pending certification by the State Education Department or other accreditation organization or whose study plan for obtaining certification is fully submitted and pending approval by the Department, provided that the permittee has complied with criminal justice and [State Central Registry of Child Abuse and Maltreatment] Statewide Central Register of Child Abuse and Maltreatment (SCR) screening requirements for staff set forth in this Article. No individual qualifying as an education director under this subsection may serve in that capacity with a pending certification for a total of more than [six] 6 months. All relevant documentation [shall] must be kept on site and made available to the Department upon request.

(c) *Education director.* Except as provided in Sections 47.15 or 47.17, every child care program [shall] must designate a certified group teacher as the education director, who shall be in charge of staff training, educational and child development programs and shall

supervise all teaching staff at each permitted child care program. An education director [can] may serve in such capacity for a maximum of two programs, and only if such programs are co-located and operated by the same legal entity.

(1) *Coverage for education director.* Except as provided herein, a program's education director must be on site at all times while the program is caring for one or more children. At any time when the education director is not on the premises to supervise a child care program, the permittee [shall] must designate an individual to act as education director. Except as provided in Section 47.15 or 47.17, such individual [shall] must be a certified group teacher or a group teacher whose application for certification is fully submitted and pending certification by the State Education Department or other accreditation organization, or whose application for certification is fully submitted and pending approval by the Department, provided that the permittee has complied with criminal justice and [State Central Registry of Child Abuse and Maltreatment] SCR screening requirements for staff set forth in this Article. In addition, the permittee must notify the Department in writing within [five] 5 business days of the separation from service of the education director. When the education director is separated from service or will be on leave for more than [five] 5 business days, the permittee must notify teaching staff and the Department in writing of the certified teacher who has been designated as education director and make this written communication available to the Department for inspection upon request.

§ 47.19 Criminal justice and child abuse screening of current and prospective personnel; reports to the Department.

(c) ***

(1) ***

(A) ***

(B) ***

[(2)] (C) the permittee has ensured that the individual [shall] must be continuously supervised by a satisfactorily screened staff member with authority to intervene in the actions of such individual. For all employees, the permittee [shall] must request a new report from the SCR every [two] 2 years. All documents obtained in accordance with the requirements of this section, along with any required English language translations, [shall] must be kept on site and made available to the Department upon request.

§ 47.23 Supervision; staff/child ratios and group size.

(f) *Minimum staff/child ratios.*

(1) The staff of a child care program for purposes of staff/child ratios [shall] must include only the teaching staff.

The minimum ratios of staff to children in a child care program [shall] must be as follows:

AGE OF CHILDREN	MINIMUM STAFF/CHILD RATIO	MAXIMUM GROUP SIZE per room/area separated from other rooms/areas by a physical barrier
under 12 months	1:4 or 1:3	8 [per room/area separated from other rooms/areas by a physical barrier]
12 to 24 months	1:5	10
2 years to under 3	1:6	12
3 years to under 4	1:10	[15] 17
4 years to under 5	1:12	20
5 years to under 6	1:15	25

§47.25 Health; children's examinations and immunizations.

(a) *Required examinations, screening and immunizations.*

(1) *Physical examinations and screening.* Prior to admission[, or within 90 days after admission for children who are either homeless, as defined by section 11434a of Chapter 119 of Title 42 of the United States Code, or in foster care,] all children [shall] must receive a complete age appropriate medical examination, including but not limited to a history, physical examination, developmental assessment, nutritional evaluation, lead poisoning screening, and, if indicated, screening tests for dental health, tuberculosis, vision, and anemia.

(2) *Immunizations.*

(A) (i) All children [shall] must be immunized against diphtheria, tetanus, pertussis, poliomyelitis, measles, mumps, rubella, varicella, hepatitis B, pneumococcal disease and haemophilus influenzae type b (Hib), in accordance with New York State Public Health Law § 2164, or successor law. Exemption from specific immunizations may be permitted if the immunization may be detrimental to the child's health [or on religious grounds], in accordance with New York State

Public Health Law § 2164. [In addition, there shall be a 90-day grace period after admission for children who are either homeless, as defined by section 11434a of Chapter 119 of Title 42 of the United States Code, or in foster care, to obtain the required immunizations.] Documentation of immunizations and exemptions [shall] must be kept on site and made available to the Department immediately upon request [except as otherwise required by law].

(ii) No permittee shall permit any child to attend such program without appropriate documentation of the immunizations required pursuant to clause (i) of this subparagraph, except as provided for in this subdivision or pursuant to New York State Public Health Law § 2164 or successor law.

(B) (i) Children aged from 6 months to 59 months [shall] must be immunized each year before December 31 against influenza with a vaccine approved by the U.S. Food and Drug Administration as likely to prevent infection for the influenza season that begins following July 1 that calendar year, unless the vaccine may be detrimental to the child's health, as certified by a physician licensed to practice medicine in this state[, or the parent, parents or guardian of a child hold genuine and sincere religious beliefs which are contrary to the practices herein required] or the state in which the child resides. The permittee may require additional information supporting [either exemption] such request for exemption, including proof that the child is currently in the care of the physician supporting the request.

(C) ***

(D) ***

(E) All children must have such additional immunizations as the Department may require.

(F) The permittee must report to the Department all requests for exemption made pursuant to subparagraphs (A) or (B) of paragraph (2) of this subdivision in a manner and form prescribed by the Department. Upon submission of an exemption request and pending Department determination, the child may attend the child care program. If upon review of the documents submitted and any additional documentation provided to the Department, the Department determines that the exemption request is not valid insofar as it is not in accordance with the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices (ACIP) guidelines or other nationally recognized evidence-based guidelines, the permittee or person in charge of a child care program must not allow the child to attend the program without documentation that such child has received the immunizations required pursuant to clause (i) of subparagraph (A) of paragraph (2) of this subdivision.

§ 47.27 Health; daily requirements; reports of absences; communicable diseases.

(c) *Management of ill children and reporting.*

(1) ***

[(2)] All health care provider diagnoses pursuant to Article 11 of this Code shall be reported to the Department by the permittee.]

[(3)] (2) The Department [shall] must be notified by the permittee within 24 hours of the occurrence of a death or serious injury to a child while in the care or supervision of the program.

[(4)] (3) When any child is unexpectedly absent from the program, the permittee [shall] must notify the child's parent of the absence by telephone, text or e-mail message or other means of immediate communication within one hour of the child's scheduled time of arrival and [shall] must maintain a record of having made such notification and the information obtained in the log required by § 47.29(d) of this Code.

[(f)] Exclusions pursuant to Article 11 of this Code. The permittee shall exclude a child who is a case, contact, or carrier of a communicable disease if the child is required to be isolated or excluded by Article 11 of this Code. Such child shall not be permitted to return to the program without a written statement of recovery from a health care provider if the child was a case of measles, mumps, rubella, pertussis (whooping cough), scarlet fever, meningitis (all types), or poliomyelitis, or if the child was a case, carrier, or contact of any other communicable disease reportable pursuant to Article 11 of this Code. The statement shall indicate that the child is free from such disease in communicable form and that the period of isolation or exclusion required by Article 11 of this Code has ended.]

(f) Isolation and exclusion pursuant to Article 11 of this Code. The permittee must isolate or exclude any child, staff or volunteer who is suspected or confirmed with, or has been exposed to, a communicable disease requiring isolation or exclusion under Article 11 of this Code. A child, staff or volunteer who has been excluded must not be permitted to return to the child care program without a written statement from a health care provider indicating that the child, staff member or volunteer is free from such disease in communicable form and that the period of isolation or exclusion required by Article 11 of this Code has ended. Any child, staff or volunteer isolated or excluded pursuant to this subdivision must be reported to the Department.

§ 47.29 Health; emergencies.

(b) ***

(1) ***

(2) Where a parent has provided a written, individualized health care plan indicating the specific medications that can be administered and the schedule of such administration(s) for their child, including in cases of emergency, and there is a direct conflict between such plan and any provision of this section, [nm] the permittee [shall] must follow the child's individualized health care plan.

§47.33 Health; staff.

(c) *Staff and volunteer immunizations.* (1) Each staff [person] and volunteer [shall] must obtain a report from a health care provider who is a licensed physician, nurse practitioner, physician's assistant, or doctor of osteopathy certifying that such person has been immunized [against] with 2 doses of measles-containing vaccine; 2 doses of mumps-containing vaccine; 1 dose of rubella-containing vaccine; 2 doses of varicella-containing vaccine (chicken pox); [and] 1 dose of tetanus, diphtheria and acellular pertussis (Tdap). Persons born on or before December 31, 1956 are not required to have measles, mumps or rubella vaccines. A history of having health care provider documented varicella or herpes zoster disease [shall be] is [accepted] acceptable in [lieu] place of varicella vaccine. A history of having measles, mumps or rubella disease shall not be substituted for the measles, mumps or rubella vaccine. A laboratory test demonstrating detectable varicella, measles, mumps, or rubella antibodies is also acceptable [shall also be accepted] in [lieu] place of varicella, measles, mumps and rubella vaccine. [An employee] A staff or volunteer may be exempted from this immunization requirement for [ACIP-recognized] medical contraindications in accordance with ACIP or other nationally recognized evidence-based guidelines upon submission of appropriate documentation from a treating licensed physician. Each staff [person] and volunteer [shall] must submit such report of immunization to the permittee.

(2) Reports of immunizations shall be confidential and [shall] must be kept by the permittee in a paper or electronic file with other staff and volunteer health information, except that such reports [shall] must be made available to the Department immediately upon request. Documentation of exemption from immunization [shall] must also be kept on site and made available to the Department immediately upon request.

(3) No permittee or person in charge of a child care program shall permit any staff or volunteer to attend such program without appropriate documentation of the immunizations required pursuant to paragraph (1) of this subdivision.

§47.37 Training.

(b) ***

(1) *Child abuse, maltreatment[,], and neglect.* All [teaching] staff [and shelter child supervision staff shall] must receive at least [two] 2 hours of training every 24 months in preventing, identifying, and reporting child abuse, maltreatment[,], and neglect, and requirements of applicable statutes and regulations. Such training [shall] must be provided by a New York State Office of Children and Family Services-certified trainer. New teaching and shelter child supervision staff [shall] must receive such training within [three] 3 months of hire or of the effective date of this rule, whichever is later. Training completed while employed at a different program holding a permit under this Article shall count for purposes of compliance with this subsection. Certificates of completion of all training required pursuant to this subsection [shall] must be kept on site and made available to the Department upon request.

§47.55 Equipment and furnishings.(a) *Furnishings.*

(1) Tables, chairs, furniture and equipment [shall] must be age and size appropriate, finished with non-toxic surface coverings, easily cleanable, and cleaned and sanitized as needed, in a manner consistent with the health and safety of the children in the program.

(2) All items of large furniture and all electronic appliances capable of being tipped over due to design, height, weight, stability or other features must be secured to the floors or walls of such facility, using angle-braces, anchors or other anchoring devices. Any item of furniture or electronic device which cannot be so anchored must be removed from the child care facility.

§47.61 Food and food safety.

(i) Bottles shall not be propped or kept by children while sleeping. [No Styrofoam cups shall be used by children two years or younger.]

(j) There must be no single use food service articles consisting of expanded polystyrene, such as foam containers, cups or plates, in the child care facility.

[(j)] (k) The food service at a night child care program shall be provided as follows:

§47.63 Lead-based paint restricted.

(a) ***

(1) ***

(2) ***

(3) When there has been an order to abate or remediate lead-based paint hazards issued by the Department, the permittee, or the owner of the building in which the program is located [shall] must use only the methods specified in such order.

(A) After such order has been served by the Department, the permittee must post the notices required by § 173.14(e)(1)(A) of this Code at or near the entrance of the facility.

(B) The permittee must comply with the requirements of the order within 21 days after service of the order. Where compliance with the time period requirements of this subdivision would cause undue hardship and the permittee demonstrates a good faith effort to timely comply, such as by showing that it has taken steps to remediate, including by retaining a contractor to conduct the remediation, and demonstrates to the satisfaction of the Department that it is maintaining adequate controls to protect children from a lead-based paint hazard, the Department may, at its discretion, extend the time period for compliance.

(e) *Annual survey.* [Each] At least once each year, the permittee operating a program in which any surfaces are covered with lead-based paint or paint of unknown origin [shall] must conduct a survey of the condition of all such surfaces[.]. The permittee must note the results of the survey on a form provided by or [satisfactory to] approved by the Department [, and]. The survey form must include, but need not be limited to, the following: the date of the survey; a description of, and the location of, each surface surveyed and remediation status, if applicable. The permittee [shall] must provide a copy of the survey results to the Department [a copy of the results of such survey].

(1) Submission of such survey to the Department [shall] must be on or before the permit issuance date, or the anniversary thereof.

(2) Copies of such survey results may be submitted to the Department by mail, fax or electronically.

(3) Within 30 days of submitting the annual survey results to the Department, the permittee must notify the parent or guardian of each child attending the program of the results of the annual survey. Such notice may be provided electronically if the permittee routinely communicates with parents or guardians electronically and may refer to detailed results on a website if such results are maintained there. The permittee must maintain documentation on premises indicating the date on which such notice was provided. A copy of the notice and proof of the date when such notification was made must be made available to the Department immediately upon request.

§47.67 Child development policies, activities, rest periods and clothing.

(f) *Safe sleep environment for infants.*

(1) An infant/toddler child care program or family shelter-based drop-off child supervision program providing services to infants or toddlers must provide a safe sleep environment for each infant, consisting of a single crib or bassinet per child that is approved by the US Consumer Product Safety Commission, and that complies with standards of the American Society for Testing and Materials [{}(ASTM){}] International for infant sleep equipment; and a firm crib mattress specifically designed for the equipment used, covered by a tight fitting sheet flush with the sides of the crib/bassinet. The crib or bassinet must be free of bumper pads, pillows or sleep positioning devices not medically prescribed, loose bedding, blankets, toys and other possible suffocation risks. No child care facility subject to this Article may use or have on the premises any crib bumper pad unless a medical professional has determined that use of a crib bumper pad is medically necessary for a particular child using a crib in such child care facility.

Notes: The Department proposes that the Board of Health amend Article 47 to align the Health Code with recent legislative changes in state and city law, including changes to immunization and lead-based paint requirements, as well as enhancing child health and safety protections, and revising existing language for clarity and in order to remove inadvertent prior text inclusions.

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

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

RULE TITLE: Amendment of Health and Safety Requirements for Child Care Programs (Health Code Article 47)

REFERENCE NUMBER: DOHMH-107

RULEMAKING AGENCY: Department of Health and Mental Hygiene

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because the violations pose significant risks to public health and safety.

/s/ Francisco X. Navarro
Mayor's Office of Operations

September 30, 2019
Date

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Amendment of Health and Safety Requirements for Child Care Programs (Health Code Article 47)

REFERENCE NUMBER: 2019 RG 080

RULEMAKING AGENCY: Department of Health and Mental Hygiene

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN L. GOULDEN Date: September 30, 2019
Acting Corporation Counsel

Accessibility questions: Svetlana Burdeynik (347) 396-6078,
ResolutionComments@health.nyc.gov, by: Friday, November 1, 2019,
5:00 P.M.



◀ o15

**Notice of Public Hearing and
Opportunity to Comment on Proposed Amendments to
Article 48 of the New York City Health Code**

What are we proposing?

The New York City Department of Health and Mental Hygiene is proposing that the New York City Board of Health amend Article 48 of the New York City Health Code concerning requirements for camps. The proposed amendments would align the Health Code with applicable New York State Department of Health regulatory requirements and update immunization requirements in the light of recent changes to the New York State Public Health Law.

When and where is the hearing?

The Department will hold a public hearing on the proposed rule at 9:30AM on November 15, 2019. The hearing will be held in room 3-32 at 42-09 28th Street, Long Island City, New York. This location is wheelchair-accessible.

How do I comment on the proposed rules?

Anyone can comment on the proposed rules via any of the following:

- **Website.** You can submit comments to the Department through the NYC rules website at <http://rules.cityofnewyork.us>
- **Email.** You can email comments to resolutioncomments@health.nyc.gov
- **Mail.** You can mail comments to Roslyn Windholz, Secretary to the Board of Health, New York City Department of Health and Mental Hygiene, 42-09 28th Street, CN-31, Long Island City, NY 11101.
- **Fax.** You can fax comments to the attention of Svetlana Burdeynik at 347-396-6087.
- **By speaking at the hearing.** Anyone who wants to speak on the proposed rule changes at the public hearing must register. You can sign up in advance of the hearing by calling 347-396-6078. You can also sign up at the hearing room before the hearing begins on November 15, 2019. You can speak for up to 3 minutes.

Is there a deadline to submit comments?

You may submit comments up until and through the day of the hearing.

Do you need assistance to participate in the hearing?

You must tell the Department's Office of General Counsel if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the above address. You may also tell us by telephone at 347-396-6078. You must tell us by November 1, 2019.

Can I review the comments made on the proposed rule?

You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public at the Department's Office of the General Counsel, which is located at 42-09 28th Street, Long Island City, New York.

What authorizes the New York City Department of Health and Mental Hygiene to make this rule?

Sections 558 and 1043 of the New York City Charter authorize the Board to make this proposed change to the Health Code. This proposed rule was not included in the Department's regulatory agenda for this fiscal year because it was not contemplated when the Department published the agenda.

Where can I find the New York City Health Code?

The New York City Health Code is located in Title 24 of the Rules of the City of New York and accessible online at the website of the City's official rule publisher: http://www.amlegal.com/codes/client/new-york-city_ny/.

What laws govern the rulemaking process?

The Department and the Board must meet the requirements of § 1043 of the Charter when creating or changing rules. This notice is made according to the requirements of § 1043 of the Charter.

Statement of Basis and Purpose of Proposed Rule

The New York City Department of Health and Mental Hygiene ("Department") is proposing that the Board of Health ("Board") amend Article 48 of the New York City Health Code ("Health Code"), which governs summer camps operating in New York City ("NYC") for children under age 16.

The Department proposes these changes primarily to be consistent with applicable New York State ("NYS") Department of Health regulations relating to children's camps contained in the NYS Sanitary Code ("Sanitary Code"), located in 10 NYCRR Part 7, Subpart 7-2. Specifically, the proposed rules include, among other things:

- a revised and expanded definitions section (§48.03)
- revised record keeping and due process requirements (§§48.07, 48.09)
- updated staffing, screening, training and ratio requirements (§§48.09, 48.11 and 48.12)
- elimination of religious exemptions from child vaccination requirements (§48.17)
- updated developmental disability camp requirements, including for incident reporting, investigation and enforcement (§48.25).

Legal Authority

These amendments to the Health Code are proposed pursuant to §§ 558 and 1043 of the NYC Charter. Sections 558 (b) and (c) of the Charter empower the Board to amend the Health Code and to include in the Health Code all matters to which the authority of the Department extends. § 1043 grants the Department rule-making authority.

This proposal was included in the Department's FY2020 regulatory agenda.

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the text below, unless otherwise specified or unless the context clearly indicates otherwise.

New text is underlined; deleted text is in [brackets].

* * *

Section 1. The Department proposes that the Board of Health amend the title of Article 48 of the New York City Health Code, located in title 24 of the Rules of the City of New York, to read as follows:

[SUMMER] DAY CAMPS, [CHILDREN'S] OVERNIGHT CAMPS, [CHILDREN'S] AND TRAVELING [SUMMER] DAY CAMPS [AND MUNICIPAL CAMPS]

Section 2. The Department proposes that the Board of Health amend the opening sentence and subdivision (a) of §48.01 of Article 48 of the New York City Health Code, located in title 24 of the Rules of the City of New York, to read as follows:

§48.01 Scope.

The provisions of this Article apply to all Day Camps, [Children's] Overnight Camps, and [Children's] Traveling [Summer] Day Camps [and Municipal Camps located] in New York City (NYC) which are occupied by ten (10) or more children, as defined in this Article, except the following:

(a) programs approved, certified or licensed under the New York State (NYS) Social Services Law;

Section 3. The Department proposes that the Board of Health REPEAL §48.03 of Article 48 of the New York City Health Code, located in title 24 of the Rules of the City of New York, and REENACT this section to read as follows:

§48.03 Definitions.

When used in this Article, the following terms have the following meanings:

"Acceptable training in cardiopulmonary resuscitation (CPR)" means a CPR training program determined by the NYSDOH to provide an adequate level of knowledge and skills necessary to perform two-rescuer CPR for all ages (infant, child and adult). Such training program must be deemed an accepted course by the NYSDOH current fact sheet entitled "*Cardiopulmonary Resuscitation Certification for NYS Children's Camps and NYS Bathing Facilities*" or successor document. CPR certificates shall be valid as specified by the provider but shall not exceed one year from the date of course completion.

"Acceptable training in first aid" means certification in a first aid training program approved by the Department.

"Activity leader" means the staff-person who is deemed competent based on training and/or experience in the activity being conducted and is charged with supervising all children and adults in that activity.

"Adequate" means minimally sufficient to accomplish the purpose for which something is intended and to such a degree that no unreasonable risk to health or safety is presented. An item installed, maintained, designed and assembled, an activity conducted, or act performed, in accordance with generally accepted standards, principles or practices applicable to a particular trade, business, occupation, profession or activity, is adequate within the meaning of this Article.

"Aquatic amusement park activities" means where patrons are partially or totally immersed in water and includes but is not limited to "lazy rivers", activity pools, wave pools and water slides.

"Aquatics director" means an experienced swimming instructor and lifeguard who oversees all aquatic and boating activities at any location. This person shall supervise lifeguards, progressive swimming instructors, and counselors with bather supervision responsibilities and implement the camp safety plan during all aquatic activities.

"Camp" means a day camp, overnight camp or traveling day camp as defined in this Article.

"Camper(s)" means a minor child under 18 years of age who is enrolled in a camp. As used in this Article, and unless the context clearly indicates otherwise, "camper" may be used interchangeably with "child" or "children".

"Camp program for persons with a developmental disability" means a program:

- (a) within a camp,
- (b) with 20 % or more enrollment of campers with a developmental disability, and
- (c) that provides specially-designed recreational and educational activities and staffing ratios to benefit persons with a developmental disability.

The age requirements for a day camp and an overnight camp do not apply.

"Constant and competent supervision" means, for campers under 6 years of age, that camp staff must maintain direct line of sight observation of such children at all times. For children age 6 years and above, constant and competent supervision means taking into account the child's age, emotional, physical and cognitive development, and

includes awareness of and responsibility for the ongoing activity of each child and requires that all children be near enough to camp staff such that staff can respond immediately if assistance is required.

"Day Camp" means a property consisting of a tract of land and:

- (a) any tents, vehicles, buildings, or other structures that may be relevant to the camp's operation, and;
- (b) any part of which may be occupied on a scheduled basis at any time between June 1 and September 15 in any year, and;
- (c) used by children under 16 years of age, under constant and competent supervision,
- (d) where activities take place during a period of less than 24 hours on any day the property is so occupied and/or which no provisions are made for overnight occupancy by such children, and
- (e) provides indoor or outdoor organized group activities, involving 2 or more activities of which at least 1 is a high-risk activity, unless the high risk activity is conducted for no more than 1 hour per day constituting no more than one fifth (1/5) of the program's daily programming for children and which occur on a playground, in a gymnasium or similar setting.

"Department" means the New York City Department of Health and Mental Hygiene.

"Developmental disability" means a severe, chronic disability of a person that has originated before the age of 18, and manifests as a cognitive or neurological condition or diagnosis, such as cerebral palsy, epilepsy, autism or neurological impairment, which affects general intellectual functioning and/or adaptive behavior, that requires treatment and/or services and is likely to continue indefinitely. Except as provided in §48.25, any camp that admits any person with a developmental disability must develop and provide a specialized program and staffing ratios approved by the Department.

"Equipment" means any furniture, amusement devices, activity, sports and playground equipment intended to be used by the camp for the use of campers and staff. Equipment must be age and developmentally appropriate, and accessible for the size and ability of the child and must be maintained and used in accordance with manufacturers' specifications and instructions.

"Health director" means a physician, physician assistant, nurse practitioner, registered nurse, licensed practical nurse, emergency medical technician, or other person minimally certified in both first aid and cardiopulmonary resuscitation training as required by the Department and who is responsible for creating, executing and maintaining the health program.

"Health program" means a program under the supervision of a designated health director created to assure the health and well-being of each child and each adult as required by this Article.

"High risk activity" means an activity that may result in significant risk of injury including, but not limited to, "non-passive recreational activities with significant risk of injury" as defined in the NYS Sanitary Code (10 NYCRR §7-2.2(l)). Examples of high-risk activity include, but are not limited to, all off-site trips and activities such as martial arts, court sports, field sports, water sports (including water slides), zip lining, parasailing, horseback riding, gymnastics, rock climbing, archery, bungee jumping, go-carts, motorized vehicle racing, skate boarding, roller skating or ice skating, trampolines, paint ball war games, cooking, or hiking in an area which is not within 5 minutes of a public road way, or involves incidental water immersion.

"Incidental water immersion" means intentional entry into a body of water for a purpose, other than swimming, which is ancillary to the primary activity being conducted. Such immersion, including partial immersion, includes but is not limited to stream crossing or entering water for personal hygiene, but excludes boating, water skiing, sail boarding and similar water sports where participants wear U.S. Coast Guard approved lifejackets.

"NYCRR" means the New York Codes, Rules and Regulations.

"NYSDOH" means the New York State Department of Health.

"Overnight camp" means a property consisting of a tract of land and:

- (a) any tents, vehicles, buildings or other structures that may be relevant to the camp's operation, and,
- (b) any part of which may be attended by persons under 18 years of age under constant and competent supervision,
- (c) for the purpose of outdoor or indoor organized activities, and
- (d) on which provisions are made for overnight occupancy of children.

"Progressive swimming instructor" means a swimming instructor who is trained and who has the skills to assess the swimming ability of each camper prior to permitting them in water above chest level; such instructor training program must be deemed an accepted course by the NYSDOH current fact sheet entitled "*Progressive swimming instructor for NYS children's camps*." The progressive swimming instructor must be either:

- (a) a currently certified American Red Cross water safety instructor; or

- (b) possess a current certificate issued by a certifying agency determined by NYSDOH to provide an adequate level of similar training.

A progressive swimming instructor may not perform lifeguard duties unless currently certified as a qualified lifeguard, and not currently performing instructional duties.

"Public health hazard" means any violation or combination of violations and conditions concerning operation of the camp which could reasonably result in injury or be otherwise detrimental to the health and safety of a child. Any of the following are public health hazards which allow the Department to order its immediate correction and/or to order the permittee to cease operations immediately. Public health hazards include, but not are not limited to:

- (a) Failure to maintain constant and competent supervision of children;
- (b) Use of corporal punishments or of frightening or humiliating methods of behavior management;
- (c) Failure to immediately report instances of alleged child abuse, maltreatment, or neglect to the Department and the Statewide Central Register of Child Abuse and Maltreatment and to take appropriate corrective action to protect children when allegations of such abuse or maltreatment have been reported to or observed by the permittee;
- (d) Refusal or failure to provide access to the facility to an authorized employee or agent of the Department;
- (e) Uncontained sewage in any part of the facility;
- (f) Transporting children in the bed of a truck or trailer or in any other part of any motor vehicle that is not designed for passenger occupancy; or transporting children without adequate supervision; or failing to use appropriate child restraints in vehicles;
- (g) Failure to provide two approved means of egress or obstructing any means of egress or a required fire exit;
- (h) Failure to properly store flammable liquids or other toxic substances;
- (i) Failure to maintain firefighting or fire detection equipment in working order;
- (j) Allowing pillows to be used for children younger than 2 years of age who are not disabled or when not recommended by a health care provider;
- (k) Contamination of the potable water supply by cross connection or other faults in the water distribution or plumbing systems;
- (l) Serving food to children from an unknown or unapproved source; serving food that is adulterated, contaminated or otherwise unfit for human consumption, or re-serving food that was previously served;
- (m) Failing to exclude from work at the program a person with a communicable disease who is required to be excluded, pursuant to Article 11 of this Code;
- (n) Failure to implement the program's written safety plan resulting in a child not being protected from any unreasonable risk to his or her safety;
- (o) Conducting construction, demolition, painting, scraping, or any repairs other than emergency repairs while children are present in the facility; failing to remove children from areas and rooms while such activities are in progress;
- (p) Failure to screen any person who has, or will have the potential for, unsupervised contact with children as required by this Article and in accordance with § 47.19 of this Code; or
- (q) Any other condition(s), violations, or combination of conditions or violations, deemed to be an imminent health hazard by the Commissioner or his or her designee.

"Staff" means any director, operator, employee, counselor or volunteer of a camp; or a consultant, employee or volunteer of a corporation, partnership, organization or other entity who has regular or substantial contact with campers.

"Traveling day camp" means a day camp which:

- (a) regularly operates in a period between May 15 and September 15, and
- (b) which provides care and regularly transports children under 16 years of age on a regular schedule to a facility, site, or property, including any tract of land, beach, park, stadium, building, tent or other structures pertinent to its use and primarily for the purpose of organized group activities.

Section 4. The Department proposes that the Board of Health amend the title and amend and re-letter subdivisions (a) through (d) and add new subdivisions (e) through (h) of §48.07 of Article 48 of the New York City Health Code, located in title 24 of the Rules of the City of New York, to read as follows:

§48.07 Permit; application, issuance, records and [renewal] enforcement.

- (a) An application for a permit to operate any camp under this [a] Article [shall] must be made by the operator to the Department, on a form furnished by the Department, at least [60] 90 days before the first day of operation. ***.
- (b) Applications for permits made more than 90 days before the first day of camp operation may be submitted to the Department by mail. Applications made between 90 and 60 days before the first day of camp operation shall be submitted to the Department in person.

- (c) A permit shall not be issued unless the camping program is conducted on or within property consisting of land, tents, vehicles, buildings or other structures pertinent to its use.

(d)

(1) ***

- (2) [Effective January 1, 2003, a] A permit shall not be issued unless the camp director has attended an orientation session provided by the Department regarding the requirements set forth in this Article. Attendance at Department orientation sessions need not be repeated by a director who has attended a session unless the Department determines that the substance of the orientation has changed and requires re-attendance. The director [shall be responsible for] must [ensuring]ensure that the materials covered in the orientation sessions are incorporated into camper and staff orientation programs as required by this Article.

[(e)] (c) ***

[(f)] (d) ***

- (e) All records required by this Article may be maintained electronically or in hard copy paper form and must be made available to the Department immediately on request.

- (f) A permit expires on September 16 of the calendar year it was issued or at the close of a camp's normal operation, whichever is sooner, unless some other date is indicated by the Department.

- (g) Notwithstanding anything to the contrary in this Article, a permit issued under this Article may be ordered suspended or revoked for maintaining a public health hazard, or failure to comply with any applicable law, regulation, rule, directive or policy enforced by the Department, or in the interest of protecting the health of an individual or the public as determined by the Commissioner.

- (h) The permittee shall have an opportunity to be heard before the Department prior to the issuance of an order to suspend or revoke a permit, except that when a public health hazard exists, a permit may be suspended pending such opportunity to be heard.

Section 5. The Department proposes that the Board of Health REPEAL §48.09 of Article 48 of the New York City Health Code, located in title 24 of the Rules of the City of New York, and REENACT this section to read as follows:

§48.09 Staffing requirements and certain ratios.

- (a) The camp operator must be the permittee.
- (b) Each camp must have a camp director and a health director.
- (c) Camp director. Each camp must be supervised by a camp director. The camp director, or equally credentialed designee approved by the Department, must be present to supervise campers and camp staff at all times while the camp is in operation. The camp director must have at least the following minimum qualifications:
 - (1) a bachelor's degree or be at least 25 years of age for an overnight camp, or 21 years of age for a day or traveling day camp; and
 - (2) 24 weeks of previous administrative or supervisory experience in camping or equivalent experience acceptable to the Department.
- (3) There must be on file at the Department a notification from the Department of Social Services Statewide Central Register of Child Abuse and Maltreatment that the camp director has not been the subject of an indicated report, pursuant to title 6 of the NYS Social Services Law, or successor law.
- (4) The camp director must file with the Department a form entitled Prospective Children's Camp Director Certified Statement Relative to the Conviction of a Crime or the Existence of a Pending Criminal Action, as provided by the Department, and a determination shall be made by the Department that the camp director has no criminal conviction record for which:
 - (i) there is a direct relationship between one or more of the criminal offenses and the applicant's employment as a camp director; and
 - (ii) employment as a camp director would involve an unreasonable risk to the property or to the safety or welfare of camp participants or the general public.

- (5) The camp director must complete a training in recognizing and reporting child abuse, neglect and maltreatment.
- (6) The camp director must ensure that all staff and camper trainings are conducted and completed as mandated by the Written Safety Plan.

- (d) Health director. Each camp must have a health director to supervise and manage a camp health program. Except as provided in §48.25, the health director must minimally possess the following:

- (1) a current certificate in first aid training from a training program acceptable by the Department, and
- (2) a current certificate in cardiopulmonary resuscitation (CPR) acceptable by the Department, with validity not to exceed 1 year from date of course completion, to provide an adequate level of knowledge and skills necessary to perform 2 rescuer CPR skills for all ages (infant, child, and adult).

- (e) Senior counselors, including specialty and general counselors, must be at least 18 years of age at a children's overnight camp, and at least 16 years of age at a summer day camp or traveling summer day camp. In addition, the counselor must either have experience in camping and supervision of children, or have completed a training course acceptable to the Department.

- (f) A junior counselor or counselor-in-training is a camper who is assigned to assist on-duty counselors or other staff members, as

described in the camp's written safety plan, in performing specific duties. A junior counselor may not supervise campers and must be supervised as a camper. All junior counselors must receive training specific to their duties, and the camper orientation. Junior counselors must not be included in calculating counselor to camper supervision ratios.

(1) Junior counselors at an overnight camp must be at least 16 years of age and have at least 2 season's prior experience as a camper.

(2) Junior counselors at a day or traveling day camp must be at least 15 years of age and have at least 2 seasons' prior experience as a camper.

(g) Trip leader. A trip leader must accompany campers on any trip away from camp. The trip leader must be at least 18 years of age and have participated in at least 3 out-of-camp trips in a similar program activity as a camp staff member. A trip leader must possess or be accompanied by staff who possess either a current acceptable certificate in first aid and/or a current acceptable certificate in CPR training program as defined in §48.03.

(h) An activity leader is required when campers engage in high-risk activities as defined in this Article. An activity leader must be at least 18 years of age, be present for any high-risk activity in which campers are engaged and be deemed competent in the activity being conducted. The permittee must make available to the Department immediately upon request proof of an activity leader's competence in the form of verified past experience and/or completed training and/or education for the activity being conducted.

(i) A camp aquatics director must be at least 21 years of age and have a minimum of:

- (1) 1 season of previous experience as a camp aquatics director at a NYS children's camp; or
- (2) 2 seasons of previous experience consisting cumulatively of at least 12 weeks as a children's camp lifeguard, as specified in subdivision (j) of this section, at a swimming pool or bathing beach which had more than 1 lifeguard supervising it at a time; or
- (3) At least 18 weeks of previous experience as a lifeguard, as specified in paragraph (2) of this subdivision, at a swimming pool or bathing beach, which had more than one lifeguard supervising it at a time; and
- (4) have successfully completed a training course in lifeguard supervision and management that meets the requirements specified in Part 6, §§ 6-1.31(e) or 6-2.20(e) of the NYS Sanitary Code;
- (5) have annually reviewed and documented the review of the camp's safety plan for swimming; and
- (6) possess a current certificate in an acceptable CPR training program.

(j) A qualified camp lifeguard must:

- (1) be at least 17 years of age; and
- (2) meet lifeguarding, first aid and CPR certification requirements as detailed in Part 6 of the NYS Sanitary Code including the following:

<u>Bathing Facility Type</u>	<u>Minimum Lifeguard Supervision Level</u>
<u>Ocean surf</u>	<u>Supervision Level I</u>
<u>Pool only</u>	<u>Supervision Level IIa</u>
<u>Pool and/or beach</u>	<u>Supervision Level IIb</u>

(k) Each camp must ensure that sufficient first aid- and CPR-qualified staff is present wherever campers are present on- or off-site, taking into account staff absences or illnesses.

(l) The following are certain required minimum staff-to-camper ratios:

- (1) At an overnight camp, in addition to the health director or designee, 1 staff member who possesses a current, acceptable first aid certificate must be present for every 50 campers.
- (2) At a day camp, 1 staff member who possesses a current, acceptable first aid certificate must be present for every 50 campers in attendance. The health director or designee may be counted toward meeting this first aid requirement.
- (3) 1 staff member for every 100 campers in attendance must possess a current, acceptable CPR certificate. The health director may be counted toward meeting this requirement. Where a camp's qualified aquatics staff remain onsite and are available to respond to emergencies, such staff may be counted toward meeting this CPR requirement.

(m) Records.

- (1) The camp director must maintain a copy of each staff member's application and staff qualifications, such as resumes, licenses or certifications, on file. The camp director must verify all employees' prior education, experience, training and character references.
- (2) The permittee must maintain daily attendance records for all staff and campers that includes the name, date and time in attendance. Attendance records for staff must include the signature of the staff member.
- (3) The camp director must verify whether any staff or volunteer is listed on the NYS Division of Criminal Justice Services (DCJS)

Sex Offender Registry prior to the day such staff or volunteer commences work at camp and annually thereafter prior to their arrival at camp. A written record of the employee and volunteer names that were submitted to the DCJS for checking against the Sex Offender Registry and DCJS's search results must be kept on file at the camp site.

Section 6. The Department proposes that the Board of Health amend subdivision (b) of §48.11 of Article 48 of the New York City Health Code, located in title 24 of the Rules of the City of New York, to read as follows:

§48.11 Written Safety Plan.

(b) ***

- (6) Staff training: Every camp must have a staff training curriculum, which provides at a minimum: a [training curriculum outline;] tour of the camp; a description of camp hazards; chain of command; procedures for camper supervision and discipline; child abuse recognition and reporting; provisions for first aid and emergency medical assistance; reporting of camper injury, incident and illness; buddy system; lost swimmer plan (if camp has an aquatics program); a lost camper plan; a lightning plan; fire safety and fire drills; camp evacuation procedures; activity specific training for assigned activities; a protocol for camp trips (if provided); and process to document attendance at and descriptions of required staff training.
- (7) Camper orientation: Every camp must have a camper orientation curriculum, which provides at a minimum: a [orientation curriculum outline;] tour of the camp; a description of camp hazards; a protocol for reporting illness, injury and other incidents; a buddy or other accountability system approved by the Department; a lost camper plan; fire drills and evacuation plans; a lightning plan; a protocol for camp trips; and process to document attendance [at orientation].

Section 7. The Department proposes that the Board of Health amend subdivisions (a) and (c) and delete subdivision (b) of §48.12 of Article 48 of the New York City Health Code, located in title 24 of the Rules of the City of New York, to read as follows:

§48.12 Supervision.

(a) The camp director [shall] must ensure that [provide] constant and competent supervision is provided to all campers at all times of camp operation.

[(b) Adequate supervision shall mean that:

- (1) each camper is protected from any unreasonable risk to his or her health or safety, including physical or sexual abuse or any public health hazard;
- (2) each camper shall be under the immediate visual observation of a counselor, and in verbal contact with a counselor, during all activities, and
- (3) each camper's whereabouts shall be accounted for at all times.]

[(c)] (b) ***

(3) On any off-site camp trip, the following minimum staff-to-camper ratios must be maintained:

- (i) minimum counselor to camper ratio of 1:6[5] [shall] must be maintained, with at least one trip leader and one other counseling staff member in attendance for children 6 years of age or older;
- (ii) a minimum counselor to camper ratio of 1:5 must be maintained, with at least one trip leader and one other counseling staff member in attendance for children under 6 years of age.

(4) In addition to providing at least 1 qualified lifeguard, [in the NYS Sanitary Code [10 N.Y.C.R.R.] §7-2.5(g), or successor regulation], during all swimming activities, for every 25 swimmers, where each qualified lifeguard supervises no more than 3,400 square feet of pool surface and no more than 50 yards of shoreline at bathing beaches, there [shall] must be at least 1 senior counselor for every:

Section 8. The Department proposes that the Board of Health amend subdivisions (a), (e), (i) and (j) and re-letter the subdivisions of §48.15 of Article 48 of the New York City Health Code, located in title 24 of the Rules of the City of New York, to read as follows:

§48.15 Safety standards for facilities.

(a) (1) Children under the age of 24 months must be located on the ground level of the camp.

(2) No camp serving children under the age of 6 may provide services above the 3rd floor of a building, nor shall any camp allow children to utilize any rooms, areas or other spaces lower than 1 level below the ground level.

[(a)] (b) Fire [P]rotection. ***

[(b)] (c) Camp [E]quipment. ***

[(c)] (d) ***

[(d)] (e) Housing [M]aintenance.

(1) ***

(2) ***

(3) ***

(4) ***

(5) ***

(6) There must be no peeling lead-based paint or peeling paint of unknown lead content on any surface accessible to children under 6 years of age.

[(e)] (f) Location[,] and grounds. ***

[(f)] (g) Food [S]sanitation. ***

[(g)] (h) Toilets; [S]showers; running water. ***

[(h)] (i) Sleeping quarters. ***

(8) Toilets and hand wash sinks must be installed at a height that allows unassisted use by children. If adult-size toilets or hand wash sinks are in place, platforms with easily cleaned surfaces must be provided for use by children. Such platforms must be securely affixed to a permanent structure and free of hazards.

[(i)] (j) Other [E]nvironmental [C]ontrols. ***

(4) No animals suspected of carrying a communicable disease shall be kept in camp. Animals kept in camp shall comply with applicable requirements of the NYS Environmental Conservation Law and/or [with] the Agriculture and Markets Law.

Section 9. The Department proposes that the Board of Health REPEAL §48.17 of Article 48 of the New York City Health Code, located in title 24 of the Rules of the City of New York, and REENACT this section to read as follows:

§48.17 Health and medical care.

(a) A camp health program must be maintained under the supervision of a camp health director and must include: the keeping of comprehensive health records, including records of physical examinations and immunizations of each child and each staff or volunteer; information indicating appropriate and adequate food and nutrition for campers and staff; emergency plan; first aid procedures; plan for reported accidents; search and rescue for lost, missing and runaway persons; daily observation of the children; daily check of food service and food service facilities and adequate cleanliness and maintenance of all facilities.

(b) Prior to or at admission, the camp director must obtain and maintain from every child in camp required medical records that includes a thorough medical examination by a licensed physician dated within 1 year prior to admission to camp. Such record must include a signed statement containing a summary of the results of the examination, the past medical history and, if a disease or abnormal condition is found, recommendations for exclusion or treatment of the child, or any modifications of diet or activities. In addition, each camper medical record must include the children's immunization record which must include proof of immunization against diphtheria, tetanus, pertussis, poliomyelitis, measles, mumps, rubella, varicella, hepatitis B, pneumococcal disease and haemophilus influenzae type b (Hib). A child may be exempted from this immunization requirement for CDC Advisory Committee on Immunization Practices (ACIP)-recognized medical contraindications, or other nationally-recognized evidence-based guidelines, upon submission of appropriate documentation from a physician licensed in the State of New York. Documentation of immunizations and exemptions must be kept on site and made available to the Department immediately upon request. Proof of required child immunizations must be made available for review by the Department immediately upon request and must be established by:

(1) A certificate of immunization prepared and signed by a physician licensed in the State of New York documenting that the child has been fully immunized against the diseases listed in this subdivision. The certificate of immunization must specify the products administered and the dates of administration. It may also show verified history of varicella disease and/or laboratory evidence of immunity to measles, mumps, rubella, varicella and Hepatitis B. A record issued by NYSIIS, the CIR, an official immunization registry from another state, an electronic health record, and/or an official record from a foreign nation may be accepted as a certificate of immunization without a health practitioner's signature.

(2) Documentation that the child is in process of receiving an immunization for which the child is not fully immunized, as follows:

- (i) a child has received at least the first dose in each immunization series required by this subdivision (except in the case of live vaccines in which a child should wait 28 days after one live vaccine administration before receiving another live vaccine, if the vaccines were not given on the same day) and has age-appropriate appointments to complete the immunization series according to the ACIP Recommended Immunization Schedules for Persons Aged 0 through 18 Years;
- (ii) a child is obtaining serologic tests within 30 days of notification of the parent/guardian that such testing is requested; or
- (iii) a child's serologic test(s) are negative, and therefore the child in question has appointments to be immunized within 30 days of notification of the parent/guardian to complete, or begin completion, of the immunization series based on the ACIP Recommended Immunization Schedules for Persons Aged 0 through 18 Years.

(3) Children who are not fully immunized can only continue to attend camp if they are in the process of completing the immunization series based on the ACIP Recommended Immunization Schedules for Persons Aged 0 through 18 Years. If a child does not receive subsequent doses of vaccine in an immunization series according to the age appropriate ACIP catch-up schedule, including at appropriate intervals, the child is no longer in process and must be excluded from camp within 14 days.

(4) No owner, operator, or director of a camp shall permit any child to attend such camp without appropriate documentation of the immunizations required by this subdivision, except as provided for in this subdivision.

(c) All staff, including volunteers and kitchen and maintenance staff, must have had a medical examination dated within 2 years of working with the camp, indicating that they are physically able to perform their camp duties. The Department may require testing for tuberculosis at any time of any staff or volunteer when such testing is deemed necessary for epidemiological investigation.

(d) Each camp must make written arrangements for emergency medical services with an ambulance organization and with a hospital, clinic or doctor's office, as close as possible to the camp where children or staff can be taken in case of serious injury or illness.

(e) Necessary emergency medical care. When a child or staff is injured or becomes ill under such circumstances that emergency care is needed, the permittee must obtain such emergency medical care in accordance with the requirements of this section and immediately notify the person's parent, guardian or emergency contact.

(1) Each permittee must:

- (i) at the time of the child's admission into the program, obtain written consent from a parent or guardian authorizing the permittee or other caregivers to obtain emergency health care for the child; and
- (ii) secure emergency care when needed, and notify a parent or guardian immediately, and
- (iii) arrange for any needed transportation of any child in need of emergency health care and ensure that the required staff/child ratios are maintained for the children remaining in the program.

(2) Where a parent or guardian has provided written consent, medical authorization and training to designated staff, such designated staff may administer asthma inhalers, nebulizers and epinephrine auto-injectors to children.

(3) Where a parent has provided a written, individualized health care plan indicating the specific medications that can be administered and the schedule of such administration(s) for their child, including in cases of emergency, and there is a direct conflict between such plan and any provision of this section, the permittee must follow the child's individualized health care plan.

(4) The camper's and staff's family contact or other responsible person's name, address, and telephone number to notify during an emergency must be kept on file.

(f) All camper and staff injuries, illnesses, and diseases and conditions reportable to the Department in accordance with Article 11 of this Code, must be reported to the camp health director and recorded in the medical log, including the date and time of the illness or injury, nature of complaint, diagnosis, treatment, disposition of case, area in camp where the accident causing the injury occurred, activity in which accident victim was engaged and tool or item of program equipment or other object causing injury.

(g) Within 24 hours, any of the following must be reported by the camp to the Department:

- (1) all camper and staff injuries or illnesses which result in death or which require resuscitation or admission to a hospital;
- (2) all instances where epinephrine was administered to a staff member or camper;
- (3) camper injuries to the eye, head, neck or spine which require referral to a hospital or other facility for medical treatment;
- (4) camper injuries where the victim sustains 2nd or 3rd degree burns to 5 percent or more of the body;
- (5) camper injuries which involve bone fractures or dislocations;
- (6) camper lacerations requiring sutures or glue;
- (7) allegations of camper abuse or neglect (as defined in §48.25(a)(3)(i));
- (8) all camper and staff illnesses suspected of or confirmed as being water-, food- or air-borne, or spread by contact;
- (9) any persons exposed to rabies; and
- (10) any lost campers.

(h) The camp director must isolate and exclude any child or staff member who is suspected or confirmed with, or has been exposed to, a communicable disease requiring isolation or exclusion under Article 11 of this Code. Any child or staff member who has been excluded must not be permitted to return to the camp without a written statement from a health care provider indicating that the child or staff member is free from such disease in communicable form and that the period of isolation or exclusion required by Article 11 of this Code has ended.

(i) At all camps, there must be a current and fully-equipped first aid cabinet with appropriate contents relative to the size and activities of the camp and ability to contact 911. All camps which travel from their home base must carry with them a first aid kit that must be stocked to treat a broad range of injuries and situations commensurate with the number of children present.

(j) An infirmary having hot and cold running water, examining room, isolation area, convalescent space, bathroom with flush toilets and showers must be provided at all camps with 100 or more persons in residence, including staff.

(k) In all non-overnight camps, a quiet place must be set aside away from the group where a child with a minor illness or injury can relax with an adult counselor in attendance.

Section 10. The Department proposes that the Board of Health amend subdivision (a) of §48.21 of Article 48 of the New York City Health Code, located in title 24 of the Rules of the City of New York, to read as follows:

§48.21 Insurance.

(a) Adequate insurance coverage [shall] must be obtained prior to the camping season and [shall] must include workers' compensation and disability insurance for the camp staff, comprehensive liability and motor vehicle insurance on camp vehicles.

Section 11. The Department proposes that the Board of Health add a new subdivision (l) to §48.23 of Article 48 of the New York City Health Code, located in title 24 of the Rules of the City of New York, to read as follows:

§48.23 Transportation.

(l) Before any child may be transported in a motor vehicle where such transportation is provided or arranged for by the camp permittee, the camp must ensure all children are secured in child safety seats properly installed per manufacturers' recommendations, or with safety belts, as appropriate for the age of the child in accordance with the requirements of the NYS Vehicle and Traffic Law.

Section 12. The Department proposes that the Board of Health REPEAL §48.25 of Article 48 of the New York City Health Code, located in title 24 of the Rules of the City of New York, and REENACT this section to read as follows:

§48.25 Additional requirements for camps enrolling campers with disabilities.

(a) As used in this section, the following terms have the following meanings:

- (1) "Developmental disability camp health director" means a physician, physician assistant, nurse practitioner, registered nurse or licensed practical nurse and who must be on-site for the period the camp is in operation.
- (2) "Justice Center" means the Justice Center for the Protection of People with Special Needs, as established pursuant to § 551 of the NYS Executive Law.
- (3) Reportable incidents include, but are not limited to, the following:
 - (i) allegations of "Abuse or Neglect", which includes, but is not limited to, those actions by camp staff that:
 - (A) satisfies the definitions of "physical abuse", "sexual abuse", "psychological abuse", "deliberate inappropriate use of restraints", "use of aversive conditioning", "obstruction of reports of reportable incidents", "unlawful use or administration of controlled substance" and "neglect", as such terms are defined in § 488 of the NYS Social Services Law.
 - (B) are actions incorporated within the definitions of "unauthorized seclusion," "unauthorized use of time-out," "administration of a prescribed or over-the-counter medication, which is inconsistent with a prescription or order issued by a licensed, qualified health care practitioner, and which has an adverse effect," and "inappropriate use of restraints," as such terms are defined in § 488 of the NYS Social Services Law.
 - (ii) allegations of a "Significant Incident", which means an incident (other than an incident of abuse or neglect as defined by clause (i) of paragraph (3) of this subdivision) that because of its severity or the sensitivity of the situation may result in, or has a reasonably foreseeable potential to result in, harm to the health, safety, or welfare of a camper with a developmental disability. A significant incident includes, but is not limited to:
 - (A) conduct between campers with developmental disabilities that would constitute abuse, as defined in this subdivision, if it had been conducted by a camp staff member; or
 - (B) conduct by a camp staff member which is inconsistent with the individual treatment plan for a camper with a developmental disability, generally accepted treatment practices and/or applicable federal or state laws, regulations or policies, or impairs or creates a reasonably foreseeable potential to impair the health, safety or welfare of a camper with a developmental disability.
- (4) "Personal representative" means a camper's parent, guardian, or person authorized to act on behalf of a camper with a developmental disability in making health care decisions.

(b) Staff and supervision requirements.

- (1) The camp director, who may also be the camp operator, must possess a bachelor's degree from an accredited program in the field of physical education, recreation, education, social work, psychology, rehabilitation or related human services fields and must present evidence of specialized training or 1 year of experience in treating or working with individuals with a developmental disability.
- (2) A camp director does not have to meet the requirements of paragraph (1) of this subdivision if:
 - (i) The individual was a camp director for a camp for developmentally disabled campers during each of the 3 camping seasons preceding the 1986 camping season; and
 - (ii) Conditions at the camp did not threaten the health or safety of campers during that person's tenure as camp director; and
 - (iii) The individual otherwise meets the minimum qualifications for a camp director, as set forth in §48.09.
- (3) The camp director, or any camp staff, must not be on the Justice Center Staff Exclusion List (SEL) established pursuant to § 495 of the NYS Social Services Law.
- (4) The camp director must develop a written staff training program appropriate to the specific needs of the campers with developmental disability enrolled in the camp.
- (5) Camp staff providing direct care of a camper with a developmental disability must be trained on the specific needs of the campers in their charge.
- (c) **Medical requirements.**
 - (1) Prior to or at enrollment, a camp director must obtain existing individual treatment, care and behavioral plans for campers with a disability, which must be maintained, reviewed and monitored by the developmental disability camp health director.
 - (2) The developmental disability camp health director must ensure that camp staff implement adequate procedures to protect the health and safety of a camper based on the treatment plan provided and, when necessary, in consultation with an individual's parent, guardian, personal representative, physician and/or clinical team.
 - (3) Modified diets, use of any specialized devices and/or other special needs related to a camper's disability, must be identified for each camper prior to arrival at camp, and provided for in accordance with supplied directions, and reviewed and monitored by the developmental disability camp health director.
 - (4) The confidential medical history for a camper with a disability must, in addition to the requirements of § 48.17, include:
 - (i) Any restrictions, allergies, medications, special dietary needs, and other pre-existing medical, physical or psychological conditions and illnesses needing attention.
 - (ii) The camper's physician's name, address and telephone number.
- (d) **Recreational safety.**
 - (1) All appropriate recreational activities must be accessible by providing ramps, proper surfaces for movement, and/or adaptive equipment.
 - (2) The minimum counselor-to-camper ratio who use a wheelchair, adaptive equipment or bracing to achieve ambulation, but who do not possess, for whatever reason, the ability to fit, secure or independently manipulate such devices to achieve ambulation, shall be 1:2.
 - (3) The minimum counselor-to-camper ratio during swimming pool and bathing beach activities shall be 1 counselor for each camper who is non-ambulatory or has a disability identified by the camper's parents, guardian, physician or residential care provider that may result in an increased risk of an emergency in the water, such as uncontrolled epilepsy.
 - (4) The minimum counselor-to-camper ratio during swimming pool and bathing beach activities shall be 1 staff member for every 5 campers with a developmental disability not designated in paragraph (3) of this subdivision.
 - (5) No camper with a developmental disability can participate in swimming activities unless a written permission statement signed by the camper's parent, guardian or residential care provider is on file at the camp.
 - (6) The camp safety plan approved under § 48.11 must contain a procedure to address the handling of seizures, gag syndrome, and aspiration of water for campers with developmental disabilities. All bathing beach and swimming pool staff must be trained to implement the procedure prior to the date the camp begins operation. In-service training using this procedure must be conducted and documented every 2 weeks after the commencement of the camp's operation or as otherwise approved by the Department in the camp's safety plan.
- (e) **Transportation.**
 - (1) A camp serving wheelchair-bound campers must provide an adequately-equipped vehicle for transportation.
 - (2) There shall be at least 1 counselor in addition to the driver in any vehicle transporting campers with a developmental disability or as provided in the camp safety plan approved under §48.11.
 - (f) **Toilets, privies, lavatories, showers.** All lavatories and showers used by a camper with a disability must be equipped with specialized fixtures, grab bars or other controls appropriate for the camper's disability. Lavatories and showers used by campers with physical, intellectual or developmental disabilities, who are unable to moderate water temperature safely, must have a water temperature not greater than 110 degrees Fahrenheit.

(g) Sleeping quarters.

- (1) Buildings housing non-ambulatory or wheelchair-bound campers must have ramps constructed in accordance with the NYS Fire Prevention and Building Code (19 NYCRR Chapter XXXIII, Subchapter A, Part 1219) to facilitate access and egress and must maintain a minimum 36 inch wide clear path to exits if 2 ramps are provided, or a 60 inch wide clear path when only 1 ramp is provided.
- (2) Non-ambulatory campers must not have their sleeping accommodations above the ground floor.
- (h) Location and grounds. Exterior paths of travel must be free of encumbrances and provide an appropriate surface for movement during inclement weather as appropriate for the camp population being served.
- (i) Incident reporting. In addition to reporting incidents as required by this Article, all camp staff must immediately report any incident involving a camper with a developmental disability to the camp director, the Department and to the Justice Center's Vulnerable Person's Central Register (VPCR). Such report must be provided in a form and manner as required by the Department and the Justice Center.
- (j) Immediate protections and notifications. Immediately upon notification of an allegation of abuse, neglect or significant incident as defined in § 48.25(a)(3), the camp director or designee must ensure appropriate actions are taken to immediately address the physical and psychological needs of the camper(s) involved, implement protections to ensure the safety and mitigate further risk to campers and document such actions and implementations.
- (k) The camp director or designee must notify a camper with a developmental disability and the camper's personal representative that the camper is an alleged victim or potential witness of an incident of abuse or neglect.
 - (1) Alleged victims must be notified within 24 hours and potential witnesses must be notified within 48 hours of reporting to the camp director or designee and to the Department, that an incident of abuse or neglect has been accepted by the Justice Center for investigation.
 - (2) There shall be no notification of a personal representative if the alleged victim or potential witness objects to such notification or if providing such notification would compromise the investigation, violate relevant confidentiality laws, be contrary to court order, or otherwise contrary to the best interests of the alleged victim or the potential witness.
 - (l) Camp staff must document in writing that notice of an incident (as described in subdivision (k)) was given or that adequate effort to make such notification was made for each camper.
- (m) Staff screening, training and code of conduct.
 - (1) Prior to hiring anyone who will or may have direct contact with campers, or approving credentials for any camp staff, the camp director must follow the procedures established by the Justice Center in its regulations or policy, to verify that such person is not on the SEL.
 - (2) Prior to hiring anyone who will or may have direct contact with campers, the camp director must consult the NYS Office of Children and Family Services' Statewide Central Register of Child Abuse and Maltreatment (SCR) as required by § 424-a of the NYS Social Services Law to verify that such person is not on such registry.
 - (3) The screenings required by paragraphs (1) and (2) of this subdivision are in addition to the requirement that the camp director similarly verify that any prospective camp staff is not on the sex offender registry, as required by § 48.09(m)(3).
 - (4) A camp director must ensure that camp staff receive training regarding their mandated reporting obligations as mandated reporters as defined by Article 11 of the NYS Social Services Law. A camp director must ensure that the telephone number for the Justice Center's VPCR hotline for the reporting of reportable incidents is conspicuously displayed in areas accessible to mandated reporters and campers.
 - (5) The camp director must ensure that all camp staff are provided with a copy of the code of conduct established by the Justice Center pursuant to § 554 of Executive Law. Such code of conduct must be provided at the time of initial employment, and at least annually thereafter during the term of employment. Receipt of the code of conduct must be acknowledged and the recipient must further acknowledge that he or she has read and understands such code of conduct.
- (n) Disclosure of information.
 - (1) Except as prohibited by law, the camp director must share information relevant to the investigation of any incident subject to reporting under this Article with the Department and the Justice Center. Except as prohibited by law, the Department and the Justice Center may share information obtained in their respective investigations of incidents.

(2) Except as prohibited by law, records of facilities or provider agencies not otherwise subject to Article 6 of the NYS Public Officers Law must be made available for public inspection and copying, when such records relate to abuse and neglect, or a significant incident of developmentally-disabled persons, to the same extent that those records would be available from a state agency, as defined in such Article.

(o) Incident management.

- (1) The camp director must promptly obtain an appropriate medical examination of a physically injured camper with a developmental disability.
- (2) The camp director must fully cooperate with the investigation of reportable incidents involving campers with developmental disabilities and must provide all necessary information and access to conduct the investigation. The camp director must provide information, whether obtained pursuant to the investigation or otherwise, to the Justice Center and Department upon request, in the form and manner requested. Such information must be provided in a timely manner when requested by the Justice Center or Department or other applicable investigator.
- (3) At the conclusion of any investigation of an alleged reportable incident, the camp director must:
 - (i) Assess the need for corrective actions;
 - (ii) Report corrective actions to the Department within 45 days of the conclusion of an investigation; and
 - (iii) Implement corrective actions identified by the camp, or required by the Department or the Justice Center.
 - (iv) Corrective action plans must be implemented as soon as possible but no later than 90 days of the completion of an investigation, unless the camp has closed for the season. If closed for the season, corrective action plans must be implemented when the camp reopens.

(p) Incident review committee.

- (1) Unless as provided by paragraph (2) of this subdivision, a camp must maintain a facility incident review committee in accordance with 14 NYCRR Part 704.
- (2) Pursuant to paragraph (f) of subdivision (1) of § 490 of the Social Services Law and 14 NYCRR Part 704, a camp director may seek an exemption from the Department from the requirement to establish and maintain an incident review committee.
 - (i) In order to obtain an exemption, the camp director must file an application with the Department and provide sufficient documentation and information to demonstrate that compliance would present undue hardship, that granting an exemption would not create an undue risk of harm to campers' health and safety and specify an alternative process to ensure appropriate review and evaluation of reportable incidents.
 - (ii) If approved by the Department, a camp director must meet all terms of an approved exemption(s). An exemption shall remain in effect until revoked by the Department. A camp director must immediately notify the Department when conditions upon which the incident review committee exemption was granted have changed.

(q) In addition to all other bases afforded to the Department to deny, suspend or revoke a permit as specified in this Code, a camp permit may be denied, revoked or suspended if the camp fails to comply with regulations, policies, or other applicable requirements of the Justice Center, as determined by the Department. In considering whether to issue a permit to a camp, the Department shall consider the camp's past and current compliance with the regulations, policies, or other requirements of the Justice Center.

Section 13. The Department proposes that the Board of Health create a new §48.26 in Article 48 of the New York City Health Code, located in title 24 of the Rules of the City of New York, to read as follows:

§48.26 Modification of provisions.

When the strict application of any provision of this Article presents substantial difficulties, or unusual or unreasonable hardships, the Commissioner of the Department or her designee may in a specific instance modify the application of such provision consistent with the general purpose and intent of this Article and upon such conditions as in his/her opinion are necessary to protect the health of the children. Unless a specific duration is specified by the Department, all modifications shall remain in effect for the remainder of the permit period and shall expire at the end of the permit period.

* * *

Notes: The Department proposes that the Board of Health amend Article 48 of the NYC Health Code primarily to align the Health Code with applicable state requirements for camps and immunizations.

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Amendment of Health Code Provisions Governing Camps

REFERENCE NUMBER: 2019 RG 069

RULEMAKING AGENCY: Department of Health and Mental Hygiene

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: 9/12/19

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

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

RULE TITLE: Amendment of Health Code Provisions Governing Camps

REFERENCE NUMBER: DOHMH-105

RULEMAKING AGENCY: Department of Health and Mental Hygiene

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because the violations pose significant risks to public health and safety, environmental hazards, and/or arise from consequences of immediate events, which make a cure period impracticable under the circumstances.

/s/ *Francisco X. Navarro*
Mayor's Office of Operations

October 3, 2019
Date

Accessibility questions: Svetlana Burdeynik (347) 396-6078, ResolutionComments@health.nyc.gov, by: Friday, November 1, 2019, 5:00 P.M.



◀ o15

**Notice of Public Hearing and Opportunity to Comment on
Proposed Amendments to Article 49 of the New York City
Health Code**

What are we proposing? The Department of Health and Mental Hygiene ("Department") is proposing that the Board of Health ("Board") amend Article 49 (Schools) of the New York City Health Code ("Health Code"). The proposal is to amend section 49.05 providing immunization requirements in conformity with applicable state law and to amend section 49.07 to require a medical room in each school. Additionally, section 49.01 is being amended to indicate that these proposed changes are also applicable to high schools.

When and where is the hearing? The Department will hold a public hearing on the proposed Health Code amendments on November 15, 2019, from 9:30AM to 12PM. The hearing will be held at:

New York City Department of Health and Mental Hygiene
Gotham Center
42-09 28th Street, 14th Floor, Room 3-32
Long Island City, NY 11101-4132
This location is wheelchair-accessible.

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

- **Website.** You can submit comments to the Department through the NYC Rules website at <http://rules.cityofnewyork.us>
- **Email.** You can email written comments to resolutioncomments@health.nyc.gov
- **Mail.** You can mail written comments to:
New York City Department of Health and Mental Hygiene
Gotham Center, 42-09 28th Street, CN 31
Long Island City, NY 11101-4132
- **Fax.** You can fax written comments to the New York City Department of Health and Mental Hygiene at 347-396-6087.
- **Speaking at the hearing.** Anyone who wants to comment on the proposed amendments at the public hearing must sign up to speak. You can sign up before the hearing by calling Svetlana Burdeynik at 347-396-6078. You can also sign up in the hearing room before or during the hearing on November 15, 2019. You can speak for up to three minutes.

Is there a deadline to submit written comments? Written comments must be received by November 15, 2019, at 5:00 p.m.

What if I need assistance to participate in the hearing? You must tell us if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 347-396-6078. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by November 1, 2019.

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

What authorizes the Board to make these amendments? Sections 556, 558, and 1043 of the New York City Charter (the Charter) authorize the Board to make the proposed amendments. The provisions of the proposed rule were not included in the Department's regulatory agenda because they were not contemplated when the Department published the agenda.

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

What laws govern the rulemaking process? The Board must meet the requirements of Section 1043 of the Charter when creating or changing the Health Code. This notice is made according to the requirements of such section.

Statement of Basis and Purpose

Article 49 of the New York City Health Code governs health and safety requirements for schools. The Department of Health and Mental Hygiene (DOHMH) proposes that the Board of Health amend Article 49 Section 49.05 to establish child immunization requirements that conform with § 2164 of the New York State Public Health Law. DOHMH further proposes amending Article 49 Section 49.07 to require each school to have a medical room so that health professionals may properly perform their duties. Finally, the Department proposes that Article 49 Section 49.01 be amended to confirm that the proposed changes concerning child immunization also apply to public and private high schools.

Legal Authority

These amendments to the Health Code are proposed pursuant to §§ 558 and 1043 of the New York City Charter. Sections 558 (b) and (c) of the Charter empower the Board to amend the Health Code and to include in the Health Code all matters to which the authority of the Department extends. Section 1043 grants the Department rulemaking authority.

This proposal was not included in the Department's Fiscal Year 2020 regulatory agenda as its need was not required at the time of publication.

The proposal is as follows:

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

* * * * *

RESOLVED, that section 49.01 of Article 49 of the New York City Health Code, as set forth in Title 24 of the Rules of the City of New York, be amended, indicating that required child immunizations apply to high schools, to read as follows:

§49.01 Scope.

The provisions of this article apply to all schools, and the requirements of this article shall be in addition to the requirements to be met by schools pursuant to Article 45. A nursery school or kindergarten other than a kindergarten conducted as part of an elementary school by the Board of Education shall be maintained pursuant to Article 47. The provisions of [§] §§ 49.05(c) and 49.15(d) shall also apply to public and private high schools.

RESOLVED, that section 49.05 of Article 49 of the New York City Health Code, as set forth in Title 24 of the Rules of the City of New York, be amended to add a new subdivision (c), concerning required child immunizations, to read as follows:

§ 49.05 Admissions.

(c) Immunizations. (1) All children must be immunized against diphtheria, tetanus, pertussis, poliomyelitis, measles, mumps, rubella, varicella, hepatitis B, pneumococcal disease and haemophilus influenzae type b (Hib), in accordance with New York State Public Health Law §2164, or successor law. Exemption from specific immunizations may be permitted if the immunization may be detrimental to the child's health, in accordance with New York State Public Health Law §2164. Documentation of immunizations and exemptions must be kept on site.

(2) No principal, teacher, owner, or person in charge of a school shall permit any child to attend such school without appropriate documentation of the immunizations required pursuant to paragraph (1) of this subdivision, except as provided for in this subdivision or pursuant to New York State Public Health Law § 2164 or successor law.

(3) All children must have such additional immunizations as the Department may require.

(4) The principal, owner, or person in charge of a school must report to the Department all requests for exemption made pursuant to paragraph (1) of this subdivision in a manner and form prescribed by the Department. Upon submission of an exemption request and pending Department determination, the child may attend school. If upon review of the documents submitted and any additional documentation provided to the Department, the Department determines that the exemption request is not valid insofar as it is not in accordance with the Center for Disease Control's Advisory Committee on Immunization Practices guidelines or other nationally recognized evidence-based guidelines, the principal, owner, or person in charge of a school must not allow the child to attend the school unless appropriate documentation is provided that such child has received the immunizations required pursuant to paragraph (1) of this subdivision.

RESOLVED, that section 49.07 of Article 49 of the New York City Health Code, as set forth in Title 24 of the Rules of the City of New York, be amended to add a new subdivision (d), requiring a medical room in each school, to read as follows:

§49.07 Physical facilities.

(d) Every public or private school where a nurse, public health advisor or school health services aide provides health services to school children must have an appropriate medical room where the nurse, public health advisor or school health service aide, can carry out his or her duties. The medical room should be in a dedicated space with no through traffic, wheelchair-accessible, on a lower floor, and in a central building location; and should contain the following:

- (1) a workstation
- (2) a medical cabinet, a filing cabinet, medication refrigerator, exam table and scale;
- (3) an appropriate waiting area;
- (4) a bathroom internal to or adjacent to the medical room;
- (5) a holding area for a student awaiting transportation or pick-up (80 square feet); and
- (6) a nursing/treatment area that meets the following requirements:
 - (i) minimum of 200 square feet in buildings for up to 800 students and 300 square feet in larger buildings to accommodate more staff;
 - (ii) sink with hot and cold running water;
 - (iii) floor-to-ceiling walls substantial enough to maintain privacy;
 - (iv) easy to clean surfaces (e.g., no carpeting);

- (v) internet access and adequate electrical power (multiple outlets) for computers and medical equipment;
- (vi) telephone line able to make direct calls out of building (e.g., 911 calls) and to send and receive faxes;
- (vii) adequate heating and air conditioning, lighting and ventilation, including a window;
- (viii) secure lock that cannot be opened by other school keys (excluding master key); and
- (ix) safety button to enable nurse to have immediate access to security in the event of an emergency.

RESOLVED, that explanatory notes for Article 49 be printed to read as follows:

Notes: The Department proposes that the Board of Health amend Article 49 of the Health Code to conform child immunization requirements with applicable state law and to require that each school have a dedicated medical room.

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Amendment of Immunization Requirements for School Children

REFERENCE NUMBER: 2019 RG 084

RULEMAKING AGENCY: Board of Health

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN L. GOULDEN
Acting Corporation Counsel

Date: October 7, 2019

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

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

RULE TITLE: Amendment of Immunization Requirements for School Children

REFERENCE NUMBER: DOHMH 108

RULEMAKING AGENCY: Board of Health

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Mariana Alexander
Mayor's Office of Operations

October 8, 2019
Date

Accessibility questions: Svetlana Burdeynik (347) 396-6078,
ResolutionComments@health.nyc.gov, by: Friday, November 1, 2019,
5:00 P.M.



HOUSING PRESERVATION AND DEVELOPMENT

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Housing Preservation and Development (HPD) proposes amendments to chapter 50 to title 28 of the Rules of the City of New York to implement changes to the prevailing wage requirements for building service employees in buildings receiving tax benefits under New York State Real Property Tax Law section 421-a (the “421-a Statute”) enacted by Chapter 20 of the Laws of 2015 and Chapter 59 of the Laws of 2017 and to the minimum average hourly wage requirements for construction workers for certain projects in accordance with subdivision 16 of the 421-a Statute.

When and where is the Hearing? HPD will hold a public hearing on the proposed rules. The public hearing will take place from 11:00 AM to 12:00 PM on Tuesday, November 19, 2019. The hearing will be in HPD’s offices at 100 Gold Street, 9th Floor, Room 9P10, New York, New York 10038.

The location has the following accessibility options available: the building and hearing room are wheelchair accessible.

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

Website. You can submit comments to HPD through the NYC rules Web site at <http://rules.cityofnewyork.us>.

- **Email.** You can email written comments to rules@hpd.nyc.gov.
- **Mail.** You can mail written comments to Meilan Chiu, Director of Operations and Policy Analysis, 100 Gold Street, Room 9-Z2, New York, New York 10038.
- **Fax.** You can fax written comments to HPD, 212 863-7156, ATTN: Meilan Chiu.
- **Hearing.** You can speak at the public hearing. Anyone who wants to comment on the proposed rules at the public hearing must sign up to speak. You can sign up before the hearing by calling (212) 863-6494. You can also sign up in the hearing room before the hearing begins on November 19, 2019. You can speak for up to three minutes.

Is there a deadline to submit written comments? All written comments must be submitted before the close of business on November 19, 2019.

What if I need assistance to participate in the Hearing? If you need a sign language interpreter or other reasonable accommodation of a disability at the Hearing, you must tell us no later than November 8, 2019 either by email at accessibility@hpd.nyc.gov, by telephone at 212-863-6494, or by mail at the address given above.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and an audiotape of oral comments concerning the proposed rules will be available to the public at 421-a Customer Service Conference Room No. 8-CO9, 8th Floor, 100 Gold Street, between 10:00 am – 4:00 pm on weekdays.

What authorizes HPD to make this rule? Sections 1043 and 1802 of the City Charter and Section 421-a of the New York State Real Property Tax Law authorize HPD to make these proposed rules. The proposed rules were included in HPD’s regulatory agenda.

Where can I find the HPD rules? The HPD rules are in title 28 of the Rules of the City of New York.

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

Statement of Basis and Purpose of Proposed Rule

Section 421-a of the Real Property Tax Law (“421-a Statute”) provides real property tax exemptions for eligible new multiple dwellings. In New York City, HPD determines eligibility for these exemptions and is responsible for ensuring that applicants for the exemption comply with the exemption’s eligibility requirements, including the requirement that the applicant’s building service employees receive a prevailing wage.

Chapter 20 of the Laws of 2015 amended the 421-a Statute to add enforcement oversight over the building service employees’ prevailing wage requirements by designating enforcement authority to the fiscal

officer which, in New York City, is the Comptroller. Chapter 20 of the Laws of 2015 also articulated the fiscal officer’s enforcement powers, which include conducting investigations to determine the prevailing wage for building service employees, holding related hearings, and issuing rules necessary for the proper execution of the duties, responsibilities, and powers conferred upon the fiscal officer by Chapter 20.

Chapter 59 of the Laws of 2017 amended RPTL Section 421-a(16) and provided for Affordable New York Housing Program tax exemption benefits for buildings that commenced construction after December 31, 2015, and on or before June 15, 2022, and who completed construction no later than June 15, 2026. Chapter 59 of the Laws of 2017 requires compliance with the prevailing wage requirements for building service workers and provides enforcement authority to the New York City Comptroller. RPTL Section 421-a(16) provides that eligible multiple dwellings containing less than thirty dwelling units are exempt from the requirement. For an eligible multiple dwelling receiving benefits pursuant to RPTL Section 421-a(16) to meet the affordability exemption from the building service workers prevailing wage requirements, all of the dwelling units must be affordable housing units and at least 50%, upon initial rental and subsequent rentals following a vacancy, must be affordable to and restricted to occupancy by individuals or families at or below 125% of Area Median Income.

Chapter 59 of the Laws of 2017 also provided that in addition to the other requirements provided in subdivision 16 of the 421-a Statute, rental projects with 300 or more dwelling units that are located in portions of Manhattan, Queens and Brooklyn must pay construction workers a minimum average hourly wage. The Comptroller also was given enforcement authority with respect to these minimum average hourly wage requirements for construction workers.

Chapter 50 of Title 28 of the Rules of the City of New York governs building service worker prevailing wage requirements and construction workers minimum average hourly wage requirements in certain buildings receiving benefits pursuant to the 421-a Statute.

HPD’s proposed rule amendments authorize the imposition of civil penalties for violations of the prevailing wage and minimum average hourly wage requirements. The civil penalty cannot be more than 25% of either (a) the prevailing wage underpayment, or (b) the differential between the wages set forth in the contractor’s certified payroll report and the actual wages paid. The civil penalty shall be assessed based upon such factors as size and good faith of applicant, contractor or subcontractor, as relevant, the gravity of the violation, the violation history and the failure to comply with bookkeeping and other non-wage requirements.

The proposed rule amendments also amend the definition of “Owner” in the rules to track Labor Law Article 9 and ensure that the definition covers any entity that is employing building service workers for work that extends beyond such entity’s individual residential or commercial unit. Finally, the proposed rule amendments make some technical amendments to Chapter 50.

HPD’s authority for these rules is found in sections 1043 and 1802 of the New York City Charter and section 421-a of the Real Property Tax Law.

New material is underlined.

[Deleted material is in brackets.]

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

Section 1. The definitions of “Comptroller Schedule”, “Owner” and “Prevailing Wage Requirement” in section 50-01 of title 28 of the rules of the city of New York are amended to read as follows:

Comptroller Schedule. “Comptroller Schedule” shall mean the annual [Labor Law Section 230 Prevailing Wage Schedules for]Building Service Employee[s] Prevailing Wage Schedule published by the Comptroller that [are]is in effect at the time the relevant Building Service Employee performs the work and that is published at www.comptroller.nyc.gov/wages.

Owner. “Owner” shall mean the fee owner of the real property receiving Benefits and any ground lessee, master lessee, sublessor or sublessee of such real property.

Prevailing Wage Requirement. “Prevailing Wage Requirement” shall mean the requirements under the Act, the New 421-a Act or the Extended Affordability Act, respectively, and this chapter that are applicable, with respect to the Act or the New 421-a Act, to any Multiple Dwelling whose construction began on or after December 28, 2007, and with respect to the Extended Affordability Act, to any Extended Affordability Property, except as otherwise provided in paragraph (e) of the Act, subparagraph (v) of the New 421-a Act, or subparagraph (v) of the Extended Affordability Act, as applicable, that all Building Service Employees receive the Prevailing Wage for the duration of the applicable Benefits period. Notwithstanding anything to the contrary contained herein or in the Act, the New 421-a Act or the Extended Affordability Act, such requirements shall only be applicable

to persons who are employed at a building, eligible site or extended affordability property, as applicable, for at least a ninety day period.

§ 2. Section 50-04 of chapter 50 of title 28 of the rules of the city of New York is amended to read as follows:

a. An Applicant found to have violated the Prevailing Wage Requirement shall be liable for any underpayment of the Prevailing Wage for work performed by Building Service Employees for no more than two years from the earlier of (a) the date that the related complaint was filed with the Comptroller, or (b) the date of the commencement of the Comptroller's independent investigation into the Applicant's compliance with the Prevailing Wage Requirement.

b. An Applicant found to have violated the Prevailing Wage Requirement shall be liable for interest on the underpayment of the Prevailing Wage at a rate of not less than six per cent per year and not more than the rate of interest then in effect as prescribed by the superintendent of banks pursuant to Section 14-a of the Banking Law per annum from the time such Prevailing Wage should have been paid. The rate of interest on such underpayment shall be calculated with due consideration to the number of persons employed by the Applicant, the good faith of the Applicant, the gravity of the Prevailing Wage violation, the history of the Applicant's previous Prevailing Wage violations and the Applicant's failure to comply with recordkeeping or other non-wage requirements.

c. An Applicant found to have violated the Prevailing Wage Requirement shall be subject to a civil penalty in an amount not exceeding twenty-five percent (25%) of the underpayment of the Prevailing Wage and the interest found to be due. In assessing the amount of the civil penalty, due consideration shall be given to the size of the Applicant, the good faith of the Applicant, the gravity of the violation, the history of previous violations of the Applicant, and the failure to comply with recordkeeping or other non-wage requirements. The civil penalty shall be paid to the Comptroller for deposit in the city treasury.

d. An Owner shall be jointly liable for any violation of the Act, the New 421-a Act or the Extended Affordability Act, as applicable, at the property receiving Benefits without regard to whether the Building Service Employees were directly employed by such Owner.

§ 3. Subdivision a of section 50-05 of chapter 50 of title 28 of the rules of the city of New York is amended to read as follows:

a. After receiving from the Comptroller a Report and Recommendation with a summary of the underpayment setting forth the respective amounts of Prevailing Wage underpayment and interest due to each Building Service Employee, the proposed civil penalty and the complete hearing record, the Agency shall issue an Order, which shall include instructions for payment of any such respective amounts of Prevailing Wage underpayment[and], interest and civil penalty to the Comptroller.

§ 4. Subdivision e of section 50-09 of chapter 50 of title 28 of the rules of the city of New York is amended to read as follows:

e. A contractor or subcontractor who submits an inaccurate Contractor Certified Payroll Report shall be (i) liable for the difference between the wages set forth in such Contractor Certified Payroll Report and the actual wages paid, with interest at the rate of interest then in effect as prescribed by the superintendent of financial services pursuant to Section 14-a of the Banking Law per annum from the date of the underpayment to the date of the payment of such difference (collectively, "Differential") and (ii) subject to a civil penalty in an amount not exceeding twenty-five percent (25%) of the Differential. In assessing the amount of the civil penalty, due consideration shall be given to the size of the contractor or subcontractor, the good faith of the contractor or subcontractor, the gravity of the violation, the history of previous violations of the contractor or subcontractor, and the failure to comply with recordkeeping or other non-wage requirements. The civil penalty shall be paid to the Comptroller for deposit in the city treasury.

Commissioner Louise Carroll
October 15, 2019

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
(212) 356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Prevailing Wages for Building Service Employees in Buildings Receiving 421-a Tax Benefits

REFERENCE NUMBER: 2019 RG 076

RULEMAKING AGENCY: Housing Preservation and Development

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN L. GOULDEN
Acting Corporation Counsel

Date: 9/24/2019

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

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

RULE TITLE: Prevailing Wages for Building Service Employees in Buildings Receiving 421-a Tax Benefits

REFERENCE NUMBER: HPD-65

RULEMAKING AGENCY: Department of Housing Preservation and Development

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period but the Office of the Comptroller has the authority to waive the penalty imposed.

Aaron Strauss
Mayor's Office of Operations

September 25th, 2019
Date

Accessibility questions: accessibility@hpd.nyc.gov, (212) 863-6494, by: Friday, November 8, 2019, 5:00 P.M.



o15

SPECIAL MATERIALS

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 Street, Room 629, New York, NY 10007 on **10/16/2019** 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
3A, 3B, 3C	5147	47
5A	5147	33
6A	5148	20
7A	5148	18

Acquired in the proceeding entitled: RUSTIC PLACE subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller
o1-15

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 Street, Room 629, New York, NY 10007, on **10/17/2019** 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
8A	5148	25
10A	5148	16
11A	5148	14
14A & 14B	5148	6
15A & 15B	5148	1

Acquired in the proceeding entitled: RUSTIC PLACE subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller
o2-16

HOUSING PRESERVATION AND DEVELOPMENT

■ NOTICE

REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT

Notice Date: October 15, 2019

To: Occupants, Former Occupants, and Other Interested Parties

Property:	Address	Application #	Inquiry Period
	20 St. Marks Place, Manhattan	81/19	September 5, 2016 to Present
	447 West 162 nd Street, Manhattan	83/19	September 11, 2016 to Present
	438 West 162 nd Street, Manhattan	91/19	September 13, 2016 to Present
	29 Mt. Morris Park West, Manhattan	84/19	September 18, 2016 to Present

Authority: SRO, Administrative Code §27-2093

Before the Department of Buildings can issue a permit for the alteration or demolition of a single room occupancy multiple dwelling, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD"), stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above, has applied, for a Certification of No Harassment. If you have any comments or evidence of harassment, at this building, please notify HPD, at **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038**, by letter, postmarked not later than 30 days from the date of this notice, or by an in-person statement made within the same period. To schedule an appointment, for an in-person statement, please call (212) 863-5277, or (212) 863-8211.

For the decision on the Certification of No Harassment Final Determination, please visit our website, at www.hpd.nyc.gov, or call (212) 863-8266.

PETICIÓN DE COMENTARIO SOBRE UNA SOLICITUD PARA UN CERTIFICACIÓN DE NO ACOSO

Fecha de notificación: October 15, 2019

Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

Propiedad:	Dirección:	Solicitud #:	Período de consulta:
	20 St. Marks Place, Manhattan	81/19	September 5, 2016 to Present
	447 West 162 nd Street, Manhattan	83/19	September 11, 2016 to Present
	438 West 162 nd Street, Manhattan	91/19	September 13, 2016 to Present
	29 Mt. Morris Park West, Manhattan	84/19	September 18, 2016 to Present

Autoridad: SRO, Código Administrativo §27-2093

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un período de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** por carta con matasellos no mas tarde que **30 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo período. Para hacer una cita para una declaración en persona, llame al (212) 863-5277 o (212) 863-8211.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en www.hpd.nyc.gov o llame al (212) 863-8266.

o15-23

REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT PILOT PROGRAM

Notice Date: October 15, 2019

To: Occupants, Former Occupants, and Other Interested Parties

Property:	Address	Application #	Inquiry Period
	336 East 166 th Street, Bronx	90/19	September 10, 2014 to Present
	1534 Selwyn Avenue, Bronx	85/19	September 20, 2014 to Present

Authority: Pilot Program Administrative Code §27-2093.1, §28-505.3

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling on the Certification of No Harassment Pilot Program building list, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** by letter postmarked not later than 45 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call (212) 863-5277 or (212) 863-8211.

For the decision on the Certification of No Harassment Final Determination please visit our website at www.hpd.nyc.gov or call (212) 863-8266.

**PETICIÓN DE COMENTARIO
SOBRE UNA SOLICITUD PARA UN
CERTIFICACIÓN DE NO ACOSO
PROGRAMA PILOTO**

Fecha de notificación: October 14, 2019

Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

Propiedad:	Dirección:	Solicitud #:	Período de consulta:
336 East 166 th Street, Bronx		90/19	September 10, 2014 to Present
1534 Selwyn Avenue, Bronx		85/19	September 20, 2014 to Present

Autoridad: PILOT, Código Administrativo §27-2093.1, §28-505.3

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un período de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** por carta con matasellos no mas tarde que **45 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo período. Para hacer una cita para una declaración en persona, llame al **(212) 863-5277 o (212) 863-8211**.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en www.hpd.nyc.gov o llame al (212) 863-8266.

☛ o15-23

**REQUEST FOR COMMENT
REGARDING AN APPLICATION FOR A
CERTIFICATION OF NO HARASSMENT**

Notice Date: October 15, 2019

To: Occupants, Former Occupants, and Other Interested Parties

Property:	Address	Application #	Inquiry Period
440 West 36 th Street, Manhattan		82/19	June 21, 2004 to Present

Authority: Special Hudson Yards District, Zoning Resolution §93-90

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call **(212) 863-5277 or (212) 863-8211**.

For the decision on the Certification of No Harassment Final Determination please visit our website at www.hpd.nyc.gov or call (212) 863-8266.

**PETICIÓN DE COMENTARIO
SOBRE UNA SOLICITUD PARA UN
CERTIFICACIÓN DE NO ACOSO**

Fecha de notificación: October 15, 2019

Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

Propiedad:	Dirección:	Solicitud #:	Período de consulta:
440 West 36 th Street, Manhattan		82/19	June 21, 2004 to Present

Autoridad: Special Hudson Yards District, Zoning Resolution Código Administrativo §93-90

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un período de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** por carta con matasellos no mas tarde que **30 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo período. Para hacer una cita para una declaración en persona, llame al **(212) 863-5277 o (212) 863-8211**.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en www.hpd.nyc.gov o llame al (212) 863-8266.

☛ o15-23

MAYOR'S OFFICE OF CONTRACT SERVICES

■ NOTICE

Notice of Intent to Extend Contract(s) Not Included in FY 2020 Annual Contracting Plan and Schedule

NOTICE IS HEREBY GIVEN that the Mayor will be entering into the following extension(s) of (a) contract(s) not included in the FY 2020 Annual Contracting Plan and Schedule that is published, pursuant to New York City Charter § 312(a):

Agency: HPD

FMS Contract #: 20160001115

Vendor: New York State Industries for the Disabled, Inc. (sub agency: Fedcap Rehabilitation Services, Inc.)

Description of services: Mailing of NOV's & Associated Documents (see attached scope of work)

Award method of original contract: Required Method: Preferred Source FMS Contract type: CT1

End date of original contract: 6/30/2018

Method of renewal/extension the agency intends to utilize: Extension

New start date of the proposed renewed/extended contract: 7/1/2018

New end date of the proposed renewed/extended contract: 6/30/2019

Modifications sought to the nature of services performed under the contract: None

Reason(s) the agency intends to renew/extend the contract: A new procurement was planned to be in place commencing 7/1/18, but has been delayed by a change in state regulations regarding the applicability of preferred source utilization for "print-and-mail" service. NYSID had been hopeful that they would be successful in lobbying the applicable governing body for re-listing of these services, so that we could move forward. Having now succeeded in that effort, NYSID now is encountering delays in acquiring OGS approval of the proposed pricing. (HPD effected a task order for print-and-mail under a DCAS requirements contract for one year's service.) NYSID's sub-agency, Fedcap, has continued to work at risk for the remaining services in the

mean-time, but we have passed 5 quarters of work with no end in sight, so NYSID/Fedcap has agreed to accept a one-year extension of this contract in order to be paid for one year of that work.

Personnel in substantially similar titles within agency: None
Headcount of personnel in substantially similar titles within agency: 0

◀ o15

Notice of Intent to Issue New Solicitation(s) Not Included in FY 2020 Annual Contracting Plan and Schedule

NOTICE IS HEREBY GIVEN that the Mayor will be issuing the following solicitation(s) not included in the FY 2020 Annual Contracting Plan and Schedule that is published, pursuant to New York City Charter § 312(a):

Agency: Department of Finance

Description of services sought: Annual software maintenance and support of the Business Tax System (LEVEL 3 FOR BTS PROJECT)
Start date of the proposed contract: 1/15/2020

End date of proposed contract: 1/14/2025

Method of solicitation the agency intends to utilize: Sole Source

Personnel in substantially similar titles within agency: None

Headcount of personnel in substantially similar titles within agency: 0

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CHANGES IN PERSONNEL

OFFICE OF THE MAYOR FOR PERIOD ENDING 09/06/19							
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
AHMED	NAFISA T	10232	\$17.0000	RESIGNED	YES	08/18/19	002
ALICEA	ELIZA	10234	\$15.7500	RESIGNED	YES	08/16/19	002
ALLEYNE-LEGENDR	RUMER	10234	\$15.7500	RESIGNED	YES	08/18/19	002
ANDERSON	KEVERN D	0668A	\$65000.0000	INCREASE	YES	08/01/19	002
AVILES JR	ROLANDO	0668A	\$74000.0000	INCREASE	YES	08/01/19	002
BAPTISTE	YAZMIN D	10234	\$15.7500	RESIGNED	YES	08/16/19	002
BATTLE	LAKESHIA K	0668A	\$72000.0000	INCREASE	YES	08/01/19	002
CHEN	BING Q	10234	\$15.7500	RESIGNED	YES	08/21/19	002
CHEN	JOYCE	10234	\$15.7500	RESIGNED	YES	08/22/19	002
CHINAPEN	PARBATTI	0668A	\$77000.0000	INCREASE	YES	08/01/19	002
CLEMONDS	ADEL Y	10234	\$15.7500	RESIGNED	YES	08/25/19	002
CONDE	AICHA	10234	\$15.7500	RESIGNED	YES	08/18/19	002
CONTRERAS BENA	RAUL A	0668A	\$99079.0000	RESIGNED	YES	06/30/19	002
CORRIELUS	JOANNE T	10232	\$17.0000	RESIGNED	YES	08/18/19	002
DANIEL	MICHAELA O	0527A	\$205000.0000	INCREASE	YES	07/07/19	002
DHAITI	MATTHEW O	0668A	\$61350.0000	RESIGNED	YES	07/07/19	002
DRAYTON	TYLER J	10234	\$15.7500	RESIGNED	YES	08/20/19	002
ETEDGI	NOA	10234	\$15.7500	RESIGNED	YES	08/15/19	002
FASHAMU	ANJOLAOL E	10234	\$15.7500	RESIGNED	YES	08/20/19	002
FRASCA	OLIVIA M	10234	\$15.7500	RESIGNED	YES	08/18/19	002
GARCIA	GABRIEL R	10237	\$15.0000	RESIGNED	YES	08/23/19	002
GREEN	JONATHAN D	0668A	\$156443.0000	RESIGNED	YES	05/21/19	002
GREENE	LINDSAY S	0527A	\$175000.0000	INCREASE	YES	08/18/19	002
GREENSTEIN	ANDREA L	10232	\$17.0000	RESIGNED	YES	08/16/19	002
HAMILTON	BRANDT R	0668A	\$81800.0000	RESIGNED	YES	07/14/19	002
HERNANDEZ	MADISON M	10234	\$15.7500	RESIGNED	YES	08/14/19	002
JONES	BRANDON A	10234	\$15.7500	RESIGNED	YES	08/25/19	002
KELLUM	YVETTE A	0668A	\$56238.0000	RESIGNED	YES	06/27/19	002
KIRBY	TORIANNA	10234	\$15.7500	RESIGNED	YES	08/16/19	002
LAUER	ALACIA J	0668A	\$97342.0000	INCREASE	YES	07/21/19	002
LAURENS	ALEXANDE D	10234	\$15.7500	RESIGNED	YES	08/15/19	002
LAUTER	DEBORAH M	95005	\$150000.0000	APPOINTED	YES	08/25/19	002
LEON	DHAFFAU	10234	\$15.7500	RESIGNED	YES	08/25/19	002
LIN	CINDY	10234	\$15.7500	RESIGNED	YES	08/18/19	002
LIVINGSTON	EMMA R	10232	\$17.0000	RESIGNED	YES	08/25/19	002
LUE-HING	ERIN A	10232	\$17.0000	RESIGNED	YES	08/18/19	002
MALEK	GABRIEL B	10234	\$15.7500	RESIGNED	YES	08/18/19	002
MCALLISTER	MEAGHAN H	10234	\$15.7500	RESIGNED	YES	08/18/19	002
MEDINA	AILEEN	10234	\$15.7500	RESIGNED	YES	08/25/19	002
MENDIETA	JESSICA	10232	\$17.0000	RESIGNED	YES	08/25/19	002
MILLER	PAULINE A	10232	\$17.0000	RESIGNED	YES	08/25/19	002
O'PHALEN	KATRINA A	10232	\$17.0000	RESIGNED	YES	08/16/19	002
OUEDRAOGO	MADINA P	10232	\$17.0000	RESIGNED	YES	08/16/19	002
PEREZ	MARCO A	10234	\$15.7500	RESIGNED	YES	08/22/19	002
PIERCE	MEGHAN A	0527A	\$62000.0000	RESIGNED	YES	06/30/19	002
RAM	RAZA	0527A	\$71000.0000	APPOINTED	YES	08/18/19	002
RICHARDSON	TERRI J	0668A	\$126760.0000	RESIGNED	YES	08/18/19	002
RIVERA MUNOZCAN	LUIS BER	10232	\$17.0000	RESIGNED	YES	08/21/19	002
ROSA	ROSLEYN	05277	\$65000.0000	APPOINTED	YES	08/18/19	002
SANDERS	HANNAH L	10234	\$15.7500	RESIGNED	YES	08/18/19	002
SHAH	NIDHI R	10234	\$15.7500	RESIGNED	YES	08/25/19	002

OFFICE OF THE MAYOR FOR PERIOD ENDING 09/06/19							
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
SHVAIKO	ANDREW R	10234	\$15.7500	RESIGNED	YES	08/23/19	002
SILVY	MIR K	10234	\$15.7500	RESIGNED	YES	08/20/19	002
SOKOL	ANNET C	10234	\$15.7500	RESIGNED	YES	08/14/19	002
STARK	JOSEPH C	10232	\$17.0000	RESIGNED	YES	08/18/19	002
STAUFFER	CHRISTOP J	10234	\$15.7500	RESIGNED	YES	08/18/19	002

THOMAS	CHRISTIN M	10234	\$15.7500	RESIGNED	YES	08/16/19	002
TRONCOSO	ISAAC D	10234	\$15.7500	RESIGNED	YES	08/25/19	002
TROTMAN	MARCELL G	10234	\$15.7500	RESIGNED	YES	08/18/19	002
VENNAT	JISSA A	10234	\$15.7500	RESIGNED	YES	08/25/19	002
WALKER	BREANNA A	10234	\$15.7500	RESIGNED	YES	08/20/19	002
WELLES	HANNAH B	10234	\$15.7500	RESIGNED	YES	08/16/19	002
WIDERCANTZ	HANNAH R	10234	\$15.7500	RESIGNED	YES	08/23/19	002
WING	SAMANTHA H	10234	\$15.7500	RESIGNED	YES	08/16/19	002
YATES	CHARLOTT A	10234	\$15.7500	RESIGNED	YES	08/18/19	002
YELLIN	ALEXANDR D	10232	\$17.0000	RESIGNED	YES	08/16/19	002
ZHANG	GLORIA H	10232	\$17.0000	RESIGNED	YES	08/16/19	002

BOARD OF ELECTION FOR PERIOD ENDING 09/06/19							
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
CALTABIANO	DONNA M	94524	\$52362.0000	INCREASE	YES	08/18/19	003
COUGHLIN	KENNETH R	94201	\$85500.0000	INCREASE	YES	08/18/19	003
FARLOW	CORRINE	94367	\$15.4500	APPOINTED	YES	08/25/19	003
FLOTTE	LOGAN P	94201	\$80000.0000	INCREASE	YES	08/18/19	003
MARINO	HELEN	94216	\$18.1300	INCREASE	YES	08/18/19	003
RAPAGLIA	NICHOLAS S	94367	\$15.4500	APPOINTED	YES	08/18/19	003
SHARMA	RAMA	94367	\$15.4500	APPOINTED	YES	08/25/19	003
TRUTA	DANA L	94207	\$50595.0000	INCREASE	YES	08/18/19	003
VILLA	MICHAEL G	94367	\$15.4500	APPOINTED	YES	08/18/19	003
WILLIAMS	KRISTINA A	94367	\$15.4500	APPOINTED	YES	08/18/19	003

CAMPAIGN FINANCE BOARD FOR PERIOD ENDING 09/06/19							
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
JUTTE	TIMOTHY C	10209	\$17.0000	RESIGNED	YES	08/17/19	004
KENNEDY	KYLE F	06601	\$52000.0000	APPOINTED	YES	08/18/19	004
O'HARA	EMILY K	10209	\$17.3000	RESIGNED	YES	08/10/19	004
POLAUF	STEPHEN R	06601	\$52980.0000	RESIGNED	YES	08/16/19	004
SCANTLEBURY	DOUGLAS A	0660A	\$80294.0000	RESIGNED	YES	08/16/19	004
SUAREZ	KEVIN	10209	\$17.3000	RESIGNED	YES	08/16/19	004
WILLIAMS	JACLYN E	06601	\$50000.0000	APPOINTED	YES	08/18/19	004

NYC EMPLOYEES RETIREMENT SYS FOR PERIOD ENDING 09/06/19							
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BOGATTREVA	IRINA	40493	\$67486.0000	INCREASE	NO	08/25/19	009
DYER	MELISSA A	56056	\$31573.0000	INCREASE	YES	08/18/19	009
JANIVA	CHARLES S	1000B	\$80000.0000	APPOINTED	YES	08/25/19	009
SMITH	SHARON D	60888	\$39170.0000	RESIGNED	NO	08/01/19	009
VARGHESE	ABY K	40493	\$53342.0000	RETIRED	NO	08/22/19	009

LATE NOTICE

HOMELESS SERVICES

■ INTENT TO AWARD

Services (other than human services)

NYSID JANITORIAL CLEANING AND MAINTENANCE OF DHS SHELTERS CITYWIDE - Required Method (including Preferred Source) - PIN# 07119M0002 - Due 10-22-19 at 2:00 P.M.

For Informational Purposes Only

The Department of Homeless Services (DHS), intends to enter into a Required Method (Preferred Source) contract, with New York State Industries for the Disabled (NYSID), for janitorial, grounds keeping and lawn maintenance services, at various DHS shelters Citywide.

E-PIN: 07119M0002.

Contract Term: 7/1/2019 - 6/30/2022, with option to renew for two years (7/1/2022 - 6/30/2024).

Contract Amount: \$62,709,426.00.

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

Homeless Services, 150 Greenwich Street, 37th Floor, New York, NY 10007. Jacques Fraizer (929) 221-5554; frazierjac@dss.nyc.gov

◀ o15-21

PROCUREMENT POLICY BOARD

■ NOTICE

Supplemental Notice to Extend the Comment Period on Proposed Rules

This is a supplemental notice to the Notice of Public Hearing and Opportunity to Comment on Proposed Rules posted on October 11, 2019, concerning the Procurement Policy Board's ("PPB") proposed amendments to the Rules of the City of New York. The PPB is issuing this supplemental notice to provide additional time to submit written comments on the proposed amendments. The deadline to submit written comments has been extended from **November 7, 2019** to **November 12, 2019**. Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the PPB through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to ppb@mocs.nyc.gov.
- **Mail.** You can mail comments to:
Attn: Procurement Policy Board
Mayor's Office of Contract Services
253 Broadway, 9th Floor
New York, New York 10007
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling (212)788-0010 or emailing ppb@mocs.nyc.gov. You can also sign up in the hearing room before the hearing begins on November 12, 2019. You can speak for up to three minutes.

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CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. FOR FURTHER INFORMATION ON ACCESSIBILITY OR TO MAKE A REQUEST FOR ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION SERVICES, PLEASE CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES (MOCS) VIA E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 788-0010. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



FINANCIAL INFORMATION SERVICES AGENCY

■ PUBLIC HEARINGS

FINANCIAL INFORMATION SERVICES AGENCY OFFICE OF PAYROLL ADMINISTRATION

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, October 24, 2019, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 AM on the following:

IN THE MATTER of a proposed Purchase Order/Contract between the Financial Information Services Agency - OPA of the City of New York and CompCiti Business Solutions, Inc., located at 261 West 35th Street, Suite 204, New York, NY 10001, for the purchase of IT Software with Maintenance and Implementation Services. The Purchase Order/Contract amount will be \$111,137.00. The term shall be from November 7, 2019 through November 6, 2020. PIN #: 127FY2000044.

The Vendor has been selected pursuant to Section 3-12 (e) of the Procurement Policy Board Rules.

A draft copy of the Purchase Order/Contract is available for public inspection at the Office of FISA-OPA, 5 Manhattan West, 4th Floor, New York, NY 10001-2603 (between Ninth and Tenth Avenues), on business days, from October 15, 2019 to October 24, 2019, excluding Holidays, from 9:30 AM to 4:30 PM.

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 five business days after publication of this notice. Written request should be sent to Procurement Analyst, Michael-Dean Mitchell, at 450 West 33rd Street, 4th Floor, New York, NY 10001-2603, or MMitchell@fisa-opa.nyc.gov. If FISA-OPA receives no written requests to speak within the prescribed time, FISA-OPA reserves the right not to conduct the public hearing.



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TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, October 24, 2019, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 AM on the following:

IN THE MATTER of proposed Purchase Order/Contract between the Department of Transportation of the City of New York and Armedia, LLC, located at 8221 Old Courthouse Road, Vienna, VA 22182, to procure Alfresco Support Services. The amount of this Purchase Order will be \$149,900.00. The term will be one year from the date of registration. Agency PIN #: 84108282020ITSS.

The Vendor has been selected pursuant to Section 3-12 (e) of the Procurement Policy Board Rules.

A draft copy of the proposed Purchase Order/Contract will be available for public inspection at the Department of Transportation, Office of the Agency Chief Contracting officer, 55 Water Street, 8th Floor, New York, NY 10041, from October 15, 2019 to October 24, 2019, excluding Saturdays, Sundays and Legal Holidays, from 9:00 A.M. to 5:00 P.M.



◀ o15

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, October 24, 2019, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 AM on the following:

IN THE MATTER of a proposed contract between the Department of Transportation of the City of New York and LeadDog Marketing Group, Inc., 440 Ninth Avenue, 17th Floor, New York, NY 10001, for Event Production, Sponsorship Recruitment and Marketing Services. The contract shall be for an amount not to exceed \$1,950,000.00. The contract term shall be 1,095 Consecutive Calendar Days from the start/commence work date indicated in the Written Notice to Proceed, with one option to renew for 730 Consecutive Calendar Days under the same terms and conditions at the sole discretion of the City. E-PIN #: 84119P0015001, Agency PIN #: 84119MBAD319.

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

A draft copy of the proposed contract will be available for public inspection at the Department of Transportation, Office of the Agency Chief Contracting Officer at 55 Water Street, Room 825, New York, NY 10041, from October 15, 2019 to October 24, 2019, excluding Saturdays, Sundays and Legal Holidays, from 9:00 A.M. to 5:00 P.M.

IN THE MATTER of a proposed contract between the Department of Transportation of the City of New York and Parkeon, Inc., 40 Twosome Drive, Unit #7, Moorestown, N.J. 08057, for Parking Meter Retrofit for License Plate Recognition. The contract amount shall be \$74,789,250.00. The contract term shall be 1825 days from the start/commence work date indicated in the Written Notice to Proceed, with an option to renew the contract for a period not to exceed 1825 days. E-PIN #: 84119S0001001, Agency PIN #: 84119MBTR312.

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

A draft copy of the proposed contract will be available for public inspection at the Department of Transportation, Office of the Agency Chief Contracting Officer at 55 Water Street, Room 825, New York, NY 10041, from October 15, 2019 to October 24, 2019, excluding Saturdays, Sundays and Legal Holidays, from 9:00 A.M. to 5:00 P.M.



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