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THE CITY RECORD

Official Journal of The City of New York

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THE CITY RECORD

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Citywide Administrative Services

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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 hearing on the matters indicated below:

The Subcommittee on Zoning and Franchises will hold a public hearing, accessible remotely and in person in the 16th Floor



Committee Room, 250 Broadway, New York, NY 10007, on the following matters commencing at 12:00 P.M. on September 10, 2024. The hearing will be live-streamed on the Council's website at <https://council.nyc.gov/live/>. Please visit <https://council.nyc.gov/land-use/> in advance for information about how to testify and how to submit written testimony.

21ST STREET REZONING C 230250 ZMQ QUEENS - CB 1

Application submitted by Astoria Park Warehouse LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a:

- eliminating from within an existing R5D District a C1-3 District bounded by 21st Street, a line 100 feet northeasterly of 24th Avenue, a line 125 feet southeasterly of 21st Street, and 24th Avenue;
- changing from an R5B District to an R6A District property bounded by:
 - 21st Street, 23rd Terrace, a line 100 feet southeasterly of 21st Street, and a line 100 feet northeasterly of 24th Avenue;
 - 21st Street, 24th Avenue, a line 85 feet northwesterly of 23rd Street, and a line 100 feet southwesterly of 24th Avenue;
- changing from an R5D District to an R6A District property bounded by 21st Street, a line 100 feet northeasterly of 24th Avenue, a line 125 feet southeasterly of 21st Street, and 24th Avenue; and
- establishing within the proposed R6A District a C1-4 District bounded by 21st Street, 23rd Terrace, a line 100 feet southeasterly of 21st Street, a line 100 feet northeasterly of 24th Avenue, a line 125 feet southeasterly of 21st Street, 24th Avenue, a line 85 feet northwesterly of 23rd Street, and a line 100 feet southwesterly of 24th Avenue;

subject to the conditions of CEQR Declaration E-762.

QUEENS – CB 1 21ST STREET REZONING N 230251 ZRQ

Application submitted by Astoria Park Warehouse LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F, for the purpose of establishing a Mandatory Inclusionary Housing area.

To view the proposed text amendment, please refer to the public documents associated with this application that are accessible through the Zoning Application Portal maintained by the Department of City Planning, which can be accessed at the following website: zap.planning.nyc.gov/projects.

BROOKLYN – CB 3 MARCUS GARVEY ARTICLE XI G 240057 XAK

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a real property tax exemption for property located at 281-311 Marcus Garvey Boulevard (Block 1629, Lot 1 and Block 1634, Lot 1), Borough of Brooklyn, Community District 3.

MANHATTAN – CB 8 MSK PAVILION C 240237 ZMM

Application submitted by Memorial Sloan Kettering Cancer Center pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c, changing from an R8 District to an R9 District property bounded by East 67th Street, a line 100 feet westerly of York Avenue, East 66th Street, and line 315 feet easterly of First Avenue, and subject to the conditions of CEQR Declaration E-760.

MANHATTAN – CB 8 MSK PAVILION N 240238 ZRM

Application submitted by Memorial Sloan Kettering Cancer Center, 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 VII, Chapter 9 (Special Regulations Applying to Large-Scale Community Facility Developments).

To view the proposed text amendment, please refer to the public documents associated with this application that are accessible through the Zoning Application Portal maintained by the Department of City Planning, which can be accessed at the following website: zap.planning.nyc.gov/projects.

MANHATTAN – CB 8 MSK PAVILION C 240235 ZSM

Application submitted by Memorial Sloan Kettering Cancer Center pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 79-43** of the Zoning Resolution to modify:

1. the height and setback requirements of Section 24-522 (Front setbacks in districts where front yards are not required) on the periphery of a large scale community facility development;
2. the lot coverage requirements of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage); and
3. the sign regulations of Section 22-231 (Nameplates or identification signs) and Section 22-342 (Height of signs)

to facilitate a proposed 31-story inpatient medical facility on the South Block Zoning Lot (Block 1461, Lots 13 & 21), in R9* and R10 Districts, within an existing Large-Scale Community Facility Development generally bounded by East 69th Street, a line 338 feet easterly of First Avenue, a line midway between East 69th Street and East 68th Street, a line 463 feet easterly of First Avenue, East 68th Street, York Avenue, East 66th Street, a line 300 feet westerly of York Avenue, East 67th Street, First Avenue, East 68th Street, and a line 100 feet easterly of First Avenue (Block 1461, Lots 13 & 21, Block 1462, Lots 1 & 5, and Block 1463, Lots 5 and 7501 (condo lot 1001)) in R8, R9*, and R10 Districts, Borough Of Manhattan Community District 8.

*Note: A portion of the site is proposed to be rezoned by changing an existing R8 District to an R9 District under a concurrent related application for a Zoning Map change (C 240237 ZMM).

**Note: A zoning text amendment is proposed to modify Section 79-40 under a concurrent related application (N 240238 ZRM).

MANHATTAN – CB 8 MSK PAVILION C 240236 GFM

Application submitted by Memorial Sloan Kettering Cancer Center pursuant to Sections 197-c of the New York City Charter for a

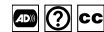
revocable consent to construct, maintain and use a 24 foot-wide pedestrian bridge over East 67th Street approximately 67 feet westerly of First Avenue, Borough of Manhattan, Community District 8.

MANHATTAN – CB 8 MSK PAVILION M 240240 LDM

Application submitted by Memorial Sloan Kettering Cancer Center for cancellation of a restrictive declaration associated with the approved applications 010547ZMM, 010145ZSM and 010549ZAM which was recorded on December 20, 2001 in Reel 3413, Page 1860 in the Office of the New York County Register.

For questions about accessibility and requests for additional accommodations, please contact swerts@council.nyc.gov or nbenjamin@council.nyc.gov or (212) 788-6936 at least three (3) business days before the hearing.

Accessibility questions: Kaitlin Greer, kgreer@council.nyc.gov, by: Thursday, September 5, 2024, 3:00 P.M.



← s4-10

NOTICE IS HEREBY GIVEN that the Council has scheduled the following public hearing on the matter indicated below:

The Subcommittee on Landmarks, Public Sitings, and Dispositions will hold a public hearing, accessible remotely and in person on the 16th Floor Committee Room, 250 Broadway, New York, NY 10007, on the following matters commencing at 11:00 A.M. on September 10, 2024. The hearing will be live-streamed on the Council's website at <https://council.nyc.gov/live/>. Please visit <https://council.nyc.gov/land-use/> in advance for information about how to testify and how to submit written testimony.

BROOKLYN EDISON BUILDING BROOKLYN CB – 2 N 240409 HIK

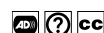
Communication dated June 28, 2024 from the Landmarks Preservation Commission regarding the landmark designation of the Brooklyn Edison Building, 345 Adams Street (Block 140, Lot 7503) by the Landmarks Preservation Commission on June 18, 2024 (List No. 541/LP No. 2680) Borough of Brooklyn, Community District 2.

WILLOUGHBY HART HISTORIC DISTRICT BROOKLYN CB – 3 N 250006 HKK

Communication dated July 3, 2024, from the Landmarks Preservation Commission regarding the Willoughby Hart Historic District designation, designated by the Landmarks Preservation Commission on June 25, 2024 (Designation List No. 542/LP-2683). The Willoughby Hart Historic District consists of the properties bounded by a line beginning at the northwest corner of the property line of 445 Willoughby Avenue, and extending easterly along the northern property lines of 445 through 507 Willoughby Avenue, southerly along the eastern property line of 507 Willoughby Avenue, across Willoughby Avenue and along the eastern property lines of 510 Willoughby Avenue and 75 Hart Street to the northern curb line of Hart Street, westerly along said curb line to a point on a line extending northerly from the eastern property line of 72 Hart Street, southerly along said line and the eastern property line of 72 Hart Street, westerly along the southern property lines of 72 through 12 Hart Street, northerly along a portion of the western property line of 12 Hart Street, westerly along the southern property lines of 10 through 2 Hart Street, to the eastern curb line of Nostrand Avenue, northerly along said curb line, across Hart Street and along the eastern curb line of Nostrand Avenue to a point on a line extending westerly from the northern property line of 1 Hart Street, easterly along said line and the northern property lines of 1 through 9 Hart Street, northerly along the western property lines of 11 Hart Street and 446 Willoughby Avenue, across Willoughby Avenue and along the western property line of 445 Willoughby Avenue to the point of beginning, Borough of Brooklyn, Community District 3.

For questions about accessibility and requests for additional accommodations, please contact swerts@council.nyc.gov or nbenjamin@council.nyc.gov or (212) 788-6936 at least three (3) business days before the hearing.

Accessibility questions: Kaitlin Greer, kgreer@council.nyc.gov, by: Thursday, September 5, 2024, 3:00 P.M.



← s4-10

CITY PLANNING COMMISSION

PUBLIC HEARINGS

The City Planning Commission will hold a public hearing accessible both in-person and remotely via the teleconferencing application Zoom, at 10:00 A.M. Eastern Daylight Time, on Wednesday, September 11, 2024, regarding the calendar items listed below. The public hearing will be held in person in the NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY. Anyone attending the meeting in-person is encouraged to wear a mask.

The meeting will be live streamed through Department of City Planning's (DCP's) website and accessible from the following webpage, which contains specific instructions on how to observe and participate, as well as materials relating to the meeting: https://www.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/461622/1

Members of the public attending remotely should observe the meeting through DCP's website. Testimony can be provided verbally by joining the meeting using either Zoom or by calling the following number and entering the information listed below:

877 853 5247 US Toll-free
888 788 0099 US Toll-free

253 215 8782 US Toll Number
213 338 8477 US Toll Number

Meeting ID: 618 237 7396
[Press # to skip the Participation ID]
Password: 1

To provide verbal testimony via Zoom please follow the instructions available through the above webpage (link above).

Written comments will also be accepted until 11:59 P.M., one week before the date of the vote. Please use the CPC Comments form that is accessible through the above webpage.

Please inform the Department of City Planning if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. The submission of testimony, verbal or written, in a language other than English, will be accepted, and real time interpretation services will be provided based on available resources. Requests for a reasonable accommodation or foreign language assistance during the meeting should be emailed to [AccessibilityInfo@planning.nyc.gov] or made by calling (212) 720-3508. Requests must be submitted at least five business days before the meeting.

BOROUGH OF MANHATTAN

Nos. 1 -3

PORT AUTHORITY BUS TERMINAL REPLACEMENT

No. 1

CD 4 C 240353 ZSM

IN THE MATTER OF an application submitted by The Port Authority of New York and New Jersey pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-631* of the Zoning Resolution:

- 1. to permit the construction of a bus station with 10 or more berths for buses on a site of any size;
2. to permit within demapped air space above a #street# the development of a building or portion thereof which is part of such bus station;
3. to allow the distribution of floor area on the development site without regard to zoning district boundaries;
4. to modify the height and setback requirements of Section 81-26 (Height and Setback Regulations - Daylight Compensation); and
5. to modify the Mandatory District Plan Elements of Section 81-45 (Pedestrian Circulation Space), Section 81-47 (Major Building Entrances) and Section 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE)

in connection with a proposed development on property generally bounded by West 40th Street, 10th Avenue, West 41st Street, 9th Avenue, West 42nd Street, 8th Avenue, West 40th Street, 9th Avenue, West 39th Street, and 11th Avenue, (Block 711, Lot 1, Block 737, Lots 1, 17 & 22, Block 1032, Lot 29, Block 1050, Lots 13 & 32, and demapped portions of West 39th Street**, West 40th Street**, West 41st Street**, West 42nd Street**, 9th Avenue* and 10th Avenue**), partially within C6-7, C1-7A, C6-3, R8A/C2-5, C2-8, and C6-4 Districts, partially within Special Midtown District and Special Hudson Yards District.

*Note: Section 74-631 is proposed to be relocated to Section 74-145 as part of the proposed zoning text amendment (N 240010 ZRY). The relocated section 74-145 of the Zoning Resolution is proposed to be

changed to create a new special permit (74-145(c)) under a concurrent related application for a zoning text amendment (N 240354 ZRM).

**Note: Portions of West 39th Street, West 40th Street, West 41st Street, West 42nd Street, 9th Avenue and 10th Avenue are proposed to be demapped under a concurrent related application for a City Map change (C 240336 MMM).

Plans for this proposal are on file with the City Planning Commission and may be seen on the Zoning Application Portal at https://zap.planning.nyc.gov/projects/2024M0270, or at 120 Broadway, 31st Floor, New York, NY 10271-0001.

No. 2

CD 4 N 240354 ZRM

IN THE MATTER OF an application by The Port Authority of New York and New Jersey, 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 VII, Chapter 4 (Special Permits by the City Planning Commission).

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 VII ADMINISTRATION

Chapter 4 Special Permits by the City Planning Commission

* * *

74-10 SPECIAL PERMIT USES

* * *

74-14 Public Service Facilities and Infrastructure

* * *

74-144 Airports

* * *

74-145 Bus stations

The City Planning Commission may permit bus stations listed under Use Group IV(B) with fewer than 10 berths pursuant to paragraph (a) of this Section, and with 10 or more berths pursuant to paragraph (b) or paragraph (c), as applicable.

All bus stations lawfully existing on December 15, 1961 are permitted to continue for the duration of the term for which such #use# has been authorized but the #enlargement#, #extension#, reconstruction or relocation of any bus station heretofore or hereafter constructed shall not be permitted except in accordance with the provisions set forth in this Section.

(a) In C1, C2, C4, C6, C7 or C8 Districts, or in any #Manufacturing District#, the Commission may permit bus stations with fewer than 10 berths for buses on a site of not less than 20,000 square feet, provided that the following findings are made:

* * *

(b) In C4, C6 or #Manufacturing Districts#, the Commission may permit the construction of a bus station with 10 or more berths for buses on a site of not less than 20,000 square feet, provided that the following findings are made:

* * *

In addition, the Commission shall require the provision of adequate #accessory# off-street parking spaces necessary to prevent the creation of traffic congestion caused by the curb parking of vehicles generated by such #use# and shall determine the required spaces in accordance with the purposes established in this Resolution with respect to other major traffic-generating facilities. The Commission shall require, in any event, no less than 20 spaces for the temporary parking of automobiles.

(c) In any #Commercial District# or #Manufacturing District#, located within Community District 4 in the Borough of Manhattan, the Commission may permit the construction of a bus station with 10 or more berths for buses on a site of any size.

In conjunction with a permit for a bus station, when the air space above a #street# or portion thereof is closed, demapped and conveyed by the City to the owner of an adjoining #zoning lot# that will contain such bus station, the Commission may permit in such demapped air space the #development# or #enlargement# of a #building# or portion thereof which is part of such bus station. Additionally, the Commission may permit the modification of any applicable regulations of this Resolution, other than #floor area ratio# provisions, in connection with such bus station or any other #use# #developed# on the same #zoning lot# as such bus station.

In order to grant such a permit, the Commission shall determine that the conditions set forth in paragraph (c)(1) and the findings set forth in paragraphs (c)(2) and (c)(3) of this Section, as applicable, are met.

Where the bus station and related facilities allowed under this Section will be #developed# pursuant to Chapter 8 of Title 17 of the Unconsolidated Laws of New York, any #buildings# or other structures# comprising such bus station and related facilities shall not be subject to the #bulk# regulations or other applicable regulations of this Resolution, and the floor space within such #buildings# or other structures# shall be excluded from the calculation of #floor area#.

The curb level of a zoning lot of which the demapped air space is a part shall not be affected by the closing and demapping of air space above such street. However, the Commission may establish an appropriate level or levels instead of curb level as the reference plane for the applicable regulations relating to open space, yards, level of yards, equivalent rear yards, rear yard setback, minimum distance between buildings, and height and setback.

(1) Conditions

Where the #development# or #enlargement# of a #building# is allowed within one or more demapped air spaces pursuant to this Section, such demapped air spaces and any adjoining tracts of land containing such #building# may be considered as part of a single #zoning lot#, but such demapped air spaces shall not generate #floor area# to be utilized on such #zoning lot#.

(2) Findings applicable to bus station #use#

In order to allow such bus station #use#, the Commission shall find that:

- (i) the operation of such bus station does not create serious traffic congestion, and is not detrimental to public health or general welfare of the city;
- (ii) the principal access for such #use# is not located on a local #street# but is located either on an arterial highway, a major #street# or a secondary #street# within one-quarter mile of an arterial highway or major #street#;
- (iii) the site plan for the bus station and related facilities includes pedestrian-oriented public spaces that, in their sizes and locations, reflect appropriate consideration of existing or planned at-grade pedestrian circulation networks;
- (iv) the design of the facility, including public entrances to the bus station, vehicular entrances and exits, bus ramps or overpasses, and accessory #uses# within the bus station and related facilities are sited and designed in a manner that reflects appropriate consideration of the civic importance of the site and of the experience of pedestrians within existing or planned #streets# or open areas;
- (v) the locations of at-grade entrances to such bus station and related facilities are designed to encourage pedestrian circulation into and on the #zoning lot# and are well-situated in relation to existing and proposed at-grade pedestrian and bicycle circulation networks;
- (vi) the bus station provides adequate connections to and from existing transportation facilities;
- (vii) the bus station and surrounding transportation network accommodate projected bus volumes and reduces potential conflicts between buses and other modes of transportation in the surrounding area; and
- (viii) the #use# and #development# of the bus station will not have undue adverse impacts on the character of or land uses in the surrounding area.

(3) Findings applicable to modifications other than those allowing the bus station #use#

In order to modify any other applicable regulations of this Resolution, the Commission shall find that:

- (i) such modifications will facilitate an improved site plan for the bus station and related facilities or are otherwise in furtherance of the bus station project;
- (ii) such modifications will not unduly obstruct access to light and air from surrounding #streets#, open areas and properties; and
- (iii) any proposed modification of regulations governing #zoning lots# divided by district boundaries or the permitted transfer of #floor area# will not unduly increase the #bulk# of any #development# or #enlargement# on the #zoning lot# or the intensity of #use# on any #block# to the detriment of occupants of #buildings# on the #block# or the surrounding area.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

74-146 Heliports

* * *

No. 3

CD 4 C 240336 MMM
IN THE MATTER OF an application submitted by The Port Authority of New York and New Jersey pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et-seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance, and closing of a portion of West 41st Street between Eighth Avenue and Ninth Avenue, a portion of West 40th Street between Tenth Avenue and Eleventh Avenue; and
- the elimination, discontinuance, and closing of various volumes from West 41st Street, West 42nd Street, Ninth Avenue, West 40th Street, Tenth Avenue, West 39th Street and Eleventh Avenue;

including authorization for any acquisition or disposition of real property related thereto, in Community District 4, Borough of Manhattan, in accordance with Map No. 30275 dated May 21, 2024 and signed by the Borough President.

Sara Avila, Calendar Officer
City Planning Commission
120 Broadway, 31st Floor, New York, NY 10271
Telephone (212) 720-3366

Accessibility questions: (212) 720-3508, AccessibilityInfo@planning.nyc.gov, by: Wednesday, September 4, 2024, 5:00 P.M.



a27-s11

CITYWIDE ADMINISTRATIVE SERVICES

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT A REAL PROPERTY ACQUISITIONS AND DISPOSITIONS PUBLIC HEARING, in accordance with Section 824 of the New York City Charter, will be held on October 23, 2024 at 10:00 A.M. via Conference Call No. 1-646-992-2010, Access Code 717 876 299.

IN THE MATTER OF the acquisition of the Staten Island Tax Block 3856, Lot 5 (the "Property"). The City is acquiring the Property which is within the Special Coastal Risk District, to enhance and expand its New Creek Bluebelt stormwater management program, in Staten Island, Community District 2.

The proposed acquisition was approved by the City Planning Commission pursuant to NYC Charter Sections 197-c on February 11, 2004 (ULURP No. C 040057 PCR/ Cal. No. 27).

The purchase price is \$80,000.

Further information, including public inspection of the proposed lease, may be obtained, at One Centre Street, Room 2000 North, New York, NY 10007. To schedule an inspection, please email RESPublicHearingInquiries@dcas.nyc.gov.

If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via email at DisabilityAffairs@mocs.nyc.gov or via phone at (212) 298-0734.

COMMUNITY BOARDS

PUBLIC HEARINGS

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 07 - Thursday, September 12, 2024 6:30 P.M. on Zoom. Register to attend the public hearing - https://bit.ly/4drzZmM

This is a continuation of the hybrid public hearing held on Wednesday, September 9. The continuation of the public hearing will be live streamed on the Brooklyn Community Board 7's YouTube Channel - https://bit.ly/3uQLAtq

- 1. Presentation from Arrow Linen Supply Co., Inc., owner of 441 & 467 Prospect Avenue to request approval of the following actions: a) Zoning map amendment changing an R5B zoning district to an R7-1 zoning district on the midblock of Prospect Avenue between 8th Avenue and Prospect Park West, b) Zoning text amendment to zoning resolution to establish the rezoning area as a mandatory inclusionary housing, c) Zoning special permit pursuant for a waiver of required accessory off street parking spaces to facilitate affordable housing within the transit zone

Accessibility questions: Jeremy Laufer, (718) 854-0003, bk07@cb.nyc.gov, by: Thursday, September 12, 2024, 3:00 P.M.

cc a30-s12

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

BOROUGH OF BROOKLYN

Community Board NO. 07 - Monday, September 9, 2024 from 6:30 P.M. to 9:00 P.M., Holy Name Church-Shepherd's Hall, 245 Prospect Park West, Brooklyn, NY 11215 or register to attend the public hearing via Zoom - https://bit.ly/3ykP7Dl.

The public hearing will be live streaming on the Brooklyn Community Board 7 YouTube Channel - https://bit.ly/2Rl39PO

AGENDA

- 1. Presentation from Arrow Linen Supply Co., Inc., owner of 441 & 467 Prospect Avenue to request approval of the following actions: a) Zoning map amendment changing an R5B zoning district to an R7-1 zoning district on the mid block of Prospect Avenue between 8th Avenue and Prospect Park West, b) Zoning text amendment to zoning resolution to establish the rezoning area as a mandatory inclusionary housing, c) Zoning special permit pursuant for a waiver of required accessory off street parking spaces to facilitate affordable housing within the transit zone.

Accessibility questions: Jeremy Laufer, (718) 854-0003, bk07@cb.nyc.gov, by: Monday, September 9, 2024, 3:00 P.M.

cc a29-s9

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, September 18, 2024, 7:00 P.M., Board Office Meeting Room, 1097 Bergen Avenue and via WebEx for participants who wish to participate online.

The Bureau of Coastal Resilience at the NYC Department of Environmental Protection will do a short 10-minute presentation about what our new bureau is doing, the coastal protection projects that are at various stages of planning and construction, what this means for our community and how communities can be better prepared for storms. Followed by questions and discussion afterwards.

Please Note: Videoconferencing information for those who wish to participate online, is as follows:

Webinar topic: REGULAR MONTHLY BOARD MEETING

Date and time: Wednesday, September 18, 2024, 7:00 P.M. | (UTC-04:00) Eastern Time (US & Canada)

Join link: https://nyccb.webex.com/nyccb/j.php?MTID=m7ef98607f59071e85697f103c8a7a5d3

Webinar number: 2348 911 8519

Webinar password: rcXJGbzj27 (72954295 from phones and video systems)

Join by phone +1-646-992-2010 United States Toll (New York City) +1-408-418-9388 United States Toll

Global Call-in numbers a28-s18

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 11 - Monday, September 9, 2024, 7:30 P.M. Korean Community Services, 203-05 32 Avenue, Bayside, NY.

- Conaming of 58th Avenue and 189th Street to Christine Haider Way. - Conaming of Thornhill Avenue and 244th Street to (FDNY) Lt. James Donahue Way. - Conaming of Northern Boulevard. b/w 234th Street and Cross Island Parkway to Patrolman Bruno Way

Accessibility questions: Joseph Marziliano, 718-225-1054, jmarziliano@cb.nyc.gov, by: Friday, September 6, 2024, 5:00 P.M.

cc s3-9

BOARD OF CORRECTION

MEETING

The New York City Board of Correction will hold a public meeting on Tuesday, September 10, 2024, at 1:00 P.M. The Board will discuss issues impacting the New York City jail system.

More information is available on the Board's website at https://www.nyc.gov/site/boc/meetings/2024-meetings.page.

cc s4-10

BOARD OF EDUCATION RETIREMENT SYSTEM

MEETING

Our next Audit Committee Meeting will be held in-person at 55 Water Street, 50th Floor on Tuesday, September 10, 2024, from 2:00 P.M. - 3:30 P.M. If you would like to attend this meeting, please reach out to Iyekeze Ezeffili at iezeffili@bers.nyc.gov.

a30-s10

The Board of Education Retirement System Board of Trustees Meeting will be held in-person at our 55 Water Street office, 50th Floor on Tuesday, September 10, 2024, from 4:00 P.M. - 6:00 P.M. If you would like to attend this meeting, please contact BERS Executive Director, Sanford Rich, at Srich4@bers.nyc.gov.

a30-s10

EQUAL EMPLOYMENT PRACTICES COMMISSION

MEETING

Notice of NYC Equal Employment Practices Commission Meeting

When and where is the Commission Meeting? The Equal Employment Practices Commission's 275th Commission Meeting will take place at 10:15 A.M. on Thursday, September 5, 2024, in the Commission's Conference Room/Library located at 253 Broadway, Suite 602, New York, NY 10007. The meeting will also be conducted by video conference via Microsoft Teams and streamed live via YouTube using the details below:

Microsoft Teams Details

Meeting ID: 293 626 105 512
Meeting passcode: k4A7Z5

- **Join by internet**
https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F%23%2F1%2Fmeetup-join%2F19%3Ameeting_N2IzYjA5NzMtOTRkMS00NTNiLTliYzktOTYyZThmNmUxZTU1%40thread.v2%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%252232f56fc7-5f81-4e22-a95b-15da66513bef%2522%252c%2522Oid%2522%253a%25227b39938-8306-4de4-a59d-495c27ff8b3f%2522%257d%26anon%3Dtrue&type=meetup-join&deepLinkId=31224c1b-97be-44ae-b5a7-47dc76da5a75&directDl=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true
- **Join by phone**
(646) 893-7101 United States Toll (New York City)
Phone Conference ID: 603 401 457#
- **Join on a video conferencing device**
Tenant key: cityofnewyork@m.webex.com
Video ID: 118 131 950 6

YouTube Details

- **Live Stream Video link**
<https://youtu.be/2CPCVvk057xs>

How do I ask questions during the Commission meeting?
Anyone can ask questions during the Commission meeting by:

- **Microsoft Teams** - You can submit your questions directly through the chat panel of Microsoft Teams once joined via the internet option above
- **Email** - You can email questions to jvictor@eepc.nyc.gov

Is there a deadline to submit questions? Yes, you must submit all questions during the meeting session on September 5, 2024.

Can I review the recording of the Commission Meeting? Yes, you can review the recorded Commission meeting, which will be made available online by going to the Equal Employment Practices Commission's YouTube page <https://www.youtube.com/channel/UCdGAE4p-esdjymDTdGScfA/featured>.

Accessibility questions: jvictor@eepc.nyc.gov, by: Wednesday, September 4, 2024, 4:00 P.M.



a29-s5

HOUSING AUTHORITY

MEETING

The next Audit & Finance Committee Meeting of the New York City Housing Authority is scheduled for Friday, September 13, 2024, at 10:00 A.M. in the Ceremonial Room on the 5th Floor of 90 Church Street, New York, New York. Copies of the Agenda will be available on NYCHA's Website or may be picked up at the Department of Internal Audit and Assessment at 90 Church Street, 9th Floor, New York, NY, no earlier than twenty-four (24) hours before the upcoming Audit & Finance Committee Meeting. Copies of the draft Minutes are available on this web page or can be picked up at the Department of Internal Audit and Assessment no earlier than 3:00 P.M. on Tuesday, two weeks after the Audit & Finance Committee Meeting.

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

The meeting will be streamed live on YouTube Channel and on NYCHA's Website, at <https://www1.nyc.gov/site/nycha/about/audit-committee-meetings.page> for public access.

The meeting is open to the public. For those wishing to provide public comment, pre-registration is required, at least 45 minutes before the scheduled Committee Meeting. Comments are limited to the items on the Agenda.

Speaking time will be limited to three minutes. Speakers will provide comments in the order in which the requests to comment are received. The public comment period will conclude upon all speakers being heard or at the expiration of 30 minutes allotted for public comment, whichever occurs first.

Any person requiring a reasonable accommodation in order to participate in the Audit & Finance Committee Meeting should contact the Department of Internal Audit and Assessment by phone at (212) 306-3441 or by e-mail at audit@nycha.nyc.gov, no later than Friday, August 30, 2024, at 5:00 P.M.

For additional information regarding the Audit & Finance Committee Meeting, please visit NYCHA's Website, contact by phone, at (212) 306-3441, or by email, at audit@nycha.nyc.gov.

Accessibility questions: Kenichi Mitchell 212-306-3441, by: Friday, August 30, 2024, 5:00 P.M.



a23-s13

INDEPENDENT BUDGET OFFICE

MEETING

The New York City Independent Budget Office's (IBO) Advisory will meet in a hybrid meeting on Wednesday, September 11, 2024, at 8:30 A.M. Contact ibonews@ibo.nyc.ny.us for the Zoom link to attend online. There will be an opportunity for public comment at this meeting.

Accessibility questions: yolandar@ibo.nyc.ny.us, by: Friday, September 6, 2024 4:30 P.M.



a28-s11

OFFICE OF LABOR RELATIONS

MEETING

The New York City Deferred Compensation Board will hold its next meeting on Wednesday, September 4, 2024 from 10:00 A.M. to 12:00 P.M. The meeting will be held at 22 Cortlandt Street, 15th Floor, New York, NY 10007. Please visit the below link to access the audio recording of the Board meeting, or to access archived Board meeting audio/videos: <https://www1.nyc.gov/site/olr/deferred/dep-board-webcasts.page>.

a28-s4

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, September 10, 2024, a public hearing will be held in the public hearing room at 1 Centre Street, 9th Floor, Borough of Manhattan, with respect to the following properties, and then followed by a public meeting. Participation by video conference may be available as well. Please check the hearing page on LPC's website (<https://www.nyc.gov/site/lpc/hearings/hearings.page>) for updated hearing information.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website the Friday before the hearing. Please note that the order and estimated times are subject to change. An overflow room is located outside of the primary doors of

the public hearing room. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact Gregory Cala, Community and Intergovernmental Affairs Coordinator, at gcala@lpc.nyc.gov or (212) 602-7254 no later than five (5) business days before the hearing or meeting. Members of the public not attending in person can observe the meeting on LPC's YouTube channel at www.youtube.com/nyclpc and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, on the Monday before the public hearing.

**144 Lafayette Avenue - Fort Greene Historic District
LPC-24-09546 - Block 2120 - Lot 19 - Zoning: R6B
CERTIFICATE OF APPROPRIATENESS**

An Italianate style rowhouse built c. 1856 with later alterations. Application is to install a stoop, replace windows, and alter the façade and front areaway.

**192 MacDonough Street - Stuyvesant Heights Historic District
LPC-25-01205 - Block 1856 - Lot 26 - Zoning: R6B
CERTIFICATE OF APPROPRIATENESS**

French Neo-Grec style rowhouse designed by Arthur Taylor and built in 1888. Application is to construct a second floor balcony at the rear façade.

**123 St. Marks Avenue - Prospect Heights Historic District
LPC-24-10610 - Block 1143 - Lot 67 - Zoning: R6B
CERTIFICATE OF APPROPRIATENESS**

An Italianate style rowhouse designed by John V. Porter and built in 1870-72. Application is to alter masonry openings at the rear façade and construct a rear yard addition.

**6 Beverly Road - Douglaston Historic District
LPC-23-04171 - Block 8029 - Lot 3 - Zoning: R1-1
CERTIFICATE OF APPROPRIATENESS**

A free-standing Colonial Revival style house designed by William H. Van Steenberg and built in 1912. Application is to construct an addition and deck, and replace windows.

**803 Greenwich Street - Greenwich Village Historic District
LPC-25-00981 - Block 625 - Lot 3 - Zoning: R6
CERTIFICATE OF APPROPRIATENESS**

An Italianate style rowhouse built in 1858. Application is to alter the first floor of the front façade and install a garage door, and modify the rear façade.

**338-340 Bowery - NoHo Historic District Extension
LPC-24-08423 - Block 530 - Lot 36 - Zoning: C6-1
CERTIFICATE OF APPROPRIATENESS**

A late Arts and Crafts style lodging house built in 1928-29. Application is to repaint windows, replace doors, modify openings, and install signage.

**153-159 Sullivan Street - Sullivan-Thompson Historic District
LPC-24-08053 - Block 517 - Lot 11 - Zoning: R7-2
CERTIFICATE OF APPROPRIATENESS**

A Romanesque Revival style church building designed by Arthur Crooks and built in 1886-1888. Application is to install HVAC equipment and planters, relocate and replace statuary, and install signage.

**122 Washington Place - Greenwich Village Historic District
LPC-24-11905 - Block 592 - Lot 8 - Zoning: R6, C1-5
CERTIFICATE OF APPROPRIATENESS**

An late Federal style rowhouse built in 1832-33. Application is to install a stoop gate.

**8 West 86th Street - Upper West Side/Central Park West Historic District
LPC-24-09829 - Block 1199 - Lot 39 - Zoning: R10A
CERTIFICATE OF APPROPRIATENESS**

A Georgian Revival style rowhouse designed by Taylor & Levi and built in 1908. Application is to construct rear yard and rooftop additions, and alter the main entrance and areaway.

a27-s10

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, September 17, 2024, a public hearing will be held in the public hearing room at 1 Centre Street, 9th Floor, Borough of Manhattan, with respect to the following properties, and then followed by a public meeting. Participation by video conference may be available as well. Please check the hearing page on LPC's website (<https://www.nyc.gov/site/lpc/hearings/hearings.page>) for updated hearing information. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website the

Friday before the hearing. Please note that the order and estimated times are subject to change. An overflow room is located outside of the primary doors of the public hearing room. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact Gregory Cala, Community and Intergovernmental Affairs Coordinator, at gcala@lpc.nyc.gov or (212) 602-7254 no later than five (5) business days before the hearing or meeting. Members of the public not attending in person can observe the meeting on LPC's YouTube channel at www.youtube.com/nyclpc and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, on the Monday before the public hearing.

**407 West 246th Street - Fieldston Historic District
LPC-24-08211 - Block 5819 - Lot 2115 - Zoning: R1-2
CERTIFICATE OF APPROPRIATENESS**

A Georgian Revival style house designed by Dwight James Baum and built in 1917-18. Application is to construct a rooftop addition, modify an entrance vestibule and garage roof and replace railings.

**900 Broadway - Ladies' Mile Historic District
LPC-25-00284 - Block 848 - Lot 61 - Zoning: M1-5M
CERTIFICATE OF APPROPRIATENESS**

A commercial building designed by McKim Mead and White built in 1886 and altered in 1905 by Maynicke and Franke. Application is to install awnings and signage, and modify a ramp.

**51 Barrow Street - Greenwich Village Historic District
LPC-24-09981 - Block 587 - Lot 49 - Zoning: R6
CERTIFICATE OF APPROPRIATENESS**

A late Federal style rowhouse built in 1826. Application is to construct rooftop and rear yard additions and replace the rear façade.

◀ s4-17

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, September 10, 2024, at 9:30 A.M., a public hearing will be held in the public hearing room at 1 Centre Street, 9th Floor, Borough of Manhattan, with respect to the following properties, and then followed by a public meeting. Participation by video conference may be available as well. Please check the hearing page on LPC's website (<https://www.nyc.gov/site/lpc/hearings/hearings.page>) for updated hearing information.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website the Friday before the hearing. Please note that the order and estimated times are subject to change. An overflow room is located outside of the primary doors of the public hearing room. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact Gregory Cala, Community and Intergovernmental Affairs Coordinator, at gcala@lpc.nyc.gov or (212) 602-7254 no later than five (5) business days before the hearing or meeting. Members of the public not attending in person can observe the meeting on LPC's YouTube channel at www.youtube.com/nyclpc and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, on the Monday before the public hearing.

**50 West 13th Street - Jacob Day Residence
LP-2658 Block 576 - Lot 15
ITEM PROPOSED FOR PUBLIC HEARING**

A three-story Greek Revival style row house built in 1845 which from 1859 to 1884 was the home and business of the prominent African American abolitionist and businessman Jacob Day.

a27-s10



The City of New York in partnership with PublicSurplus.com posts online auctions. All auctions are open to the public.

Registration is free and new auctions are added daily. To review auctions or register visit <https://publicsurplus.com>

CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

The City of New York in partnership with IAAI.com posts vehicle and heavy machinery auctions online every week at: <https://iaai.com/search?keyword=dcas+public>.

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

Vehicles can be viewed in person at:
Insurance Auto Auctions, Green Yard
137 Peconic Ave., Medford, NY 11763
Phone: (631) 207-3477

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

ja19-jy3

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

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

ja16-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 PREQUALIFICATION

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 HHS Accelerator Prequalification Application using the City’s PASSPort system. The PASSPort system is a web-based system maintained by the City of New York for use by its Mayoral Agencies to manage procurement. Important business information collected in the Prequalification Application is 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 and organizational capacity. Approved organizations will be eligible to compete and would submit electronic proposals through the PASSPort system. The PASSPort Public Portal, which lists all RFPs, including HHS RFPs that require HHS Accelerator Prequalification, may be viewed, at https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public

All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding. For additional information about HHS Accelerator Prequalification and PASSPort, including background materials, user guides and video tutorials, please visit <https://www.nyc.gov/site/mocs/hhsa/hhs-accelerator-guides.page>

ADMINISTRATION FOR CHILDREN’S SERVICES

YOUTH AND FAMILY JUSTICE

■ AWARD

Human Services/Client Services

NON-SECURE DETENTION SERVICES - RENEWAL #2 -
Renewal - PIN# 06819P8209KXLR002 - AMT: \$6,396,581.00 - TO:
Lutheran Social Services of Metropolitan New York, 475 Riverside Drive, Suite 1244, New York, NY 10115-0037.

NSD services are needed for juvenile delinquents ages seven through twenty-one to monitor and supervise detention youth, provide food, clothing, transportation, recreation, court-related and various services.

☛ s4

BROOKLYN BRIDGE PARK

■ SOLICITATION

Goods and Services

BROOKLYN BRIDGE PARK – RFP – PIER 1 PAVILION CONCESSION - Request for Proposals - PIN# Pier 1 Pavillon Concession - Due 10-11-24 at 3:00 P.M.

Brooklyn Bridge Park Corporation d/b/a Brooklyn Bridge Park (“BBP”) is seeking proposals from highly qualified operators (“Respondent”) to operate a year-round food and beverage concession of premium quality in terms of both experience and service at the new Pier 1 Pavilion in Brooklyn Bridge Park.

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.

Brooklyn Bridge Park, 334 Furman Street, Brooklyn, NY 11201. Sean Reynolds; proposals@bbp.nyc

s3-16

CITY COUNCIL

ADMINISTRATIVE SERVICES

■ INTENT TO AWARD

Goods and Services

MAIL FULLFILMENT SERVICES - Negotiated Acquisition - Other - PIN# 10220252001789 - Due 9-6-24 at 1:00 P.M.

For Council Members Newsletters.

Pursuant to Council Procurement Procedures Section 3-04 (b)(i)(D), the Council is making a negotiated acquisition because it is not practicable or advantageous to award the contract by a competitive process because there is a compelling need for the services which cannot be met otherwise. It is in the best interest of the city to enter into this contract because of the time sensitive nature of the Council Member’s newsletters.

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.

City Council, 250 Broadway, 16th Floor, New York NY 10007. John Smyth (212) 482-5116; jsmyth@council.nyc.gov

a30-s6

Services (other than human services)

DISCRETIONARY FUNDING APPLICATION - Negotiated Acquisition - Other - PIN# 10220252004209 - Due 9-6-24 at 1:00 P.M.

Negotiated acquisition contract submission for Blackbaud Inc. On June 10, 2015 the Council conducted a solicitation (PIN # 102 20150001-FDFA) which was sent to 25 vendors for bids on the Finance Discretionary Funding (FDF) application. The Council received 3 responses to this solicitation with MicroEdge LLC., being the lowest, responsive, responsible bidder. During the contract term MicroEdge LLC., was sold to Blackbaud Inc. and the contract was assigned to Blackbaud Inc. Blackbaud Inc. owns the software for the Finance Discretionary Funding (FDF) application.

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.

City Council, 250 Broadway, 16th Floor, New York, NY 10007. John Smyth (212) 482-5116; jsmyth@council.nyc.gov

a30-s6

CITYWIDE ADMINISTRATIVE SERVICES

AWARD

Goods

ACETYLENE - Competitive Sealed Bids - PIN#85724B0046001 - AMT: \$575,250.00 - TO: Linde Gas & Equipment Inc, 5275 Tilghman St, Allentown, PA 18104.

s4

INFORMATION TECHNOLOGY

AWARD

Goods

MANAGE ENGINE SOFTWARE LICENSE RENEWAL - M/WBE Noncompetitive Small Purchase - PIN#85625W0008001 - AMT: \$53,975.00 - TO: Itegix LLC, 775 Park Avenue, Suite 255, Huntington, NY 11743.

Network Manager - Manage Engine RenewalFY25/FY26/FY27 for Manage Engine tools which are used for Network monitoring and Vital for network operations.

s4

DISTRICT ATTORNEY - QUEENS COUNTY

INTENT TO AWARD

Services (other than human services)

GOVERNMENT SOLUTIONS, LLC ("CGS") RENEWAL SUBSCRIPTION - Sole Source - Available only from a single source - PIN#QDA20247208 - Due 9-10-24 at 5:00 P.M.

Pursuant to Procurement Policy Board Rule Section 3-05, Queens District Attorney's Office intends to enter into a sole source agreement with Chainalysis Government Solutions, LLC ("CGS"), with the expectation that Chainalysis will be awarded a (3) three-year renewal subscription with the QDA. Chainalysis which holds the rights to the licenses software subscription which allows users to identify patterns and monitoring intelligence gathering to investigate cases related to cryptocurrency. QDA has determined Chainalysis Government Solutions, LLC ("CGS") is the sole authorized source for licensing, software upgrades, and provide On-Going Case Support. No other entity has the rights to license or service Chainalysis software. Any firm which believes it is authorized to provide such services is welcome to submit an expression of interest. All related inquiries should be sent via email to the QDA ACCO at Purchasing@queensda.org.

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.

District Attorney - Queens County, 80-02 Kew Gardens Road, 5th Floor, Room D-5, Kew Gardens, NY 11415. Mike Bonilla (718) 286-6910; Purchasing@queensda.org

s4-10

EMERGENCY MANAGEMENT

HUMAN RESOURCES

AWARD

Services (other than human services)

ADVANCE WARNING SYSTEM - Renewal - PIN#01717P0211001R003 - AMT: \$402,867.00 - TO: GCOM Software LLC, 9175 Guilford Road, Suite 218, Columbia, MD 21046.

s4

ENVIRONMENTAL PROTECTION

WASTEWATER TREATMENT

INTENT TO AWARD

Services (other than human services)

1602-DCS: DISTRIBUTED CONTROL SYSTEM (DCS) AT THE OWL'S HEAD, JAMAICA AND NORTH RIVER WASTEWATER RESOURCE RECOVERY FACILITIES - Request for Information - PIN# 82625Y0571 - Due 9-20-24 at 4:00 P.M.

DEP intends to enter into a Sole Source Agreement with ABB Inc. to purchase labor, parts, materials, and equipment necessary for the service and repair of the Distributed Control System (DCS) at the Owl's Head, Jamaica and North River Wastewater Resource Recovery Facilities. The Bureau of Wastewater Treatment (BWT) has ABB Distributed Control Systems (DCS) at Owl's Head, Jamaica and North River WRRFs and is in place to monitor and control critical processes and equipment that treat wastewater at these facilities.

DCS is a computerized control system for plant process with various complex loops. DCS manages complex processes by collecting information from field devices (Sensors and gauges), processes it internally and controls/automates the output devices.

Any firm which believes it can also provide the required service IN THE FUTURE is invited to so, indicated by letter which must be received no later than September 20th, 2024, 4:00 P.M. at: Department of Environmental Protection, Agency Chief Contracting Office, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373, Attn: Fiorella E. Leal, FLEAL@dep.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.

Environmental Protection, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373. Fiorella Leal; fleal@dep.nyc.gov

s3-9

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

INTENT TO AWARD

Services (other than human services)

MAMMAL TRAP-VACCINATE-RELEASE PROGRAM (TVR) - 25AA016501R0X00 - Government to Government - PIN# 25AA016501R0X00 - Due 9-9-24 at 2:00 P.M.

The Department of Health and Mental Hygiene intends to enter into a Government to Government agreement with the US DEPARTMENT OF AGRICULTURE ANIMAL PLANT HEALTH INSPECTION to provide services that work toward stopping the spread of the raccoon rabies variant in New York. USDA APHIS Wildlife Services (APHIS-WIS) will conduct rabies control efforts using Oral Rabies Vaccination Programs (ORV) and or Trap-Vaccinate-Release (TVR) in specified and approved locations in New York for the protection of health and human safety. DOHMH has determined that it is in the best interest of the City to process a government-to-government procurement pursuant to Section 3-13 of the PPB Rules, as US DEPARTMENT OF AGRICULTURE ANIMAL PLANT HEALTH INSPECTION is a government entity that can provide the services required by DOHMH. The anticipated duration of this contract will be five (5) years. Any vendor which believes it can also provide the service in the future is

invited to do so by submitting an expression of interest directly to PassPort under this EPIN 81625T0001.

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

Health and Mental Hygiene, 42-09 28th Street, Long Island City, NY 11101. Kevin Michael Cruz (347) 396-6727; kcruz2@health.nyc.gov

a30-s6

CHIEF OPERATING OFFICER

AWARD

Services (other than human services)

PRO PREMIUM NEWS SUBSCRIPTION SERVICE - Other - PIN# 81625U0007001 - AMT: \$78,085.00 - TO: Politico LLC, 1000 Wilson Blvd, 8th Floor, Arlington, VA 22209.

s4

EMERGENCY PREPAREDNESS AND RESPONSE

INTENT TO AWARD

Services (other than human services)

81625Y0611-POST EMERGENCY CANVASSING OPERATION (PECO) MOBILE APPLICATION - 26EF000901ROX00 - Request for Information - PIN# 81625Y0611 - Due 9-13-24 at 2:00 P.M.

The NYC Health Department intends to enter into a Sole Source contract with Data Vision Group LLC to continue to provide and maintain Post Emergency Canvassing Operation (PECO) mobile application and its related application Services. The Post Emergency Canvassing Operation (PECO) is a citywide door-to-door canvassing effort led by NYC Health Department and the Office of Emergency Preparedness and Response (OEPR) following a coastal storm or similar emergency that connects residents to non-emergency services and community partners in impacted neighborhoods. The anticipated duration of this contract is five (5) years.

The NYC Health Department has determined that Data Vision Group LLC ("DVG") is the Sole Source provider as currently the only vendor that can provide the PECO software and Maintenance as it is a specialized application designed, developed, and managed by the vendor DVG Interactive. DVG is the only vendor that maintains and provides technical support for the PECO software, as its built and customized for NYC Health Department.

Any vendor who believes they can legally provide such services is invited to express interest by responding to the RFX in PASSPort for E-PIN: 81625Y0611.

s3-9

HOMELESS SERVICES

AWARD

Human Services/Client Services

COMMERCIAL HOTELS - FY25 NAE + ALLOWANCE - 683 UNITS - Negotiated Acquisition - Other - PIN#07124N0025001 - NY: \$138,233,348.00 - TO: Children's Rescue Fund - Icahn House, 1520 Brook Avenue, Bronx, NY 10457.

DHS intends to enter into a two-year Negotiated Acquisition Extension contract with Children's Rescue Fund for the continuity of Children's Community Services at the following Commercial Hotels: Belnord Hotel (209 West 87th Street, New York, NY 10024), Light House (38-59 11th Street, LIC, NY 11101), Best Western Plus - 156 Bruckner Blvd, Bronx, NY 10454), Park West Hotel - 465 Central Park West, New York, NY 10025), Comfort Inn (144-15 Liberty Avenue, Jamaica, NY 11435). The total capacity of these Commercial Hotels - 683 units. As there is another set of ongoing commercial hotel renewals that end on 6/30/2026, there is a compelling need to extend for the time necessary for the contract term to end on the same date of 6/30/2026 with the other commercial hotel and sanctuary site contracts so that DHS can make an overall decision on the portfolio of contracts. The contract term is 7/1/24 - 6/30/26. The total contract value is \$138,233,348, including 25% allowance. Contractor Name and Address: The Children's Rescue Fund - 1520 Brook Avenue, Bronx, NY 10457. Procurement and award is in accordance with Section 3-04(b)(2)(iii) for the reasons set forth herein. This NAE is part of the FY25 timeliness initiative.

This is a NAE with incumbent provider to maintain continuity of critical shelter services for families with children for the minimum amount of time until a new RFP is processed. Procurement and award are in accordance with PPB Rule 3-04 (b)(2)(iii) for the reasons set forth herein.

s4

HOUSING AUTHORITY

PROCUREMENT

VENDOR LIST

Goods and Services

PROOF OF CONCEPT FOR VARIOUS CATEGORIES

The New York City Housing Authority (NYCHA) is seeking vendors interested in collaborating on Proof of Concept (POC) ideas as part of NYCHA's commitment to continuous improvement and innovation. For more information regarding POC's, please visit NYCHA's website at: https://www.nyc.gov/site/nycha/business/procurement-opportunities.page.

Category currently open is Construction project management information system.

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. Abigail Fradkin (212) 306-4042; Abigail.Fradkin@nycha.nyc.gov

s3-9

NYC HEALTH + HOSPITALS

CONTRACT SERVICES

SOLICITATION

Construction/Construction Services

RE-BID, NORTH CENTRAL BRONX HOSPITAL, FIRE ALARM UPGRADE PROJECT - Competitive Sealed Bids - PIN# RE-BID NCB, ALARM 24202205 - Due 10-9-24 at 11:00 A.M.

Mandatory Meetings/site tours are scheduled for Tuesday, September 17, 2024 17th Floor Conference Room 6M06 and/or Wednesday, September 18, 2024 at 10:00 A.M. 18th Floor Conference Room 13A32 at 3424 Kossuth Ave, Bronx, NY 10467.

All Bids shall be in accordance with the terms of the NYC Health and Hospitals (HHC) Project Labor Agreement.

NYC Health + Hospitals is requiring all vendors and contractors to maintain proof of COVID-19 vaccination for all of their employees who spend time at a NYC Health + Hospitals facility. Proof of COVID-19 vaccination is completion of the vaccination series as outlined by the manufacturer.

Only Bidders who attend one of the mandatory pre-bid meetings will be allowed to bid. Section "A" Bid Forms Fee is waived. However, you must sign the form at the Pre-Bid Meetings and request that the Section "A" Bid Forms be sent to you. Bidders are encouraged to arrive at least 30 minutes before mandatory Pre-Bid Meeting start time to make purchases. Social distancing protocols must be observed, and limit your staff to one person at the meetings.

Technical Questions must be submitted in writing by email, no later than five (5) calendar days after the Mandatory Pre-Bid Meetings to Janet.Olivera@nychhc.org and Clifton.Mclaughlin@nychhc.org.

Under Article 15A of The State of New York, The Following M/WBE Goals Apply to This Contract M/WBE 30 percent. These Goals Apply to any Bid Submitted of \$500,000 or more. Bidders not complying with these Terms will have their bids declared Non-responsive.

Required Trade Licensed where applicable.

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, 55 Water Street, 25th Floor, New York, NY 10041. Janet Olivera (212) 442-3680; janet.olivera@nychhc.org

s4

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

■ SOLICITATION

Construction / Construction Services

EXTERIOR MASONRY/PARAPETS/ROOFS/FLOOD

ELIMINATION - Competitive Sealed Bids - PIN#25-21561D-1 - Due 9-19-24 at 11:00 A.M.

P.S. 221 - Brooklyn
\$3,000,001 to \$10,000,000
September 12, 2024 at 10:00 A.M.; PS 221 at 791 Empire Blvd., Brooklyn, NY 11213

All bidders must be pre-qualified at the time of bid opening.

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

School Construction Authority, 25-01 Jackson Avenue, 16th Floor, Long Island City, NY 11101. Janet Kalin (718) 472-8204; JKALIN@nycsca.org

☛ s4

SMALL BUSINESS SERVICES

PROCUREMENT

■ INTENT TO AWARD

Goods and Services

FY25 COMMERCIAL LEASE ASSISTANCE PROGRAM NAE

- Negotiated Acquisition - Available only from a single source - PIN# 80124N0016 - Due 9-9-24 at 12:00 P.M.

The negotiated acquisition extension (NAE) contract between the NYC Department of Small Business Services (SBS) and Brooklyn Legal Services Corp A will allow the Agency to extend the current contract with the vendor to continue to provide legal services to support small businesses with commercial lease issues, including negotiating leases, resolving existing commercial lease issues and has more than satisfactorily performed the services in line with the agency's goals and objectives. The contract term will be from 7/1/2024 to 6/30/2025, in the amount of \$3,900,000.00.

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.

Small Business Services, 1 Liberty Plaza, 11th Floor, New York, NY 10006. Kelly Taylor (212) 513-9273; ktaylor@sbs.nyc.gov

s3-9

TRANSPORTATION

■ VENDOR LIST

Construction Related Services

M/WBE PQL FOR RESIDENT ENGINEERING AND INSPECTION SERVICES (REI)

The New York City (the "City") Department of Transportation ("DOT" or the "Department") is in the process of establishing a Minority and Women-Owned Business Enterprises (M/WBE) only pre-qualified list ("PQL") of engineering firms to provide Bridge Resident Engineering Inspection (REI) Services. Qualified firms are encouraged to take advantage of this opportunity and apply for this PQL detailing their credentials. The pre-qualification process ensures that future Request for Proposals (RFPs) for the various projects are only received from highly qualified consultants with the requisite prior experience. Applicants to this PQL are expected to meet all the required qualifications as provided in Section III. - Request for Qualifications (RFQ). DOT will use this PQL to solicit project-specific proposals for work in various locations throughout the City. NYCDOT will evaluate to determine a shortlist of firms for consideration of future Resident Engineering and Inspection Services (REI) Request for Proposals.

(RFP). Please note that the selected prime consultant on future RFP solicitations will not be allowed to subcontract more than 30% of the total contract hours.

https://passport.cityofnewyork.us/page.aspx/en/sup/pql_browse_public

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

Transportation, Carlos Bannister (212) 839-9421; cbannister@dot.nyc.gov

a30-s6

■ INTENT TO AWARD

Construction / Construction Services

BROOKLYN BOROUGH HALL MTA ACCESSIBILITY

Government to Government - PIN#BPM024375 EPIN 84125T0001-84125BKAD668 - Due 9-17-24 at 12:00 P.M.

Joralemon Street from Court Street to Adams Street Project (A-37145).

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

Transportation, 55 Water Street, 8th Floor, New York, NY 10041. Ereny Hanna (212) 839-4589; ehanna@dot.nyc.gov

☛ s4-17

YOUTH AND COMMUNITY DEVELOPMENT

CAPACITY BUILDING

■ AWARD

Services (other than human services)

TECHNICAL ASSISTANCE FOR DEV. SAFE & SUPPORTIVE ENVIRONMENT

- Competitive Sealed Proposals - Other - PIN#26023P0007003 - AMT: \$700,000.00 - TO: Partnership For After School Education Inc, 120 Broadway, Ste 230, New York, NY 10271-3099.

DYCD's capacity-building and technical assistance programs support DYCD's contracted providers in various areas needed to enhance program services. DYCD is issuing a Request for Proposal (RFP) in the areas of Organization Development, Fiscal Management, Strength-Based Approaches to Service Delivery, Career Development, Developing a Safe and Supportive Environment, Adult Literacy Support, Mental Health Support and Case Management. These services have been determined to be of high need to support our contracted providers and the work they do for the City of New York.

This a procurement for Professional Services. It is not practicable to use competitive sealed bidding as the proposers' skills and experience, organizational capability and approach needs to be evaluated due to the complexity of the contract.

☛ s4

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) 298-0734. 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.



YOUTH AND COMMUNITY DEVELOPMENT

■ NOTICE

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Monday, September 9, 2024, via Phone Conference (Dial In: 646-893-7101/Access Code: 610 834 248#) commencing at 10:00 A.M. on the following:

IN THE MATTER OF One proposed FY24 Tax Levy Discretionary contracts between the Department of Youth and Community Development and the Contractor listed below. The Contractor is to provider youth and/or community development services.

The term of these contracts shall be from July 1, 2023, to June 30, 2026, with no option to renew.

PASSPORT EPIN: 26024L0663001
CONTRACTOR: Catholic Charities of Staten Island, Inc.
CONTRACTOR ADDRESS: 6581 Hylan Blvd.
Staten Island, NY 10309
CONTRACT AMOUNT: \$798,750.00

The proposed contractor is being funded through Line-Item Appropriations or Discretionary Funds pursuant to Section 1-02 (e) of the Procurement Policy Board (PPB) Rules.

In order to access the Public Hearing or to testify, please join the public hearing conference call at the toll-free number 646-893-7101: Access Code: 610 834 248#) Monday, September 9, 2024, no later than 9:50 A.M. If you require further accommodations, please contact DYCD ACCO via email, ACCO@dycd.nyc.gov no later than three business days before the hearing date.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DYCD does not receive, by September 3, 2024, from any individual a written request to speak at this hearing, then DYCD need not conduct this hearing.

◀ s4

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Monday, September 9, 2024, via Phone Conference (Dial In: 646-893-7101/Access Code: 610 834 248#) commencing at 10:00 A.M. on the following:

IN THE MATTER OF one proposed FY22 Tax Levy Discretionary contract between the Department of Youth and Community Development and the Contractor listed below. This funding supports programs that expand access to healthy food and improve understanding of nutrition and wholesome food choices while engaging communities to make positive changes related to food and lifestyle to improve health outcomes.

The term of these contracts shall be from July 1, 2021, to June 30, 2022, with no option to renew.

PASSPORT EPIN: 26022L0060001
CONTRACTOR: West Harlem Group Assistance Inc.
CONTRACTOR ADDRESS: 1652 Amsterdam Avenue
New York, NY 10031
CONTRACT AMOUNT: \$190,000.00

The proposed contractor is being funded through Line-Item Appropriations or Discretionary Funds pursuant to Section 1-02 (e) of the Procurement Policy Board (PPB) Rules.

In order to access the Public Hearing or to testify, please join the public hearing conference call at the toll-free number 646-893-7101: Access Code: 610 834 248#) Monday, September 9, 2024, no later than 9:50 A.M. If you require further accommodations, please contact DYCD ACCO via email, ACCO@dycd.nyc.gov no later than three business days before the hearing date.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DYCD does not receive, by September 3, 2024, from any individual a written request to speak at this hearing, then DYCD need not conduct this hearing.

◀ s4

AGENCY RULES

BUILDINGS

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Buildings (DOB) is proposing to amend its rules regarding the penalty for failure to certify correction of certain immediately hazardous violations.

When and where is the hearing? DOB will hold a public hearing on the proposed rule online. The public hearing will take place at 11am on 10/7/24.

• **Join through Internet – Desktop app:**

To join the hearing via your browser either click on the following URL link or copy and paste it into your browser’s address bar. Then follow the prompts to either continue using the browser or download/open the Teams desktop app. <https://events.gcc.teams.microsoft.com/event/02a81dde-383a-48c3-a495-9a05cbb249cf@32f56fc7-5f81-4e22-a95b-15da66513bef>

Enter your name when prompted and click the **“Join now”** button. If you don’t have computer audio or prefer to phone in for audio, select **“Phone audio”** under **“Other join options”** then click the **“Join now”** button. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins. If you are using phone audio then follow the dial-in instructions when prompted.

If you have low bandwidth or inconsistent Internet connection, we suggest you use the Phone audio option for the hearing. This will reduce the possibility of dropped audio and stutters.

• **Join through Internet - Smartphone app:**

To join using the Microsoft Teams app on your smartphone, click on the following URL link from your phone to automatically open the Teams app. Note that the Microsoft Teams app must already be installed on your smartphone. It is available for free both in the Apple Store and Google Play. <https://events.gcc.teams.microsoft.com/event/02a81dde-383a-48c3-a495-9a05cbb249cf@32f56fc7-5f81-4e22-a95b-15da66513bef>

When prompted select **“Join meeting”**. Type your name and then select **“Join meeting”** again. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

Alternatively, open the Teams app and select **“Join a meeting”**. Signing in with an account is not required. Type your name, the following Meeting ID and Passcode, then select **“Join meeting”**.

Meeting ID: 224 959 241 737
Passcode: HkgkLP (Code is case sensitive)

• **Join via phone only:**

To join the meeting only by phone, use the following information to connect:

Phone: 646-893-7101
Phone Conference ID: 769 318 072#

You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the DOB through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to dobrules@buildings.nyc.gov.

- **Mail.** You can mail comments to the New York City Department of Buildings, Office of the General Counsel, 280 Broadway, 7th floor, New York, NY 10007.
- **Fax.** You can fax comments to the New York City Department of Buildings, Office of the General Counsel, at (212) 566-3843.
- **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 by emailing dobrates@buildings.nyc.gov by 9/30/24 and including your name and affiliation. While you will be given the opportunity during the hearing to indicate that you would like to provide comments, we prefer that you sign up in advance. You can speak for up to three minutes.

Is there a deadline to submit comments? Yes, you must submit comments by 10/7/24.

What if I need assistance to participate in the hearing? You must tell the Office of the General Counsel if you need a reasonable accommodation of a disability at the hearing. You can tell us by email at dobrates@buildings.nyc.gov. Advance notice is requested to allow sufficient time to arrange the accommodation. You must tell us by 9/23/24.

This location has the following accessibility option(s) available: Simultaneous transcription for people who are hearing impaired, and audio only access for those who are visually impaired.

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/>. 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 Office of the General Counsel and may be requested by email at dobrates@buildings.nyc.gov.

What authorizes DOB to make this rule? Sections 643 and 1043(a) of the City Charter, and section 28-219.1 of the New York City Administrative Code authorize DOB to make this proposed rule. This proposed rule was not included in DOB's regulatory agenda for this Fiscal Year because it was not contemplated when DOB published the agenda.

Where can I find DOB's rules? DOB's rules are in Title 1 of the Rules of the City of New York.

What rules govern the rulemaking process? DOB 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(b) of the City Charter.

STATEMENT OF BASIS AND PURPOSE OF PROPOSED RULE

Local Law 50 of 2022 amended section 28-219.1 of the New York City Administrative Code to remove the minimum penalty for failure to certify correction of an immediately hazardous condition and to exempt 1-4 family homes. The local law also limited the violations eligible for the penalty to those issued for an immediately hazardous condition at construction sites.

Section 102-05 is being amended to conform to the provisions of Local Law 50/22.

In addition, Local Law 126 of 2021 added a requirement to section 28-219.1 that the civil penalty be paid before a certificate of correction can be accepted for the violation that led to the civil penalty. Similar language is being added to the rule to conform it to this provision.

The rule codifies the process by which the department imposes such penalties and the manner in which such penalties may be challenged.

The Department of Buildings' authority for these rules is found in sections 643 and 1043 of the New York City Charter and section 28-219.1 of the New York City Administrative Code.

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

Section 102-05 of Title 1 of the Rules of the City of New York is amended to read as follows:

§102-05 [Penalties]Penalty for failure to certify correction of certain immediately hazardous violations.

(a) Penalty [amounts] amount. Pursuant to §28-219.1 of the Administrative Code, and in addition to any penalties otherwise authorized by article 202 of chapter 2 of title 28 of the Administrative Code and the rules of the department, whenever any person fails to submit certification of correction of an immediately hazardous violation that was issued at a construction site and poses a threat of imminent danger to public safety or property, a penalty of \$5,000 shall be paid to the department [as follows:],

(1) For one-family or two-family dwellings, the penalty shall be \$1,500.

(2) For a building other than a one-family or two-family dwelling, the penalty shall be not less than \$3,000 nor more than \$5,000.]

Exception: This penalty does not apply to one- to four-family dwellings.

(b) Issuance of permits or certificates of occupancy; rescission of stop work order; approval of Certificates of Correction. No permit or certificate of occupancy shall be issued [and], no stop work order may be rescinded, nor shall any Certificate of Correction for the immediately hazardous violation giving rise to the civil penalty be approved at the property until such penalty is paid to the department. Failure to pay such penalty shall not prevent the issuance of a permit for work to be performed pursuant to articles 215 or 216 of chapter 2 of title 28 of the Administrative Code.

(c) Process.

(1) Where the department determines that a Certificate of Correction of the underlying immediately hazardous violation that is returnable to the Environmental Control Board/Office of Administrative Trials and Hearings (ECB/OATH) has not been submitted as provided in §28-219.1 of the Administrative Code, the department will send a notice of the civil penalty pursuant to this section to the owner of the property at which the immediately hazardous violation occurred and, if the owner is not the respondent named in the notice of violation for the underlying immediately hazardous violation, to such respondent. The notice will indicate the manner in which a challenge to the penalty may be made in accordance with this subdivision and that the penalty will be imposed unless the department receives such a challenge within 30 days after the date of such notice. The notice will include the bases on which such a challenge may be made. The department will send the notice by regular mail.

(2) A challenge to the penalty may be made by the owner and/or the respondent named in the ECB/OATH notice of violation for the immediately hazardous violation. Such challenge must be made in a form and manner as set forth on the web site of the department.

(3) The basis for such a challenge must be one of the following:

(i) the immediately hazardous ECB/OATH violation was dismissed,

(ii) the immediately hazardous ECB/OATH violation was downgraded to a major or lesser violation,

(iii) an acceptable Certificate of Correction for the immediately hazardous violation was submitted to the department within 30 days after the date of the notice sent pursuant to paragraph (1) of this subdivision; or

(iv) the immediately hazardous violation was issued on or after May 15, 2022 at a construction site for a one- to four-family dwelling.

(4) The department will review any documents or evidence submitted by the person challenging the penalty and will mail or email notice of its determination to such person. If the challenge is denied, the penalty amount will be imposed 10 days after the date of such notice. The determination shall be the final determination of the department for purposes of review pursuant to article 78 of the civil practice law and rules.

**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: Penalty for failure to certify correction of immediately hazardous violations

REFERENCE NUMBER: DOB-173

RULEMAKING AGENCY: Department of Buildings

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 violation cannot be corrected or undone.

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

August 19, 2024
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: Penalty for failure to certify correction of immediately hazardous violations

REFERENCE NUMBER: 2023 RG 090

RULEMAKING AGENCY: Department of Buildings

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: August 16, 2024

Accessibility questions: Andrea Maggio, (212) 393-2085, amaggio@buildings.nyc.gov, by: Monday, September 23, 2024, 5:00 P.M.

HEALTH AND MENTAL HYGIENE

■ NOTICE

FY 2025 REGULATORY AGENDA

DIVISION: Environmental Health
BUREAU/PROGRAM: Administration/Support
SUBJECT: Article 5: Mobile Food Vending Fees

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Amend Article 5 of the NYC Health Code to update fees associated with mobile food vending permits in accordance with Local Law 18 of 2021.
- 2. State the reason(s) why action by the agency is being considered:**
Update Article 5 to align with Local Law 18 of 2021. Current mobile food vending fees were established almost 5 decades ago in 1978.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Update fees for full-term processing, temporary (seasonal) processing, and supervisory license- associated mobile food vending permits to align with Local Law 18 of 2021.
- 4. Provide a summary of the objectives of the proposed rule:**
Align with Local Law 18 of 2021 and ensure mobile food vending fees are up to date and do not exceed the cost to issue the permits.

- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
Sections 558 and 1043 of the NYC Charter.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
New York City Administrative Code 17-308.
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Mobile food vendors.
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):**
Fall 2024.
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC DOHMH
Bureau or Division: Bureau of Environmental Administration
Contact Person: Jeffrey Hunter
Telephone: 646-632-6520
Email: Jhunter@health.nyc.gov

DIVISION: Environmental Health
BUREAU/PROGRAM: Bureau of Environmental Sciences and Engineering
SUBJECT: Articles 5 and 175: Radiation installation fees, penalty schedule and code clarifications for radiation control

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Amend Article 5 to update radiation installation fees and Article 175 of the NYC Health Code to revise fees for inspections conducted by the agency and to correct typographical errors and provide added clarification.
- 2. State the reason(s) why action by the agency is being considered:**
The fee schedule for agency inspections has not been updated in over 20 years and is not reflective of program costs. Text revisions are proposed to provide added clarification and address typographical errors.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):** Radiation installation fees and inspection fees will be revised. The proposed text revisions address multiple areas pertaining to radiation-producing equipment and radioactive materials.
- 4. Provide a summary of the objectives of the proposed rule:** Radiation installation fees and inspection fees will be revised to be more equitable and reflective of program costs. The text revisions are intended to clarify the regulations, making it easier for owner/operators of facilities using radiation-producing equipment and radioactive materials to comply with Article 175.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
NYC Charter Section 556(c)(11).
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
N/A
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Medical, academic and research facilities in New York City using radiation producing equipment.
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):**
Spring 2025.
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC DOHMH
Bureau or Division: Bureau of Environmental Sciences and Engineering
Contact Person: Erik Finkelstein
Telephone: 718-786-5537
Email: efinkels@health.nyc.gov

DIVISION: Division of Disease Control
BUREAU/PROGRAM: Bureau of Communicable Disease and Public Health Laboratory
SUBJECT: Article 11: Candida Auris Reporting

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Laboratory reporting requirements for *Candida auris*

2. State the reason(s) why action by the agency is being considered:

First identified in the United States in 2016, *C. auris* is a drug-resistant fungus that can spread in health care settings. *C. auris* is required to be reported to the New York State (NYS) Department of Health as an emerging pathogen. Including *C. auris* as reportable condition in NYC would align with NYS reporting requirements and ensure that *C. auris* surveillance continues should the pathogen no longer be classified as “emerging.”

3. Provide a summary of the anticipated contents of the proposed rule (if known):

Amend NYC Health Code §11.03 to add requirements that clinical laboratories report suspect or confirmed *C. auris* isolates to the NYC Health Department.

4. Provide a summary of the objectives of the proposed rule:

Align the NYC Health Code with New York State reporting requirements for *C. auris*. Allow the Department to monitor trends in disease incidence and evolving drug resistance, investigate reported cases to identify transmission patterns, and implement and evaluate disease control measures.

5. Provide a summary of the legal basis or enabling authority for the proposed rule:

NYC Charter §556(c)(2) and (4) provides the Department’s authority to supervise the reporting and control of communicable diseases and laboratories, respectively.

6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:

The Laboratory Reporting of Communicable Diseases 2020 Guidelines for NYC and NYS include *C. auris*. These guidelines are based on the authorities provided under NYC Health Code Articles 11 and 13 and New York State (NYS) Public Health Laws 2102 and 576-C, respectively.

7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:

Laboratories

8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2024):

Fall 2024

9. Agency contact for this proposed rulemaking:

Agency: NYC Department of Health and Mental Hygiene
Bureau or Division: Division of Disease Control Rulemaking
Contact Person: Rima Oken
Telephone: 347-396-7591
Email: roken@health.nyc.gov

DIVISION: Disease Control

BUREAU/PROGRAM: Bureau of Hepatitis, HIV, and Sexually Transmitted Infections

SUBJECT: Article 11: COVID-19 Reporting

1. Provide a brief description of the subject area(s) of the proposed rule:

Health care provider and laboratory reporting of COVID-19

2. State the reason(s) why action by the agency is being considered:

Under the New York City (NYC) Health Code, providers must immediately report all suspected and confirmed cases of COVID-19 by telephone. With the end of the COVID-19 public health emergency, widespread use of home testing, the availability of laboratory data, and COVID-19 epidemiology, immediate reporting of COVID-19 is no longer necessary. New York State no longer requires immediate reporting of COVID-19.

3. Provide a summary of the anticipated contents of the proposed rule (if known):

Amend NYC Health Code § 11.03 to add COVID-19 to subdivision (a) (reportable within 24 hours) and remove COVID-19 from reporting under subdivision (b) (immediately reportable).

4. Provide a summary of the objectives of the proposed rule:

Align the NYC Health Code with New York State reporting requirements; remove unduly burdensome reporting requirements for COVID-19 while preserving immediate reporting for other novel and/or severe coronaviruses.

5. Provide a summary of the legal basis or enabling authority for the proposed rule:

NYC Charter §556(c)(2) and (4) provides the Department’s authority to supervise the reporting and control of communicable diseases and to regulate clinical laboratories, respectively.

6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:

Title 10 New York Codes, Rules and Regulations, §§ 2.1, 2.10

7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:

Health care providers and laboratories

8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2024):

Fall 2024

9. Agency contact for this proposed rulemaking:

Agency: NYC Department of Health and Mental Hygiene
Bureau or Division: Division of Disease Control Rulemaking
Contact Person: Rima Oken
Telephone: 347-396-7591
Email: roken@health.nyc.gov

DIVISION: Disease Control

BUREAU/PROGRAM: Bureau of Communicable Diseases

SUBJECT: Article 11: Cronobacter Reporting

1. Provide a brief description of the subject area(s) of the proposed rule:

Health care provider and laboratory reporting of *Cronobacter* spp. infection

2. State the reason(s) why action by the agency is being considered:

The Centers for Disease Control and Prevention (CDC) made *Cronobacter* spp. infection among infants nationally notifiable and recommended that States and Territories enact laws to make this disease or condition reportable in their jurisdiction.

3. Provide a summary of the anticipated contents of the proposed rule (if known):

Amend New York City (NYC) Health Code §11.03 to require health care providers and laboratories to report cases of *Cronobacter* spp. infection among infants (under the age of 12 months) to the Department.

4. Provide a summary of the objectives of the proposed rule:

Improve our understanding of the burden of invasive *Cronobacter* infection among infants in NYC; identify disparities in disease burden to target outreach and other public health interventions; and assist in cluster and outbreak detection and control and response activities, including recalls of contaminated products, as appropriate.

5. Provide a summary of the legal basis or enabling authority for the proposed rule:

NYC Charter §556(c)(2) and (4) provides the Department’s authority to supervise the reporting and control of communicable diseases and to regulate clinical laboratories, respectively.

6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:

N/A

7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:

Health care providers and laboratories

8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2024):

Fall 2024

9. Agency contact for this proposed rulemaking:

Agency: NYC DOHMH
Bureau or Division: Division of Disease Control Rulemaking
Contact Person: Rima Oken
Telephone: 347-396-7591

DIVISION: Disease Control

BUREAU/PROGRAM: Bureau of Communicable Diseases

SUBJECT: Article 11: Mpox Nomenclature

1. Provide a brief description of the subject area(s) of the proposed rule:

Updating Mpox nomenclature

2. State the reason(s) why action by the agency is being considered:

The World Health Organization, Centers for Disease Control and Prevention, New York State Department of Health, and the

Department have adopted "mpox" as the name of the disease formerly called "monkeypox."

- 3. **Provide a summary of the anticipated contents of the proposed rule (if known):**
Amend NYC Health Code §§ 11.03(a) and (b)(1), 11.17(a), and 11.25(a)(1) to replace references to "monkeypox" with "mpox."
- 4. **Provide a summary of the objectives of the proposed rule:**
Align the NYC Health Code with the New York State Sanitary Code, Centers for Disease Control and Prevention, and the Department's public- and provider-facing communications more broadly; and reduce stigma that may be associated with disease name "monkeypox."
- 5. **Provide a summary of the legal basis or enabling authority for the proposed rule:**
NYC Charter § 556(c)(2) and (4) provide the Department's authority to supervise the reporting and control of communicable diseases and to regulate clinical laboratories, respectively.
- 6. **List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
Title 10 New York Codes, Rules and Regulations, §§ 2.1, 2.10
- 7. **Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Health care providers and laboratories
- 8. **Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2024):**
Fall 2024
- 9. **Agency contact for this proposed rulemaking:**
Agency: NYC Department of Health and Mental Hygiene
Bureau or Division: Division of Disease Control Rulemaking
Contact Person: Rima Oken
Telephone: 347-396-7591
Email: roken@health.nyc.gov

DIVISION: Disease Control
BUREAU/PROGRAM: Bureau of Communicable Diseases
SUBJECT: Article 11: RSV Reporting

- 1. **Provide a brief description of the subject area(s) of the proposed rule:**
Health care provider reporting of respiratory syncytial virus (RSV)
- 2. **State the reason(s) why action by the agency is being considered:**
In December 2023, the New York State (NYS) Sanitary Code was amended to require laboratories to report positive tests for RSV, and health care providers to report deaths caused by laboratory confirmed RSV in persons younger than 18 years.
- 3. **Provide a summary of the anticipated contents of the proposed rule (if known):**
Amend NYC Health Code §11.03 to require health care providers to report cases of fatal RSV illness in pediatric patients younger than 18 years of age to the Department.
- 4. **Provide a summary of the objectives of the proposed rule:**
Align the NYC Health Code with the NYS Sanitary Code by adding a requirement for providers to report RSV deaths in persons younger than 18 years of age (laboratory reporting is already required); monitor the impact of RSV vaccination on the burden of disease and characterize and understand the epidemiology of severe RSV disease in children.
- 5. **Provide a summary of the legal basis or enabling authority for the proposed rule:** NYC Charter §556(c)(2) provides the Department's authority to supervise the reporting and control of communicable diseases.
- 6. **List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
Title 10 New York Codes, Rules and Regulations, §§ 2.1, 2.10
- 7. **Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Health care providers
- 8. **Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2024):**
Fall 2024
- 9. **Agency contact for this proposed rulemaking:**
Agency: NYC Department of Health and Mental Hygiene

Bureau or Division: Division of Disease Control Rulemaking
Contact Person: Rima Oken
Telephone: 347-396-7591
Email: roken@health.nyc.gov

DIVISION: Division of Disease Control
BUREAU/PROGRAM: Bureau of Communicable Disease and Public Health Laboratory
SUBJECT: Article 11: Trachoma Reporting

- 1. **Provide a brief description of the subject area(s) of the proposed rule:**
Health care provider and laboratory reporting requirements for trachoma
- 2. **State the reason(s) why action by the agency is being considered:**
Trachoma is a bacterial eye infection caused by the pathogen *Chlamydia trachomatis*. Advancements in health care, hygiene, and public health practices have resulted in a remarkable decline in the prevalence of trachoma, with no reported cases of trachoma in New York City in several decades. Continued reporting requirements for trachoma is no longer warranted.
- 3. **Provide a summary of the anticipated contents of the proposed rule (if known):**
Amend NYC Health Code §11.03 to remove the reporting requirement for trachoma.
- 4. **Provide a summary of the objectives of the proposed rule:**
Reduce errant reporting for the sexually transmitted infection caused by the same pathogen (*Chlamydia trachomatis*) as cases of trachoma, a bacterial eye infection.
- 5. **Provide a summary of the legal basis or enabling authority for the proposed rule:**
NYC Charter §556(c)(2) and (4) provides the Department's authority to supervise the reporting and control of communicable diseases and laboratories, respectively.
- 6. **List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
None
- 7. **Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Health care providers and laboratories
- 8. **Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2024):**
Fall 2024
- 9. **Agency contact for this proposed rulemaking:**
Agency: NYC Department of Health and Mental Hygiene
Bureau or Division: Division of Disease Control Rulemaking
Contact Person: Rima Oken
Telephone: 347-396-7591
Email: roken@health.nyc.gov

DIVISION: Disease Control
BUREAU/PROGRAM: Bureau of Tuberculosis Control
SUBJECT: Article 11: Tuberculosis Reporting

- 1. **Provide a brief description of the subject area(s) of the proposed rule:**
Health care provider reporting of tuberculosis (TB)
- 2. **State the reason(s) why action by the agency is being considered:**
Submission and review of laboratory reports is labor intensive. Reducing the reports that must be submitted will reduce the burden on health care providers and the Department.
- 3. **Provide a summary of the anticipated contents of the proposed rule (if known):**
Amend New York City (NYC) Health Code §11.03 to narrow the scope of biopsy, pathology, or autopsy findings consistent with TB that must be reported.
- 4. **Provide a summary of the objectives of the proposed rule:**
Make the reporting requirements more specific to findings that more highly correlate to active TB disease, reducing the burden on health care providers and Department staff.
- 5. **Provide a summary of the legal basis or enabling authority for the proposed rule:**
NYC Charter §556(c)(2) provides the Department's jurisdiction to supervise the reporting and control of communicable diseases.

6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:

Title 10 New York Codes, Rules and Regulations, §§ 2.1, 2.10

7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:

Health care providers

8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2024):

Fall 2024

9. Agency contact for this proposed rulemaking:

Agency: NYC Department of Health and Mental Hygiene
Bureau or Division: Division of Disease Control Rulemaking
Contact Person: Rima Oken
Telephone: 347-396-7591
Email: roken@health.nyc.gov

DIVISION: Disease Control

BUREAU/PROGRAM: Bureau of Immunization

SUBJECT: Article 11: Varicella Reporting

1. Provide a brief description of the subject area(s) of the proposed rule:

Health care provider reporting of varicella

2. State the reason(s) why action by the agency is being considered:

The New York State (NYS) Sanitary Code was recently amended to require health care provider and laboratory reporting of cases of varicella.

3. Provide a summary of the anticipated contents of the proposed rule (if known):

Amend the New York City (NYC) Health Code § 11.03 to require health care providers to report cases of varicella. Clinical laboratories are already required to report cases of varicella in NYC.

4. Provide a summary of the objectives of the proposed rule:

Align the NYC Health Code with the NYS Sanitary Code.

5. Provide a summary of the legal basis or enabling authority for the proposed rule:

NYC Charter §556(c)(2) provides the Department's jurisdiction to supervise the reporting and control of communicable diseases.

6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:

Title 10 New York Codes, Rules and Regulations, §§ 2.1, 2.10

7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:

Health care providers

8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2024):

Fall 2024

9. Agency contact for this proposed rulemaking:

Agency: NYC Department of Health and Mental Hygiene
Bureau or Division: Division of Disease Control Rulemaking
Contact Person: Rima Oken
Telephone: 347-396-7591
Email: roken@health.nyc.gov

DIVISION: Environmental Health

BUREAU/PROGRAM: Bureau of Child Care

SUBJECT: Article 43: School-based Child Care (SBCC)- Influenza Vaccine; Two-Year Renewal for Certificate of Filing

1. Provide a brief description of the subject area(s) of the proposed rule:

Amend Article 43 of the NYC Health Code to change the time period for requiring proof of influenza vaccine from July 1st to April 1st in light of the typical end to influenza season and to require the Certificate of Filing to be renewed every 2 years by a school-based child care program.

2. State the reason(s) why action by the agency is being considered:

To better align Health Code requirements with the influenza season and maintain timely information of school-based child care programs.

3. Provide a summary of the anticipated contents of the proposed rule (if known):

Amend the time period when proof of influenza vaccine is required to end on April 1 instead of July 1 and to require the Certificate of Filing to be renewed every 2 years.

4. Provide a summary of the objectives of the proposed rule:

Update the time period when proof of flu vaccine is required to align with influenza season and to require the Certificate of Filing to be renewed every 2 years.

5. Provide a summary of the legal basis or enabling authority for the proposed rule:

NYC Charter Sections 558 and 1043

6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:

N/A

7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:

School-based child care program operators and enrolled families.

8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):

Fall 2024

9. Agency contact for this proposed rulemaking:

Agency: NYC DOHMH
Bureau or Division: Bureau of Child Care
Contact Person: Renee Noel
Telephone: (646) 632-6157
Email: Rnoel-he@health.nyc.gov

DIVISION: Environmental Health

BUREAU/PROGRAM: Bureau of Child Care

SUBJECT: Article 47: Group Child Care Programs; Staffing Requirements; Nutrition; Influenza Vaccine

1. Provide a brief description of the subject area(s) of the proposed rule:

Align NYC Health Code Article 47 background check requirements with the requirements under the federal Child Care Development Block Grant; clarify requirements for professional qualifications; change the time period during when proof of influenza vaccine is required in order to better align with the influenza season, and to update nutrition requirements.

2. State the reason(s) why action by the agency is being considered:

Propose changes regarding background check requirements to align with federal law, clarify professional qualifications, and revise dates when proof of influenza vaccination is required.

3. Provide a summary of the anticipated contents of the proposed rule (if known):

Update background checks requirements to align with federal requirements; clarify staff qualifications; amend the time period when proof of influenza vaccine is required to end on April 1 instead of July 1; update nutrition requirements to reflect the latest federal nutrition recommendations found in the 2020 Dietary Guidelines for Americans.

4. Provide a summary of the objectives of the proposed rule:

Align Health Code staff requirements with federal requirements; update the time period when proof of flu vaccine is required to better align with influenza season; improve equity for our youngest New Yorkers in group childcare settings by more strongly aligning Health Code nutrition requirements with federal nutrition recommendations.

5. Provide a summary of the legal basis or enabling authority for the proposed rule:

NYC Charter Sections 558 and 1043

6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:

45 CFR Part 98
NYS Social Services Law

7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:

NYC child care programs and children in child care and their families.

8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):

Fall 2024.

9. Agency contact for this proposed rulemaking:

Agency: NYC DOHMH
Bureau or Division: Bureau of Child Care

Contact Person: Renee Noel
 Telephone: (646) 632-6157
 Email: rnoel-he@health.nyc.gov

DIVISION: Environmental Health
 BUREAU/PROGRAM: Bureau of Child Care
 SUBJECT: Article 48: Summer Camps

1. Provide a brief description of the subject area(s) of the proposed rule:

Amend Article 48 of the NYC Health Code concerning the minimum age for children enrolling in summer camp and clarify staff qualifications and facility requirements.

2. State the reason(s) why action by the agency is being considered:

Require a minimum age to participate in camp and clarify staff qualifications and facility requirements.

3. Provide a summary of the anticipated contents of the proposed rule (if known): Amend minimum age to participate in camp and clarify staff qualifications and facility requirements.

4. Provide a summary of the objectives of the proposed rule: Promote the health and safety of children attending summer camp by clarifying requirements for attendance, staff qualifications and facilities.

5. Provide a summary of the legal basis or enabling authority for the proposed rule: NYC Charter §§ 558 and 1043

6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule: NYS Social Services Law NYS Sanitary Code

7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule: Child summer Camp operators regulated under Article 48, children in camp and their families.

8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025): Fall 2024.

9. Agency contact for this proposed rulemaking:

Agency: NYC DOHMH
 Bureau or Division: Bureau of Child Care
 Contact Person: Renee Noel
 Telephone: (646) 632-6157
 Email: rnoel-he@health.nyc.gov

DIVISION: Environmental Health
 BUREAU/PROGRAM: Bureau of Environmental Surveillance and Policy
 SUBJECT: Article 131: Building Heating Requirements

1. Provide a brief description of the subject area(s) of the proposed rule:

Amend Article 131 of the NYC Health Code to update the heating requirements in buildings during the winter months in accordance with NYC Administrative Code §27-2029

2. State the reason(s) why action by the agency is being considered:

Update Article 131 of the NYC Health Code to align with NYC Administrative Code §27-2029

3. Provide a summary of the anticipated contents of the proposed rule (if known):

Amend Article 131 of the NYC Health Code to increase the minimum temperature between the hours of 10pm to 6am to 62 degrees from 55 degrees and delete the outside temperature language.

4. Provide a summary of the objectives of the proposed rule: Amend Article 131 of the NYC Health Code to align with NYC Administrative Code §27-2029.

5. Provide a summary of the legal basis or enabling authority for the proposed rule: Sections 558 and 1043 of the NYC Charter.

6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule: NYC Administrative Code §27-2029

7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule: Building owners.

8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025): Fall 2024.

9. Agency contact for this proposed rulemaking:

Agency: NYC DOHMH
 Bureau or Division: Environmental Surveillance and Policy
 Contact Person: Jean-Baptiste Rudatsikira
 Telephone: 646-632-6951
 Email: jrudatsikira@health.nyc.gov

DIVISION: Environmental Health
 BUREAU/PROGRAM: Bureau of Food Safety and Community Sanitation
 SUBJECT: Non-Retail Food Processing Establishments (Commissaries)

1. Provide a brief description of the subject area(s) of the proposed rule:

Non-Retail Food Processing Establishments (NRFPs), also called commissaries, prepare ready-to-eat foods and supplies them to food service establishments that, in turn, offer them to consumers. These establishments may supply food offered by mobile food vendors, restaurants, vending machines, and operate as a "shared kitchen," also called "incubators".

2. State the reason(s) why action by the agency is being considered:

To consolidate and update rules for the permitting and operation of a NFRP.

3. Provide a summary of the anticipated contents of the proposed rule (if known):

Create a new article of the New York City Health Code to consolidate and update requirements specific to NFRP, such as adding procedures for providing standard operation and facility plans where multiple independent users operate from the facility.

4. Provide a summary of the objectives of the proposed rule: Consolidate and update NRFP rules to be consistent with current best practices in the industry.

5. Provide a summary of the legal basis or enabling authority for the proposed rule: Sections 558 and 1043 of the NYC Charter.

6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:

10 NYCRR Subpart 14-1, 14-4, and 14-5
 Subchapter 2 of Chapter 3 of Title 17 of the Administrative Code
 Articles 81 and 89 of the New York City Health Code
 Chapter 6 of Title 24 of the Rules of the City of NY

7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:

Entities operating NRFPs, including shared kitchens, mobile food vending commissaries, and vending machine commissaries.

8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025): Spring 2025.

9. Agency contact for this proposed rulemaking:

Agency: NYC DOHMH
 Bureau or Division: Bureau of Food Safety and Community Sanitation
 Contact Person: Michelle Robinson
 Telephone: 646-632-6174
 Email: mrobins1@health.nyc.gov

DIVISION: Environmental Health
 BUREAU/PROGRAM: Bureau of Veterinary and Pest Control Services
 SUBJECT: Chapter 5: Pet Shops and Article 161 of the Health Code

1. Provide a brief description of the subject area(s) of the proposed rule:

Amend Chapter 5 of Title 24 of the Rules of the City and Article 161 of the NYC Health Code to prohibit the sale of dogs, cats, and rabbits in a retail pet shop.

2. State the reason(s) why action by the agency is being considered:

To align with New York State law prohibiting of dogs, cats, and rabbits in a retail pet shop.

3. Provide a summary of the anticipated contents of the proposed rule (if known): Terminate the permitting process to sell dog, cats, and rabbits in a pet shop and specify the penalty associated with violating the law.

4. Provide a summary of the objectives of the proposed rule:

Update Department rules to align with State law regarding the prohibition of sale of dogs, cats, and rabbits in pet shops.

5. Provide a summary of the legal basis or enabling authority for the proposed rule:

Sections 558 and 1043 of the NYC Charter.

6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:

NY General Business Law 753-f

7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:

NYC-permitted pet shops.

8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):

Winter 2024

9. Agency contact for this proposed rulemaking:

Agency: NYC DOHMH
Bureau or Division: Bureau of Veterinary and Pest Control Services
Contact Person: Mario Merlino
Telephone: 646-364-1740
Email: mmerlino@health.nyc.gov

DIVISION: Environmental Health
BUREAU/PROGRAM: Administration/Support
SUBJECT: Chapter 6: Mobile Food Vending Tax Certificates

1. Provide a brief description of the subject area(s) of the proposed rule:

Amend Chapter 6 of Title 24 of the Rules of the City and Article 89 of the NYC Health Code to remove the requirements to obtain a New York State Certificate of Sales Tax Authority and tax clearance certificate in accordance with Local Law 52 of 2024.

2. State the reason(s) why action by the agency is being considered:

To provide consistency with Local Law 52 of 2024.

3. Provide a summary of the anticipated contents of the proposed rule (if known): Update relevant sections of Chapter 6 and NYC Health Code Article 89 to align with Local Law 52 of 2024.

4. Provide a summary of the objectives of the proposed rule: Propose to amend Article 89 of the NYC Health Code and Chapter 6 to align with Local Law 52.

5. Provide a summary of the legal basis or enabling authority for the proposed rule:

Sections 558 and 1043 of the NYC Charter.

6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:

Local Law 52 of 2024.

7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:

Mobile Food Vendors.

8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):

Fall 2024.

9. Agency contact for this proposed rulemaking:

Agency: NYC DOHMH
Bureau or Division: Bureau of Environmental Administration
Contact Person: Jeffrey Hunter
Telephone: 646-632-6520
Email: Jhunter@health.nyc.gov

DIVISION: Environmental Health
BUREAU/PROGRAM: Bureau of Environmental Sciences and Engineering
SUBJECT: Chapter 7: Penalty Schedules

1. Provide a brief description of the subject area(s) of the proposed rule:

Amend Chapter 7 of Title 24 of the Rules of the City of New York to update certain penalties for Department rule violations.

2. State the reason(s) why action by the agency is being considered:

To provide consistency in civil penalties for violations cited by the Department.

3. Provide a summary of the anticipated contents of the proposed rule (if known):

Add penalty amounts for violations of rules concerning water supply, bathing beaches, bathing establishments, rental horses, radioactive materials and equipment.

4. Provide a summary of the objectives of the proposed rule:

Propose to add a fixed penalty schedule for certain violations of Articles 141, 143, 165, 167, 175 and 177 of the NYC Health Code and other provisions enforced by the Department related to rental horses in Chapter 4 of Title 24 of the Rules of the City of NY.

5. Provide a summary of the legal basis or enabling authority for the proposed rule:

Sections 558 and 1043 of the NYC Charter.

6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:

N/A

7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:

NYC-permitted bathing establishments, permitted bathing beaches, registered radiation equipment, licensed radioactive material and rental horse operators.

8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):

Fall 2024

9. Agency contact for this proposed rulemaking:

Agency: NYC DOHMH
Bureau or Division: Bureau of Environmental Sciences and Engineering
Contact Person: Diane Fung
Telephone: 718-786-5574
Email: dfung@health.nyc.gov

DIVISION: Environmental Health
BUREAU/PROGRAM: Bureau of Environmental Disease and Injury Prevention
SUBJECT: Chapter 12: Window Guards

1. Provide a brief description of the subject area(s) of the proposed rule:

Chapter 12 of Title 24 of the Rules of the City of New York will be updated to reflect technical advancements in window design and structure and to streamline the Department's approval process for window fall prevention devices (window guards and limiting devices).

2. State the reason(s) why action by the agency is being considered:

Update Department regulations to reflect technical advancements.

3. Provide a summary of the anticipated contents of the proposed rule (if known):

Repeal and reenact rules in Chapter 12 of Title 24 of the Rules of the City of New York to update specifications for window guards and other limiting devices, and procedures for obtaining Department approval of window guards and limiting devices; update lease notice and annual notice provided to tenants.

4. Provide a summary of the objectives of the proposed rule:

Update Department regulations to reflect technical advancements.

5. Provide a summary of the legal basis or enabling authority for the proposed rule:

Sections 556 and 1043 of the NYC Charter Section 17-123 of the NYC Administrative Code Section 131.15 of the NYC Health Code Section 2043.1 of Title 27 of the NYC Housing Maintenance Code

6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:

N/A

7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:

Building owners, condominium owners and cooperative boards of directors of multiple dwellings and units in such dwellings where children 10 years of age or younger reside.

8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):

Fall 2024.

9. Agency contact for this proposed rulemaking:

Agency: NYC DOHMH
Bureau or Division: Bureau of Environmental Disease and Injury Prevention
Contact Person: Andrew Faciano

Telephone: 646-632-6086
Email: afaciano@health.nyc.gov

DIVISION: Environmental Health
BUREAU/PROGRAM: Bureau of Food Safety and Community Sanitation
SUBJECT: Chapter 23: Food Service Establishments

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Amend Chapter 23 of Title 24 of the Rules of the City of New York concerning the requirements and procedures for the sanitary inspections of food service establishments.
- 2. State the reason(s) why action by the agency is being considered:**
Update Appendices A, B, and C of Chapter 23.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Chapter 23 is being amended to both update requirements for reduced-oxygen packaged ("ROP") food, and revise the penalty schedule to align with Local Law 151 of 2023 requirements.
- 4. Provide a summary of the objectives of the proposed rule:**
Amend certain requirements related to ROP and update penalties.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
Sections 558 and 1043 of the NYC Charter.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
Local Law 151 of 2023
Article 81 of the New York City Health Code
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Permitted-food service establishments.
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):**
Fall 2025.
- 9. Agency contact for this proposed rulemaking:**
Agency: NYC DOHMH
Bureau or Division: Bureau of Food Safety and Community Sanitation
Contact Person: Michelle Robinson
Telephone: 646-632-6174
Email: mrobins1@health.nyc.gov

DIVISION: Environmental Health
BUREAU/PROGRAM: Bureau of Food Safety and Community Sanitation
SUBJECT: Chapter 32: Dogs in Outdoor Dining Areas

- 1. Provide a brief description of the subject area(s) of the proposed rule:**
Amend Chapter 32 of Title 24 of the Rules of the City of New to align with Local Law 121 of 2023.
- 2. State the reason(s) why action by the agency is being considered:**
To make required changes to align with Local Law 121 of 2023.
- 3. Provide a summary of the anticipated contents of the proposed rule (if known):**
Amend the definition of outdoor dining to remove references to the sections of the NYC Administrative Code that have been repealed.
- 4. Provide a summary of the objectives of the proposed rule:**
Update the definition of outdoor dining in accordance with Local Law 121 of 2023.
- 5. Provide a summary of the legal basis or enabling authority for the proposed rule:**
Sections 558 and 1043 of the NYC Charter.
- 6. List all relevant federal, state and local laws and rules, including those which may duplicate, overlap or conflict with the proposed rule:**
Local Law 121 of 2023.
- 7. Provide a description of the types of individuals and/or entities likely to be subject to the proposed rule:**
Food Service Establishments.
- 8. Provide the intended approximate schedule for adopting the proposed rule (e.g., Spring 2025):**
Fall 2025.
- 9. Agency contact for this proposed rulemaking:**

Agency: NYC DOHMH
Bureau or Division: Bureau of Food Safety and Community Sanitation
Contact Person: Michelle Robinson
Telephone: 646-632-6174
Email: mrobins1@health.nyc.gov

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SANITATION

■ NOTICE

Notice of Adoption of Final Rule Relating to Use of Certain Receptacles By Certain Entities that Receive Department Collection Service

NOTICE IS HEREBY GIVEN in accordance with the requirements of Sections 1043 of the New York City Charter and pursuant to the authority vested in the Commissioner of the Department of Sanitation by sections 753 and 1043(a) of the New York City Charter and section 16-120 of the New York City Administrative Code, that DSNY adopts the following rule relating to the use of certain receptacles by certain entities that receive Department collection service. DSNY published a Notice of Opportunity to Comment on the proposed rule in the *City Record* on July 8, 2024. On August 8, 2024, DSNY held a public hearing on the proposed rule.

Statement of Basis and Purpose

This rule would require that all buildings that receive Department collection or collection from another City agency, other than residential buildings containing ten or more dwelling units, set out any refuse at the curb for collection in rigid containers with tight-fitting lids. This requirement would go into effect on November 12, 2024. By June 1, 2026, the rule would require that such rigid containers with tight fitting lids be purchased from an authorized vendor. Such authorized vendor would be chosen through a competitive procurement process and such receptacles would be available for purchase from a retail outlet or online platform.

In response to comments received, the Department clarified and made several changes to the rule. Such changes include the modification of the date of implementation from November 13, 2024 to November 12, 2024, which was technical in nature. Additionally, the Department clarified that such containerization requirements would apply to all waste set out at the curb, including if such waste is collected by another city agency.

This rule would allow all buildings that receive Department collection, or are applying for collection service, to apply for and receive a waiver if compliance would create a public safety hazard for pedestrians or would pose an unreasonable hardship. Instructions relating to such waiver requests would be outlined on the Department's website. There will also be an appeals process for those buildings that are denied such waiver request.

These changes are a part of the City's commitment to cleaning up New York City streets and reducing food sources for rats. Residences and other buildings that receive Department collection are generators of refuse, and bags of waste set out for collection on the curb, even when in compliance with existing waste setout requirements, attract rats and vermin. Requiring such buildings to utilize a specific City approved receptacle for the disposal of refuse will allow DSNY to streamline collections and further limit potential food sources for vermin.

These changes align with other City initiatives to increase the use of containers for waste storage and collection, creating cleaner, more livable, and more vibrant streets and neighborhoods across New York City.

New material is underlined.
[Deleted material is in brackets.]
Asterisks (***) indicate unamended text.

"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. Subdivision (a) of section 1-02.1 of Title 16 of the Rules of the City of New York is amended to read as follows:

(a) Except as otherwise authorized in 16 RCNY § 1-02.3, occupants of residential buildings, public buildings, and special use buildings, except commercial occupants of residential buildings where Department

collection service is not otherwise authorized by 16 RCNY § 1-03, shall place their receptacles or bags containing solid waste or recyclables out at the curb for collection by the Department as follows:

1. Except as provided in paragraph (2) of this subdivision, and in accordance with section 1-02.5 of this chapter, materials must be placed out at the curb no earlier than 8:00 p.m. on the day before scheduled collection and no later than 12:00 a.m. on the scheduled collection day;
2. The following materials must be placed out at the curb no earlier than 6:00 p.m. on the day before scheduled collection and no later than 12:00 a.m. on the scheduled collection day: (i) materials placed out for collection in receptacles with a tight-fitting lid; and (ii) designated recyclable paper that is tied and bundled securely without a container and set out in accordance with the requirements found in 16 RCNY § 1-08(h);
3. Receptacles containing solid waste that are set out at the curb must not exceed fifty-five gallons in size, except for those receptacles that are authorized for use pursuant to section 1-02.5 of this chapter;
4. Receptacles containing designated recyclable materials, organic waste or yard waste that are set out at the curb must comply with the container specifications found in 16 RCNY § 1-08; and
5. All receptacles shall be removed before 9:00 p.m. on the day of collection, or if such collection occurs after 4:00 p.m., then before 9:00 a.m. on the day following collection.

§ 2. Chapter 1 of Title 16 of the Rules of the City of New York is amended by adding a new section 1-02.5, to read as follows:

§ 1-02.5 Receptacles Required for Certain Buildings that Receive Department Collection

- (a) For purposes of this section, the term “authorized vendor” means any vendor selected by the Department through a competitive procurement process to produce New York City standardized receptacles, with the approval of the Department of Health and Mental Hygiene and the Department of Housing Preservation and Development.
- (b) No later than November 12, 2024, all buildings that receive Department collection pursuant to 16 RCNY § 1-02(a) or collection from another city agency, other than residential buildings containing ten or more dwelling units, must set out any refuse at the curb for collection by the Department or another city agency in rigid receptacles with tight fitting lids.
- (c) No later than June 1, 2026, all buildings that receive Department collection pursuant to 16 RCNY § 1-02(a) or collection from another city agency, other than residential buildings containing ten or more dwelling units, must set out any refuse at the curb for collection by the Department or another city agency in rigid receptacles with tight-fitting lids that are purchased from an authorized vendor, and in accordance with 16 RCNY § 1-02.1(a).
- (d) Buildings that receive Department collection, or are applying for collection service, may request a waiver from the Department of the requirements set forth in subdivisions (b) and (c) of this section if compliance would create a public safety hazard for pedestrians, or if compliance with these requirements would pose an unreasonable hardship, provided that:

1. Buildings must submit a waiver request using a form available on the Department’s website;
2. The Department will notify such building within 60 days if such temporary waiver has been granted or denied;
3. Buildings denied a temporary waiver have 30 days to submit an appeal in writing to the Commissioner. The Commissioner will issue a decision on such appeal in a reasonable time, and such decision will be deemed a final determination. Such building will not be required to comply with the requirements of this section until a final determination is made by the Department; and
4. Such temporary waiver will only be in effect until the Department implements a containerization solution that can accommodate the volume of refuse that such building regularly produces without creating a public safety hazard for pedestrians or an unreasonable hardship.

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Notice of Adoption of Final Rule Relating to Use of Certain Receptacles By Entities Receiving Curbside Collection From a Private Carter

NOTICE IS HEREBY GIVEN in accordance with the requirements of Sections 1043 of the New York City Charter and pursuant to the authority vested in the Commissioner of the Department of Sanitation by sections 753 and 1043(a) of the New York City Charter and section 16-120 of the New York City

Administrative Code, that DSNY adopts the following rule relating to the use of certain receptacles by entities receiving curbside collection from a private carter. DSNY published a Notice of Opportunity to Comment on the proposed rule in the *City Record* on July 8, 2024. On August 8, 2024, DSNY held a public hearing on the proposed rule.

Statement of Basis and Purpose

DSNY rules currently allow for all commercial establishments that receive curbside collection from a private carter to set out their waste and recyclable materials within one hour of closing, provided that the scheduled collection occurs before the establishment next reopens for business and only if such materials are placed out for collection in receptacles with tight-fitting lids. Those establishments that place materials out for collection in bags, regardless of the time they close, may place such materials at the curb no earlier than 8:00 p.m.

DSNY rules currently require that all commercial establishments set out any putrescible solid waste at the curb for private carter collection in rigid containers with tight-fitting lids. This new rule would amend this rule and expand this requirement to include any entity, and not just commercial establishments, that receives private carter collection. Non-commercial establishments that receive private carter collection may request a waiver from the Department from such requirements if compliance would create a public safety hazard for pedestrians or pose an unreasonable hardship. Examples of such non-commercial establishments include office buildings and hospitals. A waiver would be available to non-commercial establishments receiving private carter collection but not to commercial establishments because commercial establishments were already subject to containerization requirements before the adoption of this rule without being eligible for a waiver and the non-commercial establishments receiving private carter collection include very large buildings which are more likely to struggle with existing container solutions. Instructions relating to such waiver requests would be outlined on the Department’s website. There will also be an appeals process for those buildings or entities that are denied such waiver request. The rule also eliminates the category of “chain stores” as it no longer applies since all commercial establishments are now covered. Additionally, this rule prohibits the use of a Department authorized bin by any entity that receives private carter service. Such authorized bins are only to be used by those that receive DSNY collection service.

These changes are a part of the City’s commitment to cleaning up New York City streets and reducing food sources for rats. All entities that receive private carter collection, other than commercial establishments, are generators of putrescible waste, including organics, and bags of waste set out for collection on the curb, even when in compliance with existing waste set out requirements, attract rats and vermin and are unsightly. Requiring everyone receiving private carter collection who produces any amount of food waste to place their putrescible waste in sealed containers will meaningfully limit potential food sources for vermin while also helping to keep our sidewalks free of unattractive piles of black bags.

These changes align with other City initiatives to increase the use of containers for waste storage and collection, creating cleaner, more livable, and more vibrant streets and neighborhoods across New York City.

New material is underlined.

[Deleted material is in brackets.]

Asterisks (***) indicate unamended text.

“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. Section 1-02.4 of Title 16 of the Rules of the City of New York is amended to read as follows:

§ 1-02.4 [Receptacles Required for Certain Commercial Establishments] Receptacle Requirements for Entities Receiving Curbside Collection from a Private Carter.

(a) *Definitions.*

1. The terms “catering establishment”, “food manufacturer”, “food preparation establishment”, “food service establishment”, “food wholesaler”, and “retail food store” have the same meanings as in § 16-306.1 of the Administrative Code.

2. The term “chain of stores” means a commercial establishment that operates five or more stores located within the city of New York that are engaged in the same general field of business and conduct business under the same business name or operate under common ownership or management or pursuant to a franchise agreement with the same franchisor.

3. The] For purposes of this section, the term “commercial establishment” means an entity that is required to provide for the removal of waste pursuant to the provisions of § 16-116 of the Administrative Code.

(b) The following must set out any putrescible solid waste, including refuse and organic waste, at the curb for private carter collection in rigid receptacles with tight-fitting lids, in accordance with 16 RCNY § 1-02.1(b), (d) and (e):

1. [Catering establishments, food manufacturers, food preparation establishments, food service establishments, food wholesalers, and retail food stores.

2. A commercial establishment that is part of a chain of stores and that is not included pursuant to paragraph (1) of this subdivision.

3. Any] All commercial [establishment receiving] establishments that receive curbside collection of waste by a private carter [that is not included pursuant to paragraphs (1) or (2) of this subdivision].

2. Any other entity that receives curbside collection of waste by a private carter that is not defined in subdivision (a) of this section.

(c) The requirements of this section do not apply to recyclable materials other than organic waste.

(d) The requirements of this section do not apply to [commercial establishments] those entities that receive off-street collection, including collection from inside a loading dock, by a private carter.

(e) Notwithstanding the requirements of this section, [commercial establishments] those entities that receive private carter collection must comply with all laws, rules and regulations, including, but not limited to, the rules and regulations of the Department of Health and Mental Hygiene with respect to the management of waste.

(f) Notwithstanding the requirements of this section, any entity included in paragraph 2 of subdivision (b) of this section may request a temporary waiver from the Department from the requirements of this section if compliance would create a public safety hazard for pedestrians or if compliance with these requirements would pose an unreasonable hardship, provided that:

1. Entities must submit a waiver request using a form available on the Department's website;

2. The Department will notify such entity within 60 days if such temporary waiver has been granted or denied;

3. Entities denied a temporary waiver have 30 days to submit an appeal in writing to the Commissioner. The Commissioner will issue a decision on such appeal in a reasonable time, and such decision will be deemed a final determination. Such entity will not be required to comply with the requirements of this section until a final determination is made by the Department; and

4. Such temporary waiver will only be in effect until the Department implements a containerization solution that can accommodate the volume of refuse that such entity regularly produces without creating a public safety hazard for pedestrians or an unreasonable hardship.

(g) No entity may utilize a bin from an authorized vendor as defined in subdivision (a) of section 1-02.5 of this chapter for collection by a private carter.



COMPTROLLER

NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., RM 629, New York, NY 10007 on 9/18/2024 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with 3 columns: Parcel No., Block, Lot. Row 1: 78A, 4046, ADJACENT TO LOT 6

Acquired in the proceeding entitled: ROMA AND HETT AVENUE subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

BRAD S. LANDER Comptroller

CHANGES IN PERSONNEL

Table for POLICE DEPARTMENT FOR PERIOD ENDING 07/19/24. Columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows include ENCARNACION, ESCALONA, ESTEVA MORENO, etc.

Table for POLICE DEPARTMENT FOR PERIOD ENDING 07/19/24. Columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows include FILIPPI, FINDLEY, FLEARY, etc.

Table for POLICE DEPARTMENT FOR PERIOD ENDING 07/19/24. Columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows include HALIM, HAQUE, HARDING, etc.

