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THE CITY RECORD

ERIC L. ADAMS
Mayor

DAWN M. PINNOCK
Commissioner, Department of
Citywide Administrative Services

JANAE C. FERREIRA
Editor, The City Record

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

ADMINISTRATIVE TRIALS AND HEARINGS

MEETING

The New York City Environmental Control Board ("Board") meeting scheduled for October 12, 2023, at 9:30 A.M. will be accessible both in person and remotely. The meeting will be held in person at the Office of Administrative Trials and Hearings, 100 Church Street, 12th Floor, OATH multipurpose training room, New York, NY. Members of the

public may alternatively view the Board meeting electronically by connecting through Webex with meeting number (access code) 2341 523 9845, password: h4qPwseSA87. Minutes of the Board meeting will be transcribed and posted on the Office of Administrative Trials and Hearings website.

s28-o2

BOROUGH PRESIDENT - BROOKLYN

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that, pursuant to Section 201 of the New York City Charter, the Brooklyn Borough President will hold a ULURP hearing on the matter below in person, at **6:00 P.M.** on Monday, **October 16, 2023**, in the Borough Hall Courtroom. The meeting will be recorded for public transparency.

While visitors are not required to show proof of vaccination to enter the building, we do encourage individuals to wear masks in Borough Hall spaces.

For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact Rokeya Begum at rokeya.begum@brooklynbp.nyc.gov at least five (5) business days in advance to ensure availability.

Testimony at the hearing is limited to **2 minutes**, unless extended by the Chair. The Borough President welcomes written testimony on all agenda items. For timely consideration, comments must be submitted to askreynoso@brooklynbp.nyc.gov no later than Friday, October 20, 2023.

The following agenda items will be heard:

1) 962 Pacific Street Rezoning (C230157ZMK, N230158ZRK, C230159ZSK)

A zoning map amendment, text amendment, and ZR74-533 special permit to facilitate a new, mixed-use development including 154,000 sf of total floor area, with approximately 150 dwelling units (38-45 through Mandatory Inclusionary Housing), 8,500 sf of community facility space, and 9,000sf of commercial space, is being sought by HSN Realty Corp at 962 Pacific Street, Community District 8, Brooklyn.

2) 230 Kent Avenue Rezoning (N230288ZRK, C230289ZMK)

A zoning map amendment and zoning text amendment to facilitate a new eight-story, approximately 32,800 sf (40 dwelling units) mixed-use development, including approx. 29,500 sf of residential floor area and 3,300 sf of commercial floor area, is being sought by private applicant Kent Riverview LLC at 230 Kent Avenue in Williamsburg, Community District 1, Brooklyn.

3) Brownsville Arts Center and Apartments (C240029HAK, C240030ZMK, N240031ZRK)

A zoning map amendment, zoning text amendment, and Urban Development Action Area (UDAAP) disposition to facilitate a new 9-story, 258,000 sf mixed-use building, including 26,000 sf of community facility space, 17,000 sf of outdoor open space, and 290 affordable residential units is being sought by HPD at 376 Rockaway Avenue in the Brownsville neighborhood of Brooklyn, Community District 16.

4) Jennings Hall Expansion

A zoning map amendment and a zoning text amendment to facilitate a new 14-story, 136,574 sf mixed-use development with 218 Affordable Independent Residences for Seniors (AIRS), is being sought by St. Nicks Alliance at 819 Grand Street in Williamsburg, Community District 1, Brooklyn.

Accessibility questions: Rokeya Begum, rokeya.begum@brooklynbp.nyc.gov, by: Tuesday, October 10, 2023 6:00 P.M.



◀ s29-o16

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 at City Hall, Committee Room, New York, NY 10007, on the following matters commencing at 1:00 P.M. on October 4, 2023. 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.

CITY OF YES FOR CARBON NEUTRALITY CITYWIDE N 230113 ZRY

Application submitted by the New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying multiple Sections to remove impediments to, and expand opportunities for, decarbonization projects within all zoning districts.

The proposed text amendment may be seen in the City Planning Calendar of September 11, 2023 (Cal. No. 1) and the Department of City Planning web site (www.nyc.gov/planning).

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: Friday, September 29, 2023, 3:00 P.M.



s28-o4

COMMUNITY BOARDS

■ PUBLIC HEARINGS

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

BOROUGH OF MANHATTAN

COMMUNITY BOARD NO. 06 - Tuesday, October 10, 2023, at 6:30 P.M. via in person meeting location (CB6 office, 211 East 43rd Street, New York, NY 10017) and Zoom (https://us06web.zoom.us/webinar/register/WN_p8eTM7KKQkGH4NTSjvOhVA).

A public hearing with respect to the Manhattan Community District 6 Needs Statement and Budget Requests for Fiscal Year 2025.



s28-o10

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 11 - Monday, October 2, 2023 7:30 P.M., Korean Community Services, 203-05 32 Avenue, Bayside, NY.

CB11 CAPITAL & EXPENSE BUDGET PRIORITIES

To solicit input from the community for capital and expense budget items for submission in the FY2025 City budget.

s26-o2

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, October 3, 2023, at 9:30 AM, 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 videoconference 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. Finally, please be aware: COVID-19 safety protocols are in effect at the location; all attendees over the age of two who are medically able to tolerate a face covering will be required to wear a face covering, regardless of vaccination status.

35 Clifton Place - Clinton Hill Historic District LPC-23-11456 - Block 1947 - Lot 36 - Zoning: R6B CERTIFICATE OF APPROPRIATENESS

A transitional Italianate/Neo-Grec style rowhouse designed by Benjamin Linikin and built in 1876. Application is to construct rooftop and rear yard additions and replace windows.

96 Macon Street - Bedford Historic District LPC-23-05203 - Block 1850 - Lot 16 - Zoning: R6B CERTIFICATE OF APPROPRIATENESS

An empty lot. Application is to construct a new building.

384 Broadway - Tribeca East Historic District LPC-23-09128 - Block 195 - Lot 2 - Zoning: 12a CERTIFICATE OF APPROPRIATENESS

A Neo-Grec store and loft building designed by Morgan Slade and built-in 1882. Application is to alter storefronts and replace infill.

60 Hudson Street - Individual and Interior Landmark LPC-23-11517 - Block 144 - Lot 40 - Zoning: C6-2A CERTIFICATE OF APPROPRIATENESS

An Art Deco style communications building and designated interior lobby designed by Ralph Walker of Voorhees, Gmelin & Walker and built in 1928-30. Application is to install and modify interior light fixtures.

1 West 29th Street, aka 270-272 Fifth Avenue - Individual Landmark LPC-23-10212 - Block 831 - Lot 33 - Zoning: M1-6 CERTIFICATE OF APPROPRIATENESS

A Romanesque Revival style church with Gothic Revival style details, designed by Samuel A. Warner and built in 1851-1854, with later additions. Application is to construct a stair bay and re-clad secondary facades.

**895 Park Avenue - Upper East Side Historic District
LPC-23-10251 - Block 1413 - Lot 71 - Zoning: R10/R10A
CERTIFICATE OF APPROPRIATENESS**

A Classicizing Art-Deco style apartment building designed by Sloan & Robertson and built in 1929. Application is to construct a rooftop pergola and replace windows.

**1312 Madison Avenue (aka 1306-1312 Madison Avenue,
26-28 East 93rd Street) - Expanded Carnegie Hill Historic
District**

**LPC-23-11434 - Block 1504 - Lot 56 - Zoning: R10
CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style apartment hotel designed by George W. Spitzer and built in 1897. Application is to legalize the installation of an awning and HVAC units.

s20-o3

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held remotely commencing on Wednesday, October 11, 2023, at 11:00 A.M., via the WebEx platform and in person, on the following petitions for revocable consent.

WebEx: Meeting Number (access code): 2634 335 7822

Meeting Password: g3vYgVfh3B2

The hearing will be held in person at 55 Water Street, BID ROOM, in the Borough of Manhattan. Masks are required to be worn to enter the building and during the hearing.

#1 IN THE MATTER OF a proposed revocable consent authorizing 30 West Pershing LLC to continue to maintain and use a force main, together with a manhole under and along Forest Avenue, between Morrow Street and South Avenue, in the Borough of Staten Island. The revocable consent is for ten years from July 1, 2023 to June 30, 2033 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1707**

For the period July 1, 2023 to June 30, 2024 - \$18,764/per annum
For the period July 1, 2024 to June 30, 2025 - \$19,170
For the period July 1, 2025 to June 30, 2026 - \$19,576
For the period July 1, 2026 to June 30, 2027 - \$19,982
For the period July 1, 2027 to June 30, 2028 - \$20,388
For the period July 1, 2028 to June 30, 2029 - \$20,794
For the period July 1, 2029 to June 30, 2030 - \$21,200
For the period July 1, 2030 to June 30, 2031 - \$21,606
For the period July 1, 2031 to June 30, 2032 - \$22,012
For the period July 1, 2032 to June 30, 2033 - \$22,418

with the maintenance of a security deposit in the sum of \$22,900 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations

#2 IN THE MATTER OF a proposed revocable consent authorizing 347A State Street LLC to continue to maintain and use a stoop on the north sidewalk of State Street, between Hoyt Street and Bond Street, in the Borough of Brooklyn. The revocable consent is for a term of ten years from July 1, 2023 to June 30, 2033 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2209**

For the period July 1, 2023 to June 30, 2024 - \$ 344
For the period July 1, 2024 to June 30, 2025 - \$ 352
For the period July 1, 2025 to June 30, 2026 - \$ 360
For the period July 1, 2026 to June 30, 2027 - \$ 368
For the period July 1, 2027 to June 30, 2028 - \$ 376
For the period July 1, 2028 to June 30, 2029 - \$ 384
For the period July 1, 2029 to June 30, 2030 - \$ 392
For the period July 1, 2030 to June 30, 2031 - \$ 400
For the period July 1, 2031 to June 30, 2032 - \$ 408
For the period July 1, 2032 to June 30, 2033 - \$ 416

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

Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#3 IN THE MATTER OF a proposed revocable consent authorizing 383 West Broadway Corp. to construct, maintain and use an ADA lift and steps on the east sidewalk of West Broadway, between Spring Street and Broome Street, in the Borough of Manhattan. The revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2614**

From the Approval Date to June 30, 2024 - \$3,025/per annum
For the period July 1, 2024 to June 30, 2025 - \$3,092
For the period July 1, 2025 to June 30, 2026 - \$3,159
For the period July 1, 2026 to June 30, 2027 - \$3,226
For the period July 1, 2027 to June 30, 2028 - \$3,293
For the period July 1, 2028 to June 30, 2029 - \$3,360
For the period July 1, 2029 to June 30, 2030 - \$3,427
For the period July 1, 2030 to June 30, 2031 - \$3,494
For the period July 1, 2031 to June 30, 2032 - \$3,561
For the period July 1, 2032 to June 30, 2033 - \$3,628
For the period July 1, 2033 to June 30, 2034 - \$3,695

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

#4 IN THE MATTER OF a proposed revocable consent authorizing Barbara Chang to continue to maintain and use a stoop on the north sidewalk of State Street, between Hoyt Street and Bond Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2023 to June 30, 2033 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2210**

For the period July 1, 2023 to June 30, 2024 - \$344
For the period July 1, 2024 to June 30, 2025 - \$352
For the period July 1, 2025 to June 30, 2026 - \$360
For the period July 1, 2026 to June 30, 2027 - \$368
For the period July 1, 2027 to June 30, 2028 - \$376
For the period July 1, 2028 to June 30, 2029 - \$384
For the period July 1, 2029 to June 30, 2030 - \$392
For the period July 1, 2030 to June 30, 2031 - \$400
For the period July 1, 2031 to June 30, 2032 - \$408
For the period July 1, 2032 to June 30, 2033 - \$416

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

#5 IN THE MATTER OF a Modification revocable consent authorizing BOP MW Residential Market LLC to construct, maintain and use an entrance detail on the north sidewalk of West 31st Street and above the intersection of West 31st Street and Dyer Avenue, between Ninth and Tenth Avenues, in the Borough of Manhattan. The revocable consent is for a term of ten years from Approval by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2343**

**For the period July 1, 2023 to June 30, 2024 - \$9,954
(Prorated from the date of Approval by the Mayor)
For the period July 1, 2024 to June 30, 2025 - \$10,174
For the period July 1, 2025 to June 30, 2026 - \$10,394**

with the maintenance of a security deposit in the sum of \$90,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#6 IN THE MATTER OF a proposed revocable consent authorizing BPP ST Owner LLC & BPP PCV Owner LLC to continue to maintain and use a conduit under and diagonally across East 20th Street, west of Marginal Street, in the Borough of Manhattan. The revocable consent is for a term of ten years from July 1, 2023 to June 30, 2033 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 533**

For the period July 1, 2023 to June 30, 2024 - \$ 10,570
For the period July 1, 2024 to June 30, 2025 - \$ 10,799
For the period July 1, 2025 to June 30, 2026 - \$ 11,028
For the period July 1, 2026 to June 30, 2027 - \$ 11,257
For the period July 1, 2027 to June 30, 2028 - \$ 11,486

For the period July 1, 2028 to June 30, 2029 - \$ 11,715
 For the period July 1, 2029 to June 30, 2030 - \$ 11,944
 For the period July 1, 2030 to June 30, 2031 - \$ 12,173
 For the period July 1, 2031 to June 30, 2032 - \$ 12,402
 For the period July 1, 2032 to June 30, 2033 - \$ 12,631

with the maintenance of a security deposit in the sum of \$46,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#7 IN THE MATTER OF a proposed revocable consent authorizing Brian Zakutansky and Mary Alyce Spencer to construct, maintain and use a stoop, and a fenced-in area together with steps and trash enclosure on the south sidewalk of Jane Street between 8th Avenue and Hudson Street, at 46 Jane Street, in the Borough of Manhattan. The revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2634**

From the date of the final approval by the Mayor (the "Approval Date") to June 30, 2034 - \$25/per annum.

with the maintenance of a security deposit in the sum of \$8,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#8 IN THE MATTER OF a proposed revocable consent authorizing Buckeye Pipe Line Company, L.P. to continue to maintain and use pipelines under certain streets, in the Borough of Staten Island, Brooklyn, and Queens. The revocable consent is for a term of ten years from July 1, 2023 to June 30, 2033 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 893**

For the period July 1, 2023 to June 30, 2024 - \$1,850,400/per annum
 For the period July 1, 2024 to June 30, 2025 - \$1,890,392
 For the period July 1, 2025 to June 30, 2026 - \$1,930,384
 For the period July 1, 2026 to June 30, 2027 - \$1,970,376
 For the period July 1, 2027 to June 30, 2028 - \$2,010,368
 For the period July 1, 2028 to June 30, 2029 - \$2,050,360
 For the period July 1, 2029 to June 30, 2030 - \$2,090,352
 For the period July 1, 2030 to June 30, 2031 - \$2,130,344
 For the period July 1, 2031 to June 30, 2032 - \$2,170,336
 For the period July 1, 2032 to June 30, 2033 - \$2,210,328

with the maintenance of a security deposit in the sum of \$550,000 and the insurance shall be in the amount of Thirty-Five Million Dollars (\$35,000,000) per occurrence for bodily injury and property damage, Five Million Dollars (\$5,000,000) for personal and advertising injury, Thirty Five Million Dollars (\$35,000,000) aggregate, and Five Million Dollars (\$5,000,000) products/completed operations.

#9 IN THE MATTER OF a proposed revocable consent authorizing Fifth Avenue Owners Group LLC to construct, maintain and use an electric snow melt system, under the west sidewalk of 5th Avenue, between West 8th Street and West 9th Street, in the Borough of Manhattan. The revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2619**

From the Approval Date to June 30, 2023 - \$5,418/per annum.
 For the period July 1, 2023 to June 30, 2024 - \$5,538
 For the period July 1, 2024 to June 30, 2025 - \$5,658
 For the period July 1, 2025 to June 30, 2026 - \$5,778
 For the period July 1, 2026 to June 30, 2027 - \$5,898
 For the period July 1, 2027 to June 30, 2028 - \$6,018
 For the period July 1, 2028 to June 30, 2029 - \$6,138
 For the period July 1, 2029 to June 30, 2030 - \$6,258
 For the period July 1, 2030 to June 30, 2031 - \$6,378
 For the period July 1, 2031 to June 30, 2032 - \$6,498
 For the period July 1, 2032 to June 30, 2033 - \$6,618

with the maintenance of a security deposit in the sum of \$25,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#10 IN THE MATTER OF a proposed revocable consent authorizing Jamaica Hospital Medical Center to continue to maintain and use a conduit and pipe bank under and diagonally across of 135th Street, south of 89th Avenue, in the Borough of Queens. The revocable consent

is for a term of ten years from July 1, 2022 to June 30, 2032 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1400**

For the period July 1, 2022 to June 30, 2023 - \$4,335/per annum
 For the period July 1, 2023 to June 30, 2024 - \$4,414
 For the period July 1, 2024 to June 30, 2025 - \$4,493
 For the period July 1, 2025 to June 30, 2026 - \$4,572
 For the period July 1, 2026 to June 30, 2027 - \$4,651
 For the period July 1, 2027 to June 30, 2028 - \$4,730
 For the period July 1, 2028 to June 30, 2029 - \$4,809
 For the period July 1, 2029 to June 30, 2030 - \$4,888
 For the period July 1, 2030 to June 30, 2031 - \$4,967
 For the period July 1, 2031 to June 30, 2032 - \$5,046

with the maintenance of a security deposit in the sum of \$21,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#11 IN THE MATTER OF a proposed revocable consent authorizing Renaissance 627 Broadway LLC to continue to maintain and use a stoop on the east sidewalk of Mercer Street, between Houston and Bleecker Streets, in the Borough of Manhattan. The revocable consent is for a term of ten years from July 1, 2023 to June 30, 2034 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1866**

For the period July 1, 2023 to June 30, 2024 - \$858
 For the period July 1, 2024 to June 30, 2025 - \$877
 For the period July 1, 2025 to June 30, 2026 - \$896
 For the period July 1, 2026 to June 30, 2027 - \$915
 For the period July 1, 2027 to June 30, 2028 - \$934
 For the period July 1, 2028 to June 30, 2029 - \$953
 For the period July 1, 2029 to June 30, 2030 - \$972
 For the period July 1, 2030 to June 30, 2031 - \$991
 For the period July 1, 2031 to June 30, 2032 - \$1,010
 For the period July 1, 2032 to June 30, 2033 - \$1,029

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

#12 IN THE MATTER OF a proposed revocable consent authorizing St. Luke's-Roosevelt Hospital Center to continue to maintain and use a bridge, over and across West 114th Street, east of Amsterdam Avenue, in the Borough of Manhattan. The revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1331**

For the period July 1, 2019 to June 30, 2020 - \$25,978
 For the period July 1, 2020 to June 30, 2021 - \$26,374
 For the period July 1, 2021 to June 30, 2022 - \$26,770
 For the period July 1, 2022 to June 30, 2023 - \$27,166
 For the period July 1, 2023 to June 30, 2024 - \$27,562
 For the period July 1, 2024 to June 30, 2025 - \$27,958
 For the period July 1, 2025 to June 30, 2026 - \$28,354
 For the period July 1, 2026 to June 30, 2027 - \$28,750
 For the period July 1, 2027 to June 30, 2028 - \$29,146
 For the period July 1, 2028 to June 30, 2029 - \$29,542

with the maintenance of a security deposit in the sum of \$29,500 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#13 IN THE MATTER OF a proposed revocable consent authorizing Two Charlton Owners Corp. to construct, maintain and use an accessible ramp with steps on and under the south sidewalk of Charlton Street, between 6th Avenue and Varick Street, in the Borough of Manhattan. The revocable consent is for a term of ten years from the Approval Date by the Mayor, and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2631**

From the approval Date to June 30th, 2034- \$25/per annum

with the maintenance of a security deposit in the sum of \$11,250 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#14 IN THE MATTER OF a proposed revocable consent authorizing 980 Prospect LLC to construct, maintain and use two (2) accessible ramps with steps on the east sidewalk of Prospect Avenue, between East 164th and 165th Streets, in the Borough of the Bronx. The revocable consent is for a term of ten years from the Approval Date by the Mayor, and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2632**

From the approval Date to June 30th, 2034- \$50/per annum with the maintenance of a security deposit in the sum of \$25,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#15 IN THE MATTER OF a proposed revocable consent authorizing Canal-Greenwich Condominium to construct, maintain and use two (2) accessible lifts with stairs on the east sidewalk of Greenwich Street, between Canal and Spring Streets, in the Borough of Manhattan. The revocable consent is for a term of ten years from the Approval Date by the Mayor, and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2624**

- From the approval Date to June 30th, 2024- \$3,445/per annum
For the period July 1, 2024 to June 30, 2025 - \$3,520
For the period July 1, 2025 to June 30, 2026 - \$3,595
For the period July 1, 2026 to June 30, 2027 - \$3,670
For the period July 1, 2027 to June 30, 2028 - \$3,745
For the period July 1, 2028 to June 30, 2029 - \$3,820
For the period July 1, 2029 to June 30, 2030 - \$3,895
For the period July 1, 2030 to June 30, 2031 - \$3,970
For the period July 1, 2031 to June 30, 2032 - \$4,045
For the period July 1, 2032 to June 30, 2033 - \$4,120
For the period July 1, 2033 to June 30, 2034 - \$4,195

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

#16 IN THE MATTER OF a proposed revocable consent authorizing Mallow Enterprises LLC to construct, maintain and use a snowmelt system, and a fenced-in area, including planters, irrigation conduits, trash enclosure, and storage on and under the south sidewalk of East 73rd Street, between Madison and 5th Avenues, in the Borough of Manhattan. The revocable consent is for a term of ten years from the Approval Date by the Mayor, and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2633**

- From the approval Date to June 30th, 2024 - \$3,747/per annum
For the period July 1, 2024 to June 30, 2025 - \$3,830
For the period July 1, 2025 to June 30, 2026 - \$3,913
For the period July 1, 2026 to June 30, 2027 - \$3,996
For the period July 1, 2027 to June 30, 2028 - \$4,079
For the period July 1, 2028 to June 30, 2029 - \$4,162
For the period July 1, 2029 to June 30, 2030 - \$4,245
For the period July 1, 2030 to June 30, 2031 - \$4,328
For the period July 1, 2031 to June 30, 2032 - \$4,411
For the period July 1, 2032 to June 30, 2033 - \$4,494
For the period July 1, 2033 to June 30, 2034 - \$4,577

with the maintenance of a security deposit in the sum of \$25,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#17 IN THE MATTER OF a proposed revocable consent authorizing West 64th Street LLC to continue to maintain and use an underground improvement under the south sidewalk of West 65th Street, east sidewalk of Broadway and north sidewalk of West 64th Street, in the Borough of Manhattan. The revocable consent is for a term of ten years from July 1, 2023, to June 30, 2033, and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1861**

- For the period July 1, 2023 to June 30, 2024 - \$240,502
For the period July 1, 2024 to June 30, 2025 - \$245,700
For the period July 1, 2025 to June 30, 2026 - \$250,898
For the period July 1, 2026 to June 30, 2027 - \$256,096
For the period July 1, 2027 to June 30, 2028 - \$261,294
For the period July 1, 2028 to June 30, 2029 - \$266,492
For the period July 1, 2029 to June 30, 2030 - \$271,690

- For the period July 1, 2030 to June 30, 2031 - \$276,888
For the period July 1, 2031 to June 30, 2032 - \$282,086
For the period July 1, 2032 to June 30, 2033 - \$287,284

with the maintenance of a security deposit in the sum of \$287,300 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

s20-o11

PROPERTY DISPOSITION

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 Avenue, 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.

jj29-j17

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://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page>.

ADMINISTRATION FOR CHILDREN’S SERVICES

OFFICE OF INFORMATION TECHNOLOGY

■ AWARD

Services (other than human services)

JAVA DEVELOPER #2 - FHRED/PAT/CAS - M/WBE
 Noncompetitive Small Purchase - PIN#06824W0004001 - AMT: \$98,532.00 - TO: Link2Consult Inc, 1 Bridge Plaza, Suite 275, Fort Lee, NJ 07204.

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JAVA DEVELOPER- SOFTWARE DEVELOPMENT - M/WBE
 Noncompetitive Small Purchase - PIN# 06823W0054001 - AMT: \$152,810.00 - TO: Unique Comp Inc, 27-08 42nd Road, Long Island City, NY 11101.

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DESIGN AND CONSTRUCTION

■ SOLICITATION

Construction / Construction Services

85024B0011-HWPR23MQ - REHABILITATION OF STANDARD PEDESTRIAN RAMPS AT DESIGNATED LOCATIONS, MANHATTAN AND QUEENS - Competitive Sealed Bids - PIN# 85024B0011 - Due 10-24-23 at 11:00 A.M.

Project #: HWPR23MQ/EPIN: 85024B0011

Late Bids Will Not Be Accepted.

This contract is subject to Special Experience Requirements.

This project is subject to HireNYC

This Competitive Sealed Bid (CSB) is being released through PASSPort, New York City’s online procurement portal.

Responses to this CSB should be submitted via PASSPort. To access the solicitation, vendors should visit the PASSPort Public Portal at <https://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page> and click on the “Search Funding Opportunities in PASSPort” blue box. This will take you to the Public Portal of all procurements in the PASSPort system. To quickly locate the CSB, insert the EPIN (85024B0011) into the Keywords search field.

Bid opening Location - Virtual Bid Opening at YouTube https://www.youtube.com/playlist?list=PLKYRN_jd7vfvhJ3NGGqCkJ2n32mGvlpVR LIC NY 11101.

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■ AWARD

Construction / Construction Services

FULL RENOVATION OF THE SECOND FLOOR - Competitive Sealed Bids/Pre-Qualified List - PIN#85023B0074001 - AMT: \$5,447,853.00 - TO: SLSCO LP, P.O. BOX 17017, Galveston, TX 77552.

The renovation includes new bookcases, lighting and controls, flooring, ceiling and other finishes and accessories for the children’s reading room and the multipurpose room of the second floor. The second floor toilet rooms and convenience stair will also be renovated. Mechanical systems will be updated, new dunnage and mechanical units will be placed on the lower roof and the units on the dunnage and the upper roof will be removed. The BMS system will be updated as well. CB: Brooklyn 14

As per PPB Rule 3-01 (d) Special Case (1)(i) Competitive sealed bidding from prequalified vendors, except as provided in Section 3-10 (a). Section 3-10 (a) reads: Except for procurements for construction, a procurement using a PQL shall be considered a “special case” under these Rules.

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DISTRICT ATTORNEY - NEW YORK COUNTY

■ SOLICITATION

Goods and Services

NEWSPAPER & MAGAZINE DELIVERY SERVICES - Competitive Sealed Bids - PIN# 20241800001 - Due 11-6-23 at 12:00 P.M.

Requesting bids from qualified vendors, to provide Newspaper & Magazine Delivery Services at 80 Centre Street, New York, NY 10013.

Submit bid/proposal documents bidrfrps@dany.nyc.gov, with a copy, to Wongi@dany.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.

District Attorney - New York County, 40 Worth Street, 9th Floor, New York, NY 10013. Io Wong (212) 335-3419; wongi@dany.nyc.gov



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ECONOMIC DEVELOPMENT CORPORATION

CONTRACTS

■ SOLICITATION

Goods

CONSTRUCTION MANAGEMENT SERVICES FOR FERRY LANDINGS RESILIENCE UPGRADES AND CONSTRUCTION OF TWO FLEX BARGES - Request for Proposals - PIN#104540001 - Due 10-31-23 at 11:59 P.M.

New York City Economic Development Corporation (“NYCEDC”) invites construction management firms to submit proposals to provide construction management services. The Construction Manager shall act as NYCEDC’s Construction Manager and will lead a “Construction Team” to provide planning, procurement, oversight, and other construction-related services for NYC ferry resiliency upgrades and the construction of two flex barges. The Construction Manager will be responsible for all Construction Services, including but not limited to: overall Project coordination; community outreach; related engineering services; coordination of contract documents; permitting from relevant Agencies, cost estimating and value engineering. In addition, the Construction Manager shall act as a construction manager (CM at Risk) and hold all Subcontracts that it procures.

The New York City Comprehensive Ferry Transit Resilience Project was developed by the New York City Department of Transportation (“NYCDOT”) and NYCEDC. It is intended to help safeguard the New York regional transportation system, including both ferry and land-based portions of the network, against the threats posed by future storms and other emergencies – threats likely to be exacerbated by rising sea levels and an increased frequency of severe weather. The project is made up of two parts: upgrades to ferry landings and the construction of two ollis-class compatible flex barges. Within the landings portion of the project exists three separate ferry landing locations: E34th Street in Manhattan, Brooklyn Cruise Terminal (BCT) at Pier 12 in Brooklyn, and Long Island City Gantry Plaza State Park in Queens. The scope of services for the projects will be divided amongst four individual projects, each having individual sites and timelines.

NYCEDC plans to select a consultant on the basis of factors stated in the RFP which include, but are not limited to: the quality of the proposal, experience of key staff identified in the proposal, experience

and quality of any subcontractors proposed, demonstrated successful experience in performing services similar to those encompassed in the RFP, and the proposed fee.

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

This project is being funded with funds provided, in part, by the Federal Transit Authority, through the New York State Department of Transportation, and this project has Disadvantaged Business Enterprise (“DBE”) participation goals. All respondents will be required to submit a DBE Utilization Plan with their response. A list of certified DBEs can be found at <https://nysucp.newnycontracts.com/>. M/WBEs are also encouraged to apply.

NYCEDC established the Contracting Financing Loan Fund programs for MWBEs interested in working on NYCEDC projects. Contracting Financing Loan Fund facilitates financing for short-term mobilization needs such as insurance, payroll, supplies and equipment. Bidders, sub-contractors and sub-consultants are strongly encouraged to visit the NYCEDC website at <http://edc.nyc/opportunity-mwdbe> to learn more about the program.

An optional informational session will be held on Tuesday, October 10, 2023 at 12:00 P.M. on an MS Teams Call. Those who wish to attend should RSVP by email to FTAresilienceRFP@edc.nyc on or before October 6, 2023.

Respondents may submit questions and/or request clarifications from NYCEDC no later than 5:00 P.M. on Tuesday, October 17, 2023. Questions regarding the subject matter of this RFP should be directed to FTAresilienceRFP@edc.nyc. Answers to all questions will be posted by Tuesday, October 24, 2023, to <https://edc.nyc/rfps>. Questions regarding the subject matter of this RFP will not be accepted after 5:00 P.M. on Tuesday, October 17, 2023, however, technical questions pertaining to downloading and submitting proposals to this RFP may be directed to RFPRequest@edc.nyc on or before Tuesday, October 31, 2023.

Detailed submission guidelines and requirements are outlined in the RFP, available as of Friday, September 29, 2023. To download a copy of the solicitation documents please visit <https://edc.nyc/rfps>. **RESPONSES ARE DUE NO LATER THAN Tuesday, October 31, 2023.** Please click the link in the “Deadlines” section of this project’s web page (which can be found on <https://edc.nyc/rfps>) to electronically upload a proposal for this solicitation.

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

Economic Development Corporation, Please submit all requests to the project email address listed in the advertisement. Resilience RFP Team (212) 312-3649; FTAresilienceRFP@edc.nyc

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EDUCATION

EARLY CHILDHOOD

■ AWARD

Human Services/Client Services

R 1395 - UPK FOR ALL - Competitive Sealed Proposals/Pre-Qualified List - PIN#04022P0673198 - AMT: \$1,938,996.00 - TO: Kindercare Education at Work LLC, 5005 Meadows Rd, Suite 200, Lake Oswego, OR 97035.

This solicitation is being conducted as an RFP because these services are administered directly to children and must be evaluated on qualitative criteria.

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ENVIRONMENTAL PROTECTION

ENGINEERING, DESIGN AND CONSTRUCTION

■ AWARD

Construction Related Services

CONSTRUCTION MANAGEMENT SERVICES FOR THE HILLVIEW RESERVOIR CHEMICAL ADDITION FACILITIES PROJECT HVR-200 CM 01 - Competitive Sealed Proposals - Other - PIN# 82622P0034001 - AMT: \$64,955,820.59 - TO: HVR Construction Managers-Arcadis Jacobs JV, 44 South Broadway, Suite 1200, White Plains, NY 10601.

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■ SOLICITATION

Construction/Construction Services

DESIGN BUILD-3 PR-132 & R-151 FOR SLUDGE DOCK IMPROVEMENTS - Competitive Sealed Proposals - Other - PIN#82624I0001 - Due 11-13-23 at 2:00 P.M.

PORT RICHMOND AND ROCKAWAY WASTEWATER RESOURCE RECOVERY FACILITIES. This Request for Proposal (“RFx”) is being released through PASSPort, New York City’s online procurement portal. Responses to this RFx should be submitted via PASSPort. To access the solicitation, vendors should visit the PASSPort Public Portal at <https://www.nyc.gov/site/mocs/passport/about-passport.page> and click on the “Search Funding Opportunities in PASSPort” blue box. This will take you to the Public Portal of all procurements in the PASSPort system. To quickly locate the RFx, insert the EPIN 82624I0001 into the Keywords search field. Anyone requiring assistance from the MOCS Service Desk should use their inquiry Submission Form: <https://mocsupport.atlassian.net/servicedesk/customer/portal/8>.

Pre bid conference location -Virtual : Find link in PR-132 & R-151 RFQ doc Join meeting by link or call in (audio only) 347- 921-5612, Conf ID: 609 291 247 Mandatory: no Date/Time - 2023-10-11 10:00:00.

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FIRE DEPARTMENT

FACILITY MANAGEMENT (BUILDINGS UNIT)

■ AWARD

Services (other than human services)

ABATEMENT AND REMEDIATION SERVICES OF MOLD AND OTHER BIOLOGICAL HAZARDOUS AGENTS - M/WBE Noncompetitive Small Purchase - PIN#05723W0051001 - AMT: \$500,000.00 - TO: East Coast Environmental Restoration Inc, 136 Allen Blvd., Farmingdale, NY 11735.

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HOUSING AUTHORITY

PROCUREMENT

■ VENDOR LIST

Goods and Services

PRE-QUALIFIED LIST (PQL) PROGRAM FOR VARIOUS TRADES

NYCHA is currently accepting applications for Pre-Qualified List (PQL) program for various trades.

A PQL is a tool that NYCHA will use to qualify vendors and contract goods or services for its developments, streamlining the process for both vendors and NYCHA. NYCHA will publish contracting opportunities, and the PQL will predominantly be used to procure goods or services for those contracts. Vendors who apply to those bids must pre-qualify according to specific criteria, and vendors who are admitted to the PQL can bid on contracts.

Currently NYCHA has established four (4) PQL lists for the Closed-Circuit Television (CCTV), Carpentry, Painting and Lead Based Paint (Assessment and Abatement, Inspection and Assessment & Lab Analysis).

All vendors interested in NYCHA's PQLs must follow two (2) important steps:

First, vendors must prepare and submit applications to the PQL: To pre-qualify, vendors must meet the minimum requirements listed on the Request for Qualification of the select PQL. Applications will be evaluated by NYCHA on a rolling basis.

Second, vendors who are admitted to the PQL can then bid on solicitations for services on the PQL: Vendors must bid on each contract award, as these are not guaranteed.

For more information regarding PQLs and to obtain applications, please visit NYCHA's website at: <https://www.nyc.gov/site/nycha/business/nycha-pql.page>.

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

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. (929) 502-6107; PQL@nycha.nyc.gov

a8-d29

NYC HEALTH + HOSPITALS

SOLICITATION

Services (other than human services)

WOODHULL MEDICAL CENTER LABOR AND BIRTHING SUITE RENOVATION - Request for Qualifications - PIN#2732 - Due 10-20-23 at 5:00 P.M.

NYC Health + Hospitals' Office of Facility Development ("OFD") is seeking a qualified Design-Build (DB) firm to undertake the design and construction services for the renovation of the labor and birthing suite at Woodhull Medical Center (the "Project"), as further detailed in Section VI of this RFQ. This procurement is not intended to be low-bid procurement instead NYC Health + Hospitals will be using the best value selection in order to attain a DB vendor with the expectation of providing high-quality, innovative and transformative design to be completed on time and within budget.

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, 50 Water Street, New York, NY 10004. Randy Lee (646) 815-3245; leer31@nychhc.org

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SMALL BUSINESS SERVICES

PROCUREMENT

INTENT TO AWARD

Services (other than human services)

INDUSTRIAL BUSINESS SOLUTIONS PROGRAM (ISBP) NAE - BROOKLYN - Negotiated Acquisition - Other - PIN# 80124N0010 - Due 10-2-23 at 4:00 AM.

This Negotiated Acquisition Extension will allow SBS to extend the current contract with the vendor to continue to support the industrial and manufacturing sector by responding to current and evolving needs while providing the conditions and resources to enable the sector to further grow and advance.

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YOUTH AND COMMUNITY DEVELOPMENT

COMMUNITY DEVELOPMENT

AWARD

Human Services/Client Services

IMMIGRANTS SERVICES FOR WORKERS - Negotiated Acquisition - Other - PIN#26023N9843001 - AMT: \$367,230.00 - TO:

Community Development Project Inc, 123 William St, Fl 16, New York, NY 10038.

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AGENCY RULES

CONSUMER AND WORKER PROTECTION

NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Consumer and Worker Protection ("DCWP" or "Department") is proposing to amend its rules relating to debt collectors.

When and where is the hearing? DCWP will hold a public hearing on the proposed rule. The public hearing will take place at 11:00 A.M. on November 29, 2023. The public hearing will be accessible by phone and videoconference.

- To participate in the public hearing via phone, please dial +1 646-893-7101
 - o Meeting ID: 255 089 803 499
 - o Passcode: 8HGNSw
- To participate in the public hearing via videoconference, please follow the online link: <https://tinyurl.com/z3svub58>
 - o Meeting ID: 255 089 803 499
 - o Passcode: 8HGNSw

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

- **Website.** You can submit comments to DCWP through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to Rulecomments@dcwp.nyc.gov.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by emailing Rulecomments@dcwp.nyc.gov. You can also sign up on the phone or videoconference before the hearing begins at 11:00 A.M. on November 29, 2023. You can speak for up to three minutes.

Is there a deadline to submit comments? Yes. You must submit any comments to the proposed rule on or before November 29, 2023.

What if I need assistance to participate in the hearing? You must tell DCWP's External Affairs division if you need a reasonable accommodation of a disability at the hearing, such as a sign language interpreter. You may tell us by email at Rulecomments@dcwp.nyc.gov. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by November 22, 2023.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>.

A few days after the hearing, all comments received by DCWP on the proposed rule will be made available to the public online at <http://www1.nyc.gov/site/dca/about/public-hearings-comments.page>.

What authorizes DCWP to make this rule? Sections 1043 and 2203(f) of the New York City Charter and Sections 20-104(b), 20-493(a), and 20-702 of the New York City Administrative Code authorize the Department to make this proposed rule. This proposed rule was included in the Department's regulatory agenda for Fiscal Year 2024.

Where can I find DCWP's rules? The Department's rules are in Title 6 of the Rules of the City of New York.

What laws govern the rulemaking process? DCWP must meet the requirements of Section 1043 of the Charter when promulgating or changing rules. This notice is made according to the requirements of Section 1043 of the Charter.

Statement of Basis and Purpose of Proposed Rule

The Department of Consumer and Worker Protection (“DCWP” or “Department”) is proposing to amend its rules relating to debt collectors.

In June 2020, the Department added new rules requiring debt collectors to inform consumers about whether certain language access services are available and to retain records relating to language access services. After these rule changes took effect, the industry provided additional questions and feedback to the Department. In response, the Department is now proposing these amendments.

The Department is also proposing to update its debt collection rules in response to changes in federal regulations. In late 2020, the Consumer Financial Protection Bureau (“CFPB”) promulgated new debt collection rules updating the Fair Debt Collection Practices Act of 1977. The CFPB’s new debt collection rules address current industry collection practices, the changing forms of communication, unfair practices, and debt collection problems facing consumers today at a national level.

On November 4, 2022, the Department proposed amendments to adopt similar protections as those provided to consumers at the federal and state levels, and included provisions based on the Department’s insight from its regulation of the debt industry for decades as it pertains to NYC consumers. In response to its Notice of Proposed Rulemaking, the Department received comments from national and local industry associations, individual debt collection agencies, debt buying companies, debt collection law firms, national consumer advocacy groups, and local legal services organizations. After a public hearing on December 19, 2022, and a review of all the comments, the Department is re-noticing the proposed amendments to further address trade practices and consumer protection concerns as it pertains to debt collection from New York City residents.

Specifically, this proposed rule includes the following amendments:

- Section 2-191 requires debt collection agencies to give consumers certain disclosures when collecting on time-barred debt. The Department is proposing to repeal this section in its entirety. (Section 1)
- Section 2-193(c) requires a debt collection agency to maintain, in a language other than English, an annual report identifying, by language, certain actions taken by the agency. Because the report is organized by language, the contents of the report need not be limited to actions taken in a language other than English. The Department is proposing to amend the subdivision so that it applies to actions taken in any language. (Section 2)
- The amendments to Section 2-193 also require debt collection agencies to maintain other records. These proposed amendments would extend the requirements to cover all records showing compliance with relevant laws and rules as well as monthly logs documenting certain consumer interactions. (Section 2)
- The Department is proposing to add various definitions to Section 5-76 of its rules. These amendments would provide guidance and clarity to the industry on new requirements in Section 5-77 concerning communications with consumers in connection with debt collection. (Sections 3 and 4)
- The Department is also proposing more substantive edits to Section 5-77. These amendments would
 - clarify what information debt collectors must provide consumers at the outset of debt collection communications;
 - place limits on the frequency of debt collection communications;
 - require debt collectors to disclose the existence of a debt to consumers before reporting information about the debt to a consumer reporting agency;
 - clarify the disclosures that debt collectors must give consumers when collecting on time-barred debt;
 - clarify the requirements that debt collectors are obligated to comply with when collecting on medical debt; and
 - clarify how debt collectors may employ modern communication technologies in compliance with the law, including voicemails, email, text messages, and social media. (Section 5)

Sections 1043 and 2203(f) of the New York City Charter, and Sections 20-104(b), 20-493(a), and 20-702 of the New York City Administrative Code authorize the Department to make these proposed amendments.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of the Department, unless otherwise specified or unless the context clearly indicates otherwise.

Proposed Rule Amendments

Section 1. Section 2-191 Disclosure of Consumer’s Legal Rights Regarding the Effect of the Statute of Limitations on Debt Payment, Subchapter S of Chapter 2 of Title 6 of the Rules of the City of New York, is repealed in its entirety.

Section 2. Section 2-193 of Subchapter S of Chapter 2 of Title 6 of the Rules of the City of New York is amended to read as follows:

§ 2-193. Records to be Maintained by Debt Collection Agency

(a) Unless otherwise prohibited by federal, state or local law, a debt collection agency [shall] must maintain a separate file for each debt that the debt collection agency attempts to collect from each New York City consumer, in a manner that is searchable or retrievable by the name, address and zip code of the consumer, and by the creditor who originated the debt the agency is seeking to collect. The debt collection agency [shall] must maintain in each debt file the following records to document its collection activities with respect to each consumer:

- (1) A copy of all communications and attempted communications [or exchanges] with the consumer.
- (2) A record of each payment received from the consumer that states the date of receipt, the method of payment and the debt to which the payment was applied.
- (3) A copy of the debt payment schedule and/or settlement agreement reached with the consumer to pay the debt.

(4) With regard to any debt that the debt collection agency has purchased, a record of the name and address of the entity from which the debt collection agency purchased the debt, the date of the purchase and the amount of the debt at the time of such purchase.

(5) Any other records that are evidence of compliance or noncompliance with subchapter 30 of chapter 2 of title 20 of the Administrative Code and any rule promulgated thereunder, and of part 6 of subchapter A of chapter 5 of title 6 of the Rules of the City of New York.

(6) A log, account notes or record of all communications and attempted communications by any medium between a debt collection agency and a New York City consumer in connection with the collection of a debt. For each communication and attempted communication, the log, account notes or record must identify in a manner that is searchable and easily identifiable, the following:

- (i) the date, and the time and duration of the communication or attempted communication, if applicable;
- (ii) the medium of communication or attempted communication;
- (iii) the names and contact information of the persons involved in the communication; and
- (iv) a contemporaneous summary in plain language of the communication or attempted communication.

(b) A debt collection agency [shall] must maintain the following records to document its collection activities with respect to all New York City consumers from whom it seeks to collect a debt: (1) A monthly log of all calls made to consumers, listing the date, time and duration of each call, the number called and the name of the person reached during the call]

(1) Monthly logs or a record, in a form and format designated by the Commissioner, of the following:

- (i) all complaints filed by New York City consumers against the debt collection agency, including those filed with the agency directly or with any not-for-profit entity or governmental agency, identifying for each complaint the date, the consumer’s name and account information, the source of the complaint, a summary of the consumer’s complaint, the debt collection agency’s response to the complaint, if any, and the current status of the complaint;
- (ii) all disputes or requests for verification made by New York City consumers, identifying each consumer’s name and account information, the date of the dispute or request for verification, and the date and type of response, if any, sent by the debt collection agency; and
- (iii) all cease-and-desist requests made by New York City consumers, identifying the consumer’s name and account information, the date of the request, and the date and purpose of any further contacts by the debt collection agency after receipt of the request from the consumer.

(2) Recordings of [complete conversations] all telephone communications, including limited content messages, with all New York City consumers or with a randomly selected sample of at least 5% of all calls made or received by the debt collection agency or a third party on its behalf [and a copy of contemporaneous notes of all conversations with consumers]. The method used for randomly selecting the recorded calls [shall] must be [included in the file where the tape recordings are] maintained by the debt collection agency and a record in each consumer's account must identify the calls by date and time recorded, and any third party assigned to handle such calls. If a debt collection agency elects to record a randomly-selected sample of at least 5% of all calls made or received by the debt collection agency, it must maintain a record of the total number of calls made or received on a monthly basis and the total number of such recorded calls. If the debt collection agency owns or has the right to collect on a debt before it refers such a debt to a third party to handle collections calls with consumers, the debt collection agency must ensure that:

(i) The third party complies with this section and the licensing rules and laws pertaining to debt collection in the City of New York; and

(ii) The third-party audio recordings are available upon request by the Department to the debt collection agency.

(3) A record of all cases filed in court to collect a debt. Such record [shall] must include, for each case filed, the name of the consumer, the identity of the originating creditor, the amount claimed to be due, the [civil court] index number and the court and county where the case is filed, the date the case was filed, [the name of the process server who served process on the consumer, the date, location and method of service of process, the affidavit of service that was filed and] the disposition for each case filed, including whether a judgment was rendered on default or on the merits of the action. Such record [shall] must be filed in a manner that is searchable or retrievable by the name, address and zip code of the consumer and the creditors who originated the debts that the debt collection agency is seeking to collect.

(4) The original copy of each contract with a process server for the service of process, and copies of all documents involving traverse hearings relating to cases filed by or on behalf of the debt collection agency. Such records should be filed in a manner that is searchable by the name of the process server.

(5) A record indicating the language preference of the consumer, except where the debt collector is not aware of such preference despite reasonable attempts to obtain it.

(6) A record indicating which medium(s) of electronic communication are permitted or not permitted by each consumer and, if known, the consumer's preferred medium of communication in connection with the collection of a debt.

(7) A record of information on debt furnished to a consumer reporting agency, including the date the debt collection agency notified the consumer about the debt before furnishing information to the credit bureau on that debt and the period of time it waited to receive a notice of undeliverability.

(8) A record of any notice of unverified debt issued in accordance with section 5-77(f)(7) or received by the debt collection agency, including any such notice received from the consumer.

(c) A debt collection agency [shall] must maintain the following records relating to its operations and practices:

(1) A copy of all actions, proceedings or investigations by government agencies that resulted in the revocation or suspension of a license, the imposition of fines or restitution, a voluntary settlement, a court order, a criminal guilty plea or a conviction.

(2) A copy of all [policies,] training materials, manuals, and guides for employees or agents that direct, describe, suggest or promote how a collector is to interact with consumers in the course of seeking to collect a debt.

(3) An annual report, in a form made publicly available on the Department's website, identifying, by language, (i) the number of consumer accounts on which an employee collected or attempted to collect a debt owed or due or asserted to be owed or due [in a language other than English]; and (ii) the number of employees that collected or attempted to collect on such accounts [in a language other than English].

(4) A copy of all policies addressing the collection of time-barred debts.

(5) A copy of all policies addressing the verification of debts.

(6) A copy of all policies addressing the furnishing of consumer debt to credit reporting bureaus.

(7) A copy of all policies addressing hospital financial assistance programs related to medical debt.

(d) The records required to be maintained pursuant to this section [shall] must be retained for [six years from the date the record was created by the debt collection agency, a document was obtained or received by the debt collection agency, a document was filed in a court action by the debt collection agency, or a training manual or employee guide was superseded, except that recordings of conversations with consumers shall be retained for one year after the date of the last conversation recorded on each completed recording tape] the following periods of time:

(1) For records required to be maintained pursuant to subdivisions (a) and (b) of this section, excluding recordings of calls with consumers, until three years after the date of the debt collection agency's last collection activity on the debt.

(2) For recordings of calls with consumers, until three years after the date of the call.

(3) For records required to be maintained pursuant to subdivision (c) of this section, until six years after the date the record was created.

Section 3. Section 5-76 of Part 6 of Subchapter A of Chapter 5 of Title 6 of the Rules of the City of New York is amended by adding the following definitions in alphabetical order:

Attempted communication. The term "attempted communication" means any act to initiate a communication or other contact about a debt with any person through any medium, including by soliciting a response from such person. An act to initiate a communication or other contact about a debt is an attempted communication regardless of whether the attempt, if successful, would be a communication that conveys information regarding a debt directly or indirectly to any person. A limited-content message is an attempted communication.

Clear and conspicuous. The term "clear and conspicuous" means readily understandable. In the case of written and electronic record disclosures, a clear and conspicuous statement, representation or element being disclosed is of such location, size, color and contrast to be readily noticeable and legible to consumers. In the case of oral disclosures, a clear and conspicuous disclosure is given at a volume and speed sufficient for a consumer to hear and comprehend it. In any clear and conspicuous disclosure, any required modifications, explanations or clarifications to other information are presented in close proximity to the information being modified, in a manner so as to be readily noticed and understood.

Covered medical entity. The term "covered medical entity" means a health care entity that is tax-exempt under federal or New York State law or qualifies for distributions from the Indigent Care Pool from the State of New York or any other such fund or distribution allocated to reduce the charges of medical services by granting financial assistance, through a financial assistance policy, to patients based on need or an inability to pay.

Electronic communication. The term "electronic communication" means communication by electronic means including, but not limited to, electronic mail, a text message, or instant message, rather than oral communication in person or by telephone, or hard copy communication by mail.

Electronic record. The term "electronic record" means a record created, generated, sent, communicated, received, or stored by electronic means.

Financial assistance policy. The term "financial assistance policy" means a program to reduce or eliminate charges for medical services provided which was established by a nonprofit hospital or health care provider.

Itemization reference date. The term "itemization reference date" means any one of the following dates: (1) on revolving or open-end credit accounts, the date of the last written notification sent to the consumer which lists the total amount of the outstanding debt asserted to be owed by the consumer on or before the charge-off date of the debt; or (2) on closed-end accounts, either the date of the last payment, if such date is available, or the date of the last written notification sent to the consumer which lists the total amount of the outstanding debt asserted to be owed by the consumer on or before the charge-off date of the debt.

Language access services. The term "language access services" means any service made available by a debt collector to consumers in a language other than English. Language access services include, but are not limited to, the use of:

- (1) collection letters using a language other than English;
- (2) customer service representatives who collect or attempt to collect debt in a language other than English;
- (3) a translation service for the collector's website or for written communications; and
- (4) a service that interprets phone conversations in real time.

Limited-content message. The term "limited-content message" means an attempt to communicate with a consumer by leaving a voicemail message that includes all of the following content, which may include other content allowed by federal law, and that includes no other content:

- (1) A business name for the debt collector that does not indicate that the debt collector is in the debt collection business;
- (2) A request that the consumer reply to the message;
- (3) The name of the natural person whom the consumer can contact to reply to the debt collector; and
- (4) A call-back telephone number that is answered by a natural person.

Original creditor and originating creditor. The terms "original creditor" or "originating creditor" means any person, firm, corporation, or organization who originated the debt, including by extending credit and creating the debt.

Section 4. The definitions for "Communication" and "Debt collector" in Section 5-76 of Part 6 of Subchapter A of Chapter 5 of Title 6 of the Rules of the City of New York are amended to read as follows:

Communication. The term "communication" means the conveying of information regarding a debt directly or indirectly to any person through any medium, including by electronic means. The term communication excludes a limited-content message.

Debt collector. The term "debt collector" means [an individual who, as part of his or her job, regularly collects or seeks to collect a debt owed or due or alleged to be owed or due] any person engaged in any business with the principal purpose of which is the collection of any debts or who regularly collects, or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due to another person. The term does not include:

- (1) any officer or employee of the United States, any State or any political subdivision of any State to the extent that collecting or attempting to collect any debt owed is in the performance of [his or her] their official duties;
- (2) any person while engaged in performing an action required by law or regulation, or required by law or regulation in order to institute or pursue a legal remedy;
- (3) any individual employed by a nonprofit organization which, at the request of consumers, performs bona fide consumer credit counseling and assists consumers in the liquidation of their debts by receiving payments from such consumers and distributing such amounts to creditors; [or]
- (4) any individual employed by a utility regulated under the provisions of the Public Service Law, to the extent that New York Public Service Law or any regulation promulgated thereunder is inconsistent with this part; or
- (5) any person while performing the activity of serving or attempting to serve legal process on any other person in connection with the judicial enforcement of any debt, or serving, filing or conveying formal legal pleadings, discovery requests, judgments, or other documents pursuant to the applicable rules of civil procedure, where such person is not a party, or providing legal representation to a party, to the action.

Where a provision of this part limits the number of times an action may be taken by the debt collector, or establishes as a prerequisite to taking an action that the debt collector has received or done something, or prohibits an action if the debt collector has knowledge of or reason to know something, the term "debt collector" includes any debt collector employed by the same employer.

Section 5. Section 5-77 of Part 6 of Subchapter A of Chapter 5 of Title 6 of the Rules of the City of New York is amended to read as follows:

§ 5-77. Unconscionable and Deceptive Trade Practices.

It is an unconscionable and deceptive trade practice for a debt collector to attempt to collect a debt owed, due, or asserted to be owed or due except in accordance with the following rules:

(a) **Acquisition of location information.** Any debt collector communicating with any person other than the New York City

consumer for the purpose of acquiring location information about the consumer in order to collect a debt[, after the institution of debt collection procedures shall] must:

(1) identify [himself or herself] themselves, state that [he or she is] they are confirming or correcting location information about the consumer and identify [his or her employer] the debt collector on whose behalf they are communicating when that identification connotes debt collection only if expressly requested;

(2) not state or imply that such consumer owes any debt;

(3) not communicate more than once, unless requested to do so by such person or unless the debt collector reasonably believes that the earlier response of such person is erroneous or incomplete and that such person now has correct or complete location information, in which case the debt collector may communicate one additional time; for the purposes of this paragraph (3), the debt collector need not count as a communication returned unopened mail, an undelivered email message, or a message left with a party other than the person the debt collector is attempting to reach in order to acquire location information about the consumer, as long as the message is limited to a telephone number, the name of the debt collector and a request that the person sought telephone the debt collector;

(4) not use any language or symbol on any envelope or in the contents of any communication effected by the mail or a delivery service that indicates that the debt collector is in the debt collection business or that the communication relates to the collection of a debt; provided that a debt collector may use [his or her] their business name or the name of a department within [his or her] their organization as long as any name used does not connote debt collection; and

(5) if the debt collector knows the consumer is represented by an attorney with regard to the subject debt and if the debt collector has knowledge of the attorney's name and address or can readily ascertain such attorney's name and address, not communicate with any person other than that attorney for the purpose of acquiring location information about the consumer unless the attorney fails to provide the consumer's location within a reasonable period of time after a request for the consumer's location from the debt collector and:

- (i) informs the debt collector that [he or she] the attorney is not authorized to accept process for the consumer; or
- (ii) fails to respond to the debt collector's inquiry about the attorney's authority to accept process within a reasonable period of time after the inquiry.

[The employer of a debt collector may not be held liable in any action brought under § 5-77(a)(3) or (5) if the employer shows by a preponderance of the evidence that the violation was not intentional and resulted despite the maintenance or procedures reasonably adapted to avoid any such violation.]

(b) **Communication in connection with debt collection.** A debt collector, in connection with the collection of a debt, [shall] must not:

(1) [After institution of debt collection procedures, without] Without the prior written consent of the New York City consumer given directly to the debt collector [after the institution of debt collection procedures], or without permission of a court of competent jurisdiction, [communicate with the consumer in connection with the collection of any debt;] engage in any of the following conduct:

(i) communicate or attempt to communicate with the consumer at any unusual time or place known, or which should be known, to be inconvenient to the consumer. In the absence of knowledge of circumstances to the contrary, a debt collector shall assume that the convenient time for communicating or attempting to communicate with a consumer is after 8 a.m. [o'clock ante meridian] and before 9 p.m. [o'clock post meridian time] at the consumer's location;

(ii) except for any communication that is required by law, communicate or attempt to communicate directly with the consumer if the debt collector knows the consumer is represented by an attorney with respect to such debt and if the debt collector has knowledge of the attorney's name and address or can readily ascertain such attorney's name and address, unless the attorney fails to respond within a reasonable period of time to a communication from the debt collector or unless the attorney consents to direct communication with the consumer[, except any communication which is required by law or chosen from among alternatives of which one is required by law is not hereby prohibited];

(iii) communicate or attempt to communicate with the consumer at the consumer's place of employment if the debt collector knows or has reason to know that the consumer's employer or

supervisor prohibits the consumer [from receiving] to receive such a communication; or

(iv) [with excessive frequency. In the absence of knowledge of circumstances to the contrary, a debt collector shall assume that more than twice during a seven-calendar-day period is excessively frequent. In making its calculation, the debt collector need not include any communication between a consumer and the debt collector which is in response to an oral or written communication from the consumer, or returned unopened mail, or a message left with a party other than one who is responsible for the debt as long as the message is limited to a telephone number, the name of the debt collector and a request that one who is responsible for the debt telephone the debt collector; or any communication which is required by law or chosen from among alternatives of which one is required by law] communicate or attempt to communicate, including by leaving limited-content messages, with the consumer with excessive frequency.

(A) Excessive frequency means either 1) any communication or attempted communication by the debt collector with a consumer, by any medium of communication or in person, in connection with the collection of debt more than three times during a seven-consecutive-calendar-day period, or 2) after already having had an interaction with the consumer within such seven-consecutive-calendar-day period.

(B) The date of the first day of such a seven-consecutive-calendar-day period is the day of the first such communication or attempted communication. Communication or attempted communication between a consumer and the debt collector that is initiated by or at the request of a consumer; in response to a communication from the consumer in the same email thread or live chat; not connected to the dialed number, returned mail or a bounced email; or required by law shall not be included in the calculation of excessively frequent communications.

(C) Any communication or attempted communication made by a person pursuant to the rules of civil procedure, such as serving, filing, or conveying formal legal pleadings, discovery requests, depositions, court conferences, communications with the consumer's attorney on a pending legal matter, or ordered by the New York State Unified Court System, shall not be included in the calculation of excessively frequent communications. Traditional debt-collection activities, such as sending a consumer a collection letter or placing a call, or using any other means, to contact the consumer to collect on debt, count toward the calculation of excessively frequent communications in section 5-77 (b)(1)(iv)(A).

[The employer of a debt collector may not be held liable in any action brought under 6 RCNY § 5-77(b)(1)(ii)-(iv) if the employer shows by a preponderance of the evidence that the violation was not intentional and resulted despite maintenance of procedures reasonably adapted to avoid any such violation]

For the purpose of paragraph (1) of this subdivision, the term "consumer" includes the consumer's parent (if the consumer is a minor), guardian, executor, administrator, or spouse (unless the debt collector knows or should know that the consumer is legally separated from or no longer living with their spouse).

(2) [In order to collect a debt, and except as provided by 6 RCNY § 5-77(a)] Except if otherwise permitted by law, communicate about a debt with any person other than the consumer who is obligated or allegedly obligated to pay the debt, [his or her] the consumer's attorney, a consumer reporting agency if otherwise permitted by law, the creditor, the attorney of the creditor, a debt collector to whom [or to whose employer] the debt has been assigned for collection[, a creditor who assigned the debt for collection,] or the attorney of that debt collector[, or the attorney for that debt collector's employer,] without the prior written consent of the consumer or their attorney given directly to the debt collector [after the institution of debt collection procedures, or without the prior written consent of the consumer's attorney], or without the express permission of a court of competent jurisdiction, or as reasonably necessary to effectuate a postjudgment judicial remedy.

(3) Communicate with any person other than [the consumer's attorney, a consumer reporting agency if otherwise permitted by law, the creditor, the attorney of the creditor, a debt collector to whom or to whose employer the debt has been assigned for collection, a creditor who assigned the debt for collection, or the attorney of that debt collector or the attorney for that debt collector's employer] those persons enumerated in paragraph (2) of this subdivision in a manner which would violate any provision of [this part] paragraph (1) of this subdivision if such person were a consumer.

(4) [After institution of debt collection procedures, communicate] Communicate with a consumer with respect to a debt if the consumer has notified the debt collector [in writing] that the consumer wishes the debt collector to cease further communication with the consumer with respect to that debt, except [that] for any communication which is required by law [or chosen from among alternatives of which one is required by law is not hereby prohibited]. The debt collector shall have a reasonable period of time following receipt by the debt collector of the notification to comply with a consumer's request[, except that any debt collector who knows or has reason to know of the consumer's notification and who causes further communication shall have violated this provision]. The debt collector may, however:

(i) communicate with the consumer once in writing or by electronic means:

(A) to advise the consumer that the debt collector's further efforts are being terminated; or;]

(B) [to notify the consumer that the debt collector or creditor may invoke specified remedies which are ordinarily invoked by such debt collector or;

(C) where applicable] to the extent such notice was not previously provided, to notify the consumer that the debt collector or creditor intends to invoke a specific remedy, if it[that] is a remedy [he is]they are legally entitled to invoke and [if he they actually intends] intend to invoke it; and

(ii) respond to each subsequent [oral or written] communication from the consumer.

(5) [For the purpose of 6 RCNY § 5-77(b)(1)-(4), the term "consumer" includes the consumer's parent (if the consumer is a minor), guardian, executor, administrator, spouse (unless the debt collector knows or has reason to know that the consumer is legally separated from or no longer living with his or her spouse), or an individual authorized by the consumer to make purchases against the account which is the subject of the collection efforts. A request that the debt collector cease further communication, provided for under 6 RCNY § 5-77(b)(4), if made by the consumer's spouse or an individual authorized by the consumer to make purchases against the account, only affects the debt collector's ability to communicate further with the person making the request.] Contact a New York City consumer by electronic communication unless the debt collector satisfies the following requirements:

(i) A debt collector may only use a specific email address, text message number, social media account, or specific electronic medium of communication if:

(A) such electronic communication is private and direct to the consumer; and

(B) the debt collector obtains revocable consent from the consumer in writing, given directly to the debt collector, to use such email address, text message number, social media account, or other electronic medium of communication to communicate about the debt, and the consumer has not since revoked the consent; or

(C) the consumer used such email address, text message number, social media account or other electronic medium of communication to communicate with the debt collector about a debt within the past 30 days and has not since opted out of communications to that email address, text message number, social media account or other electronic medium of communication or opted out of all electronic communications generally.

(ii) A person's electronic signature constitutes written consent under this section, provided it complies with all relevant state and federal laws and rules, including article three of the New York Technology Law (New York Electronic Signatures and Records Act) and chapter 96 of title 15 of the United States Code (Electronic Signatures in Global and National Commerce Act).

(iii) The written consent, revocable by the consumer, is retained by the debt collector until the debt is discharged, sold, or transferred.

(iv) A debt collector who sends any disclosures required by this subchapter electronically must do so in a manner that is reasonably expected to provide actual notice, and in a form that the consumer may keep and access later.

(v) The debt collector must include in every electronic mail communication to the consumer a clear and conspicuous written disclosure that the person may revoke consent to receive electronic communication at any time, and a reasonable and simple method by which the consumer can opt-out of further electronic communications or attempts to communicate by the debt collector, which may include replying "stop" or some other word(s) that reasonably indicates the consumer wishes to opt-out.

The disclosure to the consumer must be in the same language as the rest of the communication and the debt collector must accept the consumer's response to opt-out in the same language as in the initial electronic mail that prompted the response from the consumer or in any language used by the debt collector to collect debt.

(vi) The debt collector may not require, directly or indirectly, that the consumer, in order to opt-out, pay any fee to the debt collector or provide any information other than the consumer's opt-out preferences and the email address or text message number subject to the opt-out request.

(6) Communicate with a consumer by sending an electronic message to an email address or a text message number that the debt collector knows or should know is provided to the consumer by the consumer's employer.

(7) Communicate with a consumer on a social media platform, unless the debt collector obtains consent from the consumer to communicate on the specific social media platform, and the communication is not viewable by anyone else other than the consumer, including but not limited to the general public or the consumer's social media contacts.

(8) Communicate with a consumer through a medium that the consumer has requested that the debt collector not use to communicate with the consumer.

(9) Communicate or attempt to communicate with a consumer to collect a debt for which the debt collector knows or should know that the consumer was issued a Notice of Unverified Debt pursuant to subdivision (f).

(c) Harassment or abuse. A debt collector, in connection with the collection of a debt, shall not engage in conduct the natural consequence of which is to harass, oppress or abuse any person in connection with a debt. Such conduct includes:

(1) the use or threat of use of violence or other criminal means to harm the physical person, reputation, or property of any person;

(2) the use of obscene or profane language or language the natural consequence of which is to abuse the hearer or reader;

(3) the advertisement for sale of any debt to coerce payment of the debt;

(4) causing a telephone to ring or produce another sound or alert, or engaging any person [in] by any communication medium, including but not limited to telephone conversation, repeatedly or continuously with intent to annoy, abuse, or harass any person [at the called number] contacted by the debt collector;

(5) the publication of a list of consumers who allegedly refuse to pay debts, except to another employee of the debt collector's employer or to a consumer reporting agency or to persons meeting the requirements of 15 USC § 1681a(f) or 15 USC § 1681b(3); or

(6) except [as provided by 6 RCNY § 5-77(a), the placement of telephone calls without meaningful disclosure of the caller's identity] where expressly permitted by federal, state, or local law, communicating with a consumer without disclosing the debt collector's identity.

(d) False or misleading representations. A debt collector, in connection with the collection of a debt, shall not make any false, deceptive, or misleading representation. Such representations include:

(1) the false representation or implication that the debt collector is vouched for, bonded by, or affiliated with the United States or any State, including the use of any badge, uniform, or identification [facsimile] thereof;

(2) the false representation or implication that any individual is an attorney or is employed by a law office or a legal department or unit, or any communication is from an attorney, a law office or a legal department or unit, or that an attorney conducted a meaningful review of the consumer's debt account;

(3) the representation or implication that nonpayment of any debt will result in the arrest or imprisonment of any person or the seizure, garnishment, attachment, or sale of any property or wages of any person unless such action is lawful and the debt collector or creditor intends to pursue such action;

(4) the threat to take any action that cannot legally be taken or that is not intended to be taken;

(5) the false representation or implication that a sale, referral, or other transfer of any interest in a debt shall cause the consumer to:

(i) lose any claim or defense to payment of the debt; or

(ii) become subject to any practice prohibited by this part;

(6) the false representation [of] or implication made in order to disgrace the consumer that the consumer committed any crime or other conduct;

(7) the false representation or implication that accounts have been turned over to innocent purchasers for value;

(8) the false representation or implication that documents are legal process;

(9) the false representation or implication that documents are not legal process forms or do not require action by the consumer;

(10) the false representation or implication that a debt collector operates or is employed by a consumer reporting agency as defined by 15 U.S.C. § 1681a(f);

(11) the use or distribution of any written communication which simulates or is falsely represented to be a document authorized, issued, or approved by any court, official, or agency of the United States or any State, or which creates a false impression as to its source, authorization, or approval;

(12) the use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer;

(13) the use of any business, company, or organization name other than the true name of the debt collector's business, company, or organization, unless the general public knows the debt collector's business, company or organization by another name and to use the true name would be confusing;

(14) [after institution of debt collection procedures,] the false representation of the character, amount or legal status of any debt, or any services rendered or compensation which may be lawfully received by any debt collector for the collection of a debt[, except that the employer of a debt collector may not be held liable in any action brought under this provision if the employer shows by a preponderance of the evidence that the violation was not intentional and occurred despite the maintenance of procedures reasonably adapted to avoid any such violation];

(15) except [as otherwise provided under 6 RCNY § 5-77(a) and except for any communication which is required by law or chosen from among alternatives of which one is required by law] for limited-content messages and where otherwise expressly permitted by federal, state, or local law, the failure to disclose clearly and conspicuously in all communications made to collect a debt [or to obtain information about a consumer,] that the debt collector is attempting to collect a debt and that any information obtained will be used for that purpose;

(16) the use of any [name that is not the debt collector's actual name; provided that a debt collector may use a name other than his actual name if he or she uses only that name in communications with respect to a debt and if the debt collector's employer has the name on file so that the true identity of the debt collector can be ascertained] assumed name; provided that an individual debt collector may use an assumed name when communicating or attempting to communicate with a consumer about a debt if that collector uses the assumed name consistently and is the only person using that assumed name, and the assumed name is on file so that the true identity of the collector can be ascertained;

(17) any conduct proscribed by New York General Business Law §§ 601(1), (3), (5), (7), (8), or (9);

(18) the false, inaccurate, or partial translation of any communication [when the debt collector provides translation services]; [or]

(19) after the institution of debt collection procedures, the false representation or omission of a consumer's language preference when returning, selling or referring for debt collection litigation any consumer account, where the debt collector [is aware] knows or should know of such preference; or

(20) except where expressly permitted by federal, state, or local law, the failure to disclose clearly and conspicuously in all telephone communications in connection with the collection of a debt where the communication is recorded by the debt collector that the communication is being recorded and the recording may be used in connection with the collection of the debt.

(21) after the institution of debt collection procedures, the false representation that the consumer cannot dispute the debt or request verification of the debt from the debt collector by oral communication.

(e) Unfair and unconscionable practices. A debt collector may not use any unfair or unconscionable means to collect or attempt to collect a debt. Such conduct includes:

(1) the collection of any amount (including any interest, fee, charge, or expense incidental to the principal obligation) unless such

amount is expressly authorized by the agreement creating the debt or permitted by law;

(2) the solicitation or use by a debt collector of any postdated check or other postdated payment instrument for the purpose of threatening or instituting criminal prosecution;

(3) causing charges to be made to any person for communications by misrepresentation of the true purpose of the communication. Such charges include collect telephone calls and [telegram] text message or mobile phone data fees;

(4) taking or threatening to take any nonjudicial action to effect dispossession or disablement of property if:

(i) there is no present right to possession of the property claimed as collateral;

(ii) there is no present intention to take possession of the property; or

(iii) the property is exempt by law from such dispossession or disablement;

(5) after institution of debt collection procedures, when communicating with a consumer by [use of the mails] mail or [telegram] a delivery service, using any language or symbol other than the debt collector's address on any envelope, or using any language or symbol that indicates the debt collector is in the debt collection business or that the communication relates to the collection of a debt on a postcard, except that a debt collector may use [his or her] their business name or the name of a department within [his or her] their organization as long as any name used does not connote debt collection;

(6) after institution of debt collection procedures, [communicating with a consumer regarding a debt without identifying himself or herself and his or her employer or communicating in writing with a consumer regarding a debt without identifying himself or herself by name and address and in accordance with 6 RCNY § 5-77(e)]

(5) except where expressly permitted by federal, state, or local law, communicating with a New York City consumer without disclosing the debt collector's name; [or]

(7) after institution of debt collection procedures, if a consumer owes multiple debts of which any one or portion of one is disputed, and the consumer makes a single payment with respect to such debts:

(i) applying a payment to a disputed portion of any debt; or

(ii) unless otherwise provided by law or contract, failing to apply such payments in accordance with the consumer's instructions accompanying payment. If payment is made by mail, the consumer's instructions must be written. Any communication by a creditor made pursuant to 6 RCNY § 5-77(e)(7)(ii) shall not be deemed communication for the purpose of 6 RCNY § 5-77(b)(1)(iv). The employer of a debt collector may not be held liable in any action brought under 6 RCNY § 5-77(e)(7) if the employer shows by a preponderance of the evidence that the violation was not intentional and resulted despite maintenance of procedures reasonably adapted to avoid any such violation];

(8) engaging in any conduct prohibited by New York General Business Law §§601(2) or (4); [or]

(9) after institution of debt collection procedures, collecting or attempting to collect a debt without [first requesting and] recording the language preference of such consumer, except where the debt collector is not aware of such preference despite reasonable attempts to obtain it;

(10) furnishing to a consumer reporting agency, as defined in section 603(f) of the Fair Credit Reporting Act (15 U.S.C. § 1681a(f)), information about a debt unless the debt collector has sent the consumer a validation notice pursuant to section 5-77(f) that states, in a clear and conspicuous manner, that the debt will be reported to a consumer reporting agency and waited 14 consecutive days. During the waiting period, the debt collector must permit receipt of, and monitor for, notifications of undeliverability from communications providers. If the debt collector receives such notification during the waiting period, the debt collector must not furnish information about the debt to a consumer reporting agency until the debt collector satisfies this subdivision. If the debt collector previously furnished information to a consumer reporting agency, between January 1, 2021 and the effective date of the rule, and if the debt collector still has a right to collect on such debt, they must disclose in a validation notice to the consumer, by mail or delivery service within 5 days of the effective date of this rule, that the debt was furnished to a consumer reporting agency, unless such information was already disclosed, clearly and conspicuously, in a validation notice mailed by the debt collector to the consumer.

This subdivision does not apply to a debt collector's furnishing of information about a debt to a nationwide specialty credit reporting agency that compiles and maintains information on a consumer's check

writing history, as described in section 603(x)(3) of the Fair Credit Reporting Act (15 U.S.C. § 1681a(x)(3));

(11) selling, transferring, or placing for collection or with an attorney or law firm to sue a New York City consumer to recover any debt where the debt collector knows or should know that the debt has been paid or settled or discharged in bankruptcy, except a debt collector may transfer a debt to the debt's owner or to a previous owner of the debt if:

(i) the transfer is authorized under the terms of the original contract between the debt collector and the debt's owner or previous owner, as a result of a merger, acquisition, purchase and assumption transaction, or as a transfer of substantially all of the debt collector's assets; and

(ii) the debt collector also transfers all information pertaining to whether the debt has been paid or settled or discharged in bankruptcy obtained during the time the debt was assigned to the debt collector for collection;

(12) selling, transferring, or placing for collection or with an attorney or law firm to recover any debt where the debt collector knows or should know that the time to sue on the debt has expired, without including a clear and conspicuous notice to the recipient of the debt that the statute of limitations on such debt has expired; or

(13) selling, transferring, or placing for collection or with an attorney or law firm to sue a New York City consumer to recover any debt for which the debt collector was unable to provide written verification of the debt, despite having received a dispute or request for verification of the debt from the consumer, without including a clear and conspicuous notice to the recipient of the debt that the debt was not verified and a copy of the "Notice of Unverified Debt" sent to the consumer pursuant to subdivision (f) of this section.

(f) Validation of debts.

(1) [Upon acceleration of the unpaid balance of the debt or demand for the full balance due, the following validation procedures shall be followed by debt collectors who are creditors or who are employed by creditors as defined by 15 U.S.C. § 1602(f) (Truth in Lending Act) but who are not required to comply with 15 U.S.C. § 1637(a)(8) (Fair Credit Billing Act) and who do not provide consumers with an opportunity to dispute the debt which is substantially the same as that outlined in 15 U.S.C. § 1637(a)(8) and regulations promulgated thereunder: Within five days of any further attempt by the creditor itself to collect the debt, it shall send the customer a written notice containing:

(i) the amount of the debt;

(ii) a statement that unless the consumer, within thirty days after receipt of the notice, disputes the validity of the debt, or any portion thereof, the debt will be assumed valid by the debt collector;

(iii) a statement that, if the consumer notifies the debt collector in writing within the thirty-day period at the address designated by the debt collector in the notice, that the debt, or any portion thereof is disputed, the debt collector shall either:

(A) make appropriate corrections in the account and transmit to the consumer notification of such corrections and an explanation of any change and, if the consumer so requests, copies of documentary evidence of the consumer's indebtedness; or

(B) send a written explanation or clarification to the consumer, after having conducted an investigation, setting forth to the extent applicable the reason why the creditor believes the account of the consumer was correctly shown in the written notice required by 6 RCNY § 5-77(f)(1) and, upon the consumer's request, provide copies of documentary evidence of the consumer's indebtedness. In the case of a billing error where the consumer alleges that the creditor's billing statement reflects goods not delivered in accordance with the agreement made at the time of the transaction, a creditor may not construe such amount to be correctly shown unless it determines that such goods were actually delivered, mailed, or otherwise sent to the consumer and provides the consumer with a statement of such determination.

(iv) if the debt collector is not the original creditor, a statement that, upon the consumer's written request within the thirty-day period, sent to the address designated by the debt collector in the notice, the debt collector will provide the consumer with the name and address of the original creditor;

(v) an address to which the consumer should send any writing which disputes the validity of the debt or any portion thereof or any writing requesting the name and address of the original creditor.

(2) Validation notice. Within five days after the initial communication with a New York City consumer in connection with the collection of any debt, a debt collector [who is not a creditor and not employed by a creditor shall, unless the following information is contained in an initial written communication, or the consumer paid the debt, send the consumer a written notice containing] must send the consumer a written notice containing the following information in a clear and conspicuous manner, unless the consumer paid the debt or such information was contained, clearly and conspicuously, in an initial written communication sent by U.S. mail or delivery service:

(i) [the amount of the debt] all information required for validation notices by federal or state law;

(ii) [the name of the creditor to whom the debt is owed] the New York City Department of Consumer and Worker Protection license number assigned to the debt collection agency, if applicable;

(iii) [a statement that unless the consumer, within thirty days after receipt of the notice, disputes the validity of the debt, or any portion thereof, the debt will be assumed to be valid by the debt collector] the name of a natural person for the consumer to contact;

(iv) a [statement that if the consumer notifies the debt collector in writing within the thirty-day period at the address designated by the debt collector in the notice that the debt, or any portion thereof, is disputed, the debt collector will obtain verification of the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by the debt collector] telephone number that is answered by such natural person;

(v) [a] the following statement [that, upon the consumer's written request within the thirty-day period sent to the address designated by the debt collector in the notice, the debt collector will provide the consumer with the name and address of the original creditor, if different from the current creditor];

PLEASE READ: Important Information About Your Rights as a New York City Consumer

- **There is no time limit to dispute the debt in collection.** You can let collectors know you dispute the debt using any of the ways they contact you, including by phone.
- **You must get a response to the disputed debt in 45 days.** Once you dispute the debt, the collector must stop collection. In 45 days, the collector must give you either 1) verification of the debt, or 2) a "Notice of Unverified Debt" stating it can't verify the debt or continue collection.
- **You can use a "Notice of Unverified Debt" to stop collection attempts by other debt collectors.** Be sure to keep a copy of all letters to exercise this right.
- **You may qualify for financial assistance with medical debt.** If you have a low or limited income, ask the collector or the hospital if you qualify for help under the "Financial Assistance Policy."

(vi) [an address to which the consumer should send any writing which disputes the validity of the debt or any portion thereof or any writing requesting the name and address of the original creditor;

(vii) a statement informing the consumer of any language access services available[, including whether the consumer may obtain from the debt collector a translation of any communication into a language other than English];

[(viii)] (vii) a statement that a [translation and description of commonly-used debt collection terms is] Glossary of Common Debt Collection Terms and other resources are available in [multiple] different languages at [available in multiple languages on the Department's website, www.nyc.gov/dca] www.nyc.gov/dcwp.

The information required under subdivisions (ii) through (vii) may be included on the reverse side of a written validation notice only if the debt collector includes them together under a heading entitled, "Important Additional Consumer Rights Under New York City Law" and includes a clear and conspicuous statement on the front of the validation notice referring to the disclosures on the reverse side. If included on the reverse side of the validation notice, the information must be positioned in a manner so it is readily noticeable and legible to consumers, even after a consumer tears off any response portion of the notice.

(viii) An itemization of the current amount of the debt asserted to be owed that allows the consumer to recognize the total amount of the outstanding debt as of the itemization reference date, and includes a breakdown of all additional amounts that have been assessed or applied to the amount of the debt since the itemization

reference date, listing fields for: 1) interest; 2) fees; 3) payments; and 4) credits, and the following information:

- (A) The total amount of the outstanding debt asserted to be due on the itemization reference date.
- (B) The date, amount, and description of each fee, payment, credit, or interest, applied to the debt since the itemization reference date. A debt collector must include all fields in the itemization, even if no additional amounts have accrued, or may state that no interest, fees, payments, or credits have been assessed or applied to the debt since the itemization reference date.
- (C) The basis of the consumer's obligation to pay each separate charge, interest, or fee, including if allowed by a contract or by law.
- (D) The total amount asserted to be due on the date of the itemization.

A debt collector is permitted to add additional information in the itemization required in this subdivision or disclose the itemization on a separate page as allowed or required by federal or state law, provided the content required in this subdivision is clear and conspicuous to the consumer. Debt collection agencies that must comply with § 20-493.2 (a) of the Administrative Code and § 2-190 (b) shall be deemed to satisfy the requirement of furnishing an itemization under the licensing law by complying with this section and may list the "principal balance" as the total amount of the outstanding debt asserted to be owed by the consumer on the itemization reference date.

(2) Delivery of validation notices. A debt collector must deliver written disclosures under (f)(1) of this section in the following manner:

(i) A debt collector must deliver to consumers validation notices and the itemization of the debt by U.S. mail or delivery service. If a debt collector only delivers a validation notice or the itemization of the debt electronically or orally, it does not satisfy the requirement under subdivision § 5-77(f)(1).

(ii) A debt collector may deliver a duplicate copy of the validation notice and itemization of the debt by any other means, including electronic mail, provided it is in accordance with other sections or laws, such as section 101(c) of the Electronic Signatures in Global and National Commerce Act (E-SIGN Act)(15 U.S.C. 7001(c)) or their successor provisions.

(iii) If a debt collector delivers a duplicate validation notice to a consumer electronically, the debt collector must do so in accordance with § 5-77(b)(5) and the notice must include the debt collector's website, email address, and information on how the consumer can dispute the debt, seek verification of the debt, or request originating-creditor information electronically.

(3) Notices in languages other than English. If a debt collector offers consumers validation notices in a language other than English, and a consumer requests a notice in such language, the debt collector must mail a written notice to the consumer completely and accurately in the language requested within 30 days of receiving such a request. As required by section 1006.34(e)(2) of title 12 of the Code of Federal Regulations, a debt collector who receives a request from the consumer for a Spanish-language validation notice must provide the consumer with a validation notice completely and accurately translated into Spanish. A debt collector may not contact a consumer exclusively by telephone or orally in a language other than English to collect debt without providing the consumer, by U.S. mail or delivery service, a validation notice written accurately in the language used by the debt collector during the exchange with the consumer, within 30 days of the first contact by the debt collector in the language other than English. A debt collector is not required to mail the validation notice, in a language other than English, to the consumer more than once during the period that the debt collector owns or has the right to collect the debt. If the debt collector sends a validation notice in a language other than English, it must also accept and respond to disputes, complaints, requests for verification of the debt and cease and desist requests by the consumer completely and accurately in the same language as the validation notice.

(3) [4] [If, pursuant to 6 RCNY §§ 5-77(f)(1) or 5-77(f)(2) of this Regulation the consumer notifies the debt collector in writing within the thirty-day period that the debt, or any portion thereof, is disputed, or that the consumer requests the name and address of the original creditor, the debt collector shall not attempt to collect the amount in dispute until the debt collector obtains and mails to the consumer verification of the debt or a copy of the judgment or the name and address of the original creditor. The debt collector shall maintain for one year from the date the notice was mailed, records containing documentation of the date such notice was mailed, the date the response, if any, was received and any action taken following such response] Validation Period. The validation period extends for 30

consecutive days from the date a consumer receives or is assumed to receive a validation notice. For purposes of determining the validation period, the debt collector may assume that a consumer received the validation notice five days (excluding Saturdays, Sundays, and legal public holidays identified in 5 U.S.C. §6103(a)) after the debt collector sent it.

(4)5 [The failure of a consumer to dispute the validity of a debt under 6 RCNY §5-77(f) shall not be construed by any court as an admission of liability by the consumer] Overshadowing of rights to dispute or request original-creditor information. During the validation period, a debt collector must not engage in any collection activities or communications that overshadow or are inconsistent with the disclosure of the consumer's rights to dispute the debt and request the name and address of the original creditor.

(6) Verification. A debt collector must provide a New York City consumer verification of a debt or provide a notice of unverified debt in accordance with section 5-77(f)(7) within 45 days of receiving a dispute or a request for verification of the debt. The consumer may dispute the debt, or make such verification request orally or in writing, or electronically if the debt collector uses electronic communications to collect debt, at any time during the period in which the debt collector owns or has the right to collect the debt. The debt collector must treat a first dispute by the consumer as a request for verification of the debt, unless the debt collector has already provided the consumer with the verification information required in this subdivision. If a debt collector provides consumers the ability to submit written disputes electronically through a website, such a website must automatically generate a copy of each written dispute that a consumer can print, save, or have emailed to them. A consumer shall not be required to waive any rights to make use of such an online submission option. The debt collector must cease collection of the debt if an itemization of the debt was not previously provided to the consumer by the debt collector in compliance with section 5-77(f)(1)(vii) and if a timely written verification of the debt has not been provided to the consumer. A debt collector is not required to verify a debt pursuant to this section more than once during the period that the debt collector owns or has the right to collect the debt; provided, however, that the debt collector must send any such verification documents to the consumer one additional time upon request by the consumer. A debt collector must provide verification to the consumer in writing, by U.S. mail or delivery service, unless the consumer has consented to receive electronic communications in compliance with section 5-77(b)(5).

(i) Verification of debt must include:

- (A) a copy of the debt document issued by the originating creditor or an original written confirmation evidencing the transaction resulting in the indebtedness to the originating creditor, including the signed contract or signed application that created the debt or, if no signed contract or application exists, a copy of a document provided to the alleged debtor while the account was active, demonstrating that the debt was incurred by the consumer. For a revolving credit account, the charge-off account statement, the most recent monthly statement recording a purchase transaction, payment, or balance transfer shall be deemed sufficient to satisfy this requirement. Documents created or generated after the time of charge-off of the debt or institution of debt collection procedures shall not qualify as such confirmation;
- (B) records reflecting the amount and date of any prior settlement agreement reached in connection with the debt;
- (C) the final account statement, or other such document that reflects the total outstanding balance, mailed to the consumer on or before the charge-off date and prior to the institution of debt collection procedures;

(ii) In matters involving a judgment obtained after adjudication on the merits of the case, there will be a rebuttable presumption that the debt collector complied with this section if it mails the consumer, by U.S. mail or delivery service, a copy of the judgment and any evidence of indebtedness that is part of the record of the lawsuit. For this subdivision, a copy of a judgment obtained by default does not provide the consumer verification of the alleged debt; and

(iii) In matters involving debt arising from the receipt of health care services, medical products, or devices, the debt collector must provide, clearly and conspicuously, to the consumer any information in its possession or available to the debt collector required to be disclosed by federal, state or local law, including the relevant financial assistance policy.

(7) Notice of unverified debt. If a debt collector did not provide an itemization of the debt and cannot provide a consumer with a timely written verification of a debt in response to a dispute or request for verification, the debt collector must respond in writing to the consumer within 45 days of receiving the dispute or a request for verification, at any time during the collection process, that the debt collector is unable to verify the debt and will stop collecting on the debt, and provide the reason that the debt could not be verified. Debt collectors must deliver a notice of unverified debt to the consumer by U.S. mail or delivery service. The debt collector must permit receipt of, and monitor for, notifications of undeliverability from communications providers for at least 14 consecutive days after they place the notice of unverified debt in the mail or with the delivery service. If the debt collector receives such notification, the debt collector must re-send the notice of unverified debt to the consumer, by U.S. mail or delivery service, within 5 days.

(8) Originating creditor. A debt collector must provide the consumer the address of the originating creditor of a debt within 45 days of receiving a request from the consumer for such address. The consumer may make such request orally or in writing, or electronically if the debt collector [permits]uses electronic communications to collect debt, at any time during the period in which the debt collector owns or has the right to collect the debt. After receiving such a request, the debt collector must cease collection of the debt until such address has been provided to the consumer. A debt collector is not required to provide this information more than once during the period that the debt collector owns or has the right to collect the debt.

(9) Electronic communications. If a debt collector delivers a duplicate copy of the validation notice to a consumer electronically, the debt collector must do so in accordance with §5-77(b)(5) and the notice must include the debt collector's website, email address, and information on how the consumer can dispute the debt, seek verification of the debt, or request original-creditor information electronically.

(10) Dispute and verification of medical debt. Medical debt includes debt arising from the receipt of health care services or medical products or devices.

(i) If, at any time during the debt collection process, the New York City consumer indicates that a public or private insurance plan, a third-party payer, or a financial assistance policy should have covered some or all of the charges on the medical debt, or that the debt is as a result of lack of price transparency at the time the services were rendered, or a violation of federal, state or local law, the debt collector must treat such communication by the consumer, received by any medium of communication and language used by the debt collector to collect the debt, as a dispute and a request for verification by the consumer on such medical debt.

(ii) A debt collector must respond to disputed medical debt by providing the consumer verification in accordance with section 5-77(f)(6) and by responding to the specific issue disputed by the consumer under paragraph (i) of this subdivision or deliver to the consumer a notice of unverified debt in accordance with section 5-77(f)(7).

(iii) If a New York City consumer disputes a medical debt, the debt collector must also do the following:

(A) treat all unverified accounts related to a discrete hospitalization or treatment of the consumer, provided such services were rendered within a six-month period, the same as the disputed medical debt by the consumer;

(B) note in all related medical accounts, unless written verification was already provided by the debt collector to the consumer or the consumer has acknowledged owing the amount claimed to be owed on such account, as disputed medical debt, in a manner that is easily identifiable and searchable in each of the consumer's related accounts; and

(C) furnish to the consumer verification on each related medical debt.

(iv) In addition to the requirements in section 5-77(j), before resuming debt collection activities on disputed medical debt arising from services provided by a covered medical entity, the debt collector must also verify that the covered medical entity met its obligations under federal, state, or local law and the financial assistance policy.

(g) Reserved.

(h) Public websites. Any debt collector that utilizes, maintains, or refers New York City consumers to a website accessible to the public that relates to debts for which debt collection procedures have been instituted must clearly and conspicuously disclose, on the homepage of such website or on a page directly accessible from a hyperlink on the

homepage labeled “NYC Rules on Language Services and Rights”, the following disclosures:

(1) a statement informing the consumer of any language access services available, including whether the consumer may obtain from the debt collector a translation of any communication into a language other than English; and

(2) a statement that a [translation and description of commonly-used debt collection terms is] Glossary of Common Debt Collection Terms and other resources are available in [multiple]different languages at [on the Department’s website, www.nyc.gov/dca www.]www.nyc.gov/dewp.

(i) **Time-barred debts.** In connection with the collection of a debt, the following requirements must be met:

(1) A debt collector must maintain reasonable procedures for determining the statute of limitations applicable to a debt it is collecting and whether such statute of limitations has expired.

(2) **Initial Written Notice.** if a debt collector, including a debt collection agency that must provide information to a New York City consumer pursuant to § 20-493.2(b) of the Administrative Code, seeks to collect on a debt for which the debt collector has determined, including pursuant to subdivision (a) of this section, or otherwise knows or has reason to know, that the statute of limitations for a debt has or may have expired, the debt collector must initially deliver the consumer a written notice, by U.S. mail or delivery service, that clearly and conspicuously discloses to the consumer substantially the same time-barred-debt disclosure below, before contacting a consumer about the expired debt by any other means:

- **The statute of limitations on this debt expired. This means you can’t be sued to collect it. A court will not enforce collection.**

IF YOU ARE SUED:

- o It is a violation of federal law (the Fair Debt Collection Practices Act).
- o You may be able to prevent a judgment against you by telling the court that the statute of limitations on this debt expired.
- o You are not required to admit that you owe this debt, promise to pay this debt, or waive the statute of limitations on this debt.
- o Consult an attorney or a legal aid organization to learn more about your legal rights and options.

(3) **Waiting Period.** The debt collector must wait at least 14 consecutive days after they place the initial written notice in U.S. mail or delivery service to the consumer to receive notice of undeliverability. During the waiting period under this subdivision, the debt collector must permit receipt of, and monitor for, notifications of undeliverability from communications providers. If the debt collector receives such notification during the waiting period, the debt collector must not contact the consumer, by any other means of communication, to collect the debt until the debt collector otherwise satisfies section 5-77(i)(2).

(4) **Subsequent Communications.** Unless otherwise permitted by law, the debt collector may not, without the prior written and revocable consent of the consumer given directly to the debt collector, contact such consumer in connection with the collection of an expired debt exclusively by telephone or by other means of oral or electronic communication. After mailing the Initial Written Notice required in section 5-77(i)(2), the debt collector must redeliver such notice to the consumer by U.S. mail or delivery service within 5 days after each oral communication with the consumer unless the debt collector has already mailed a hardcopy of such notice within a 30-day period. Any subsequent notice sent to the consumer electronically must be in accordance with other sections or laws, such as section 101(c) of the Electronic Signatures in Global and National Commerce Act (E-SIGN Act)(15 U.S.C. 7001(c)) or their successor provisions.

(5) When such information is delivered in writing, the time-barred debt notice must be included for each debt that is beyond the applicable statute of limitations, in at least 12 point type that is set off in a sharply contrasting color from all other types on the communication, and placed on the first page adjacent to the identifying information about the amount claimed to be due or owed on such debt. A debt collector may include additional language to the time-barred-debt disclosure as may be required by the State of New York to send the consumer one disclosure notice.

(j) **Medical debt from a covered medical entity.** (1) In connection with the collection of medical debt arising from charges from a covered medical entity, a debt collector is prohibited from collecting or attempting to collect on a medical debt from a New York

City consumer asserted to be owed if the debt collector knows or should know that:

(i) To do so violates federal, state, or local law or the financial assistance policy of the covered medical entity.

(ii) The patient has an open application for financial assistance with the covered medical entity.

(iii) The financial assistance policy should have provided financial assistance to the patient to cover all, or a portion, of the medical debt.

(iv) A misrepresentation was made to the patient about the financial assistance policy or payment options regarding the medical debt, including, but not limited to:

(A) The patient was wrongly denied, or not given proper and timely notice of, available financial assistance.

(B) The patient was discouraged from applying for financial assistance.

(C) The patient was induced to agree to pay for all or part of the medical debt with misinformation about payment options or the financial assistance policy.

(D) The patient was only presented with options to pay or to agree to pay for all or part of the medical debt regardless of income level.

(2) In connection with the collection of medical debt from a New York City consumer arising from charges from a covered medical entity, a debt collector must conduct reasonable corrective measures upon obtaining information that the financial assistance policy was not disclosed to the patient as required by law or that there is a violation of federal, state, or local law. A consumer may provide such information to the debt collector, by any means of communication or in any language used by the debt collector to collect debt, without the debt collector requiring the consumer to submit any supporting documentation to the debt collector. Corrective measures must be taken as follows:

(i) Inform the entity that placed the account with the debt collector within one business day that the debt may be subject to the covered entity’s financial assistance policy or that there might be a violation of the law.

(ii) Provide and record in plain language the following statement: “A FINANCIAL ASSISTANCE POLICY MAY APPLY TO THIS MEDICAL DEBT”, or a statement indicating the violation of law, in a manner readily noticeable and searchable, in the following records:

(A) all of the consumer’s accounts arising from medical debt from the covered medical entity, from the same hospitalization or a discrete course of treatment or care;

(B) a written notification that must be sent by U.S. mail or delivery service to the consumer along with the verification of the debt in accordance with sections 5-77(f)(6) and (f)(10); and

(C) a written notification that must be sent to any receiving party upon transferring any of the consumer’s accounts with medical debt from the same covered medical entity.

(iii) Provide any disclosure to the consumer regarding the financial assistance policy, by U.S. mail or delivery service, clearly and conspicuously on the first page of any written communication from the debt collector to the consumer, and such disclosure must not be placed on the reverse side of the page or the second page. Any written notification to a consumer regarding the financial assistance policy may not be delivered exclusively by the debt collector through electronic means.

(iv) Maintain a monthly log or record of all consumer accounts in which the debt collector took corrective measures as required in section 5-77(i) and such measures must be easily identifiable and searchable in each consumer account.

(k) **Record retention.** A debt collector must retain the following records to document its collection activities with New York City consumers:

(1) Records that are evidence of compliance or noncompliance with part 6 of subchapter A of chapter 5 of title 6 of the Rules of the City of New York starting on the date that the debt collector begins collection activity on the debt until three years after the debt collector’s last collection activity on the debt.

(2) Monthly logs or a record of the following:

(i) all complaints filed by New York City consumers against the debt collector, including those filed with the agency directly or with any not-for-profit entity or governmental agency, identifying for each complaint the date, the consumer’s name, and account

information, the source of the complaint, a summary of the consumer's complaint, the debt collector's response to the complaint, if any, and the current status of the complaint;

(ii) all disputes or requests for verification made by New York City consumers, identifying each consumer's name and account information, the date of the dispute or request for verification, and the date and type of response, if any, sent by the debt collector; and

(iii) all cease-and-desist requests made by New York City consumers, identifying the consumer's name and account information, the date of the request, and the date and purpose of any further contacts by the debt collector after receipt of the request from the consumer.

To comply with this subdivision, debt collectors may combine all the monthly logs or records into one document or record or use a template: "Report for Consumer Activity" as made available on the Department's website at www.nyc.gov/dcwp.

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

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

RULE TITLE: Amendment of Rules Related to Debt Collectors

REFERENCE NUMBER: 2023 RG 047

RULEMAKING AGENCY: Department of Consumer and Worker Protection

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
Senior Counsel

Date: September 20, 2023

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

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

RULE TITLE: Amendment of Rules Related to Debt Collectors

REFERENCE NUMBER: DCWP-36

RULEMAKING AGENCY: Department of Consumer and Worker Protection

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and

- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro September 20, 2023
Mayor's Office of Operations Date

Accessibility questions: Hali Radecker, 212-436-0161, hradecker@dcwp.nyc.gov, by: Wednesday, November 22, 2023 11:55 P.M.



← s29

MAYOR'S OFFICE OF MEDIA AND ENTERTAINMENT

■ NOTICE

Notice of Opportunity to Comment on Proposed Rules

What are we proposing? The Mayor's Office of Media and Entertainment ("MOME") is proposing changes to the rules for premiere permits and the rules for permits for scouting, rigging, and filming activities. The changes include updating the name of the permitting office, adding insurance and indemnification requirements to the conditions for premiere permits, increasing the fee for project account applications for scouting, rigging, and filming activities, updating insurance requirements for permits for scouting, rigging, and filming activities, and making necessary updates to certain requirements.

When and where is the Hearing? MOME will hold a public hearing, at which the public and interested parties are invited to submit comments and testimony on the proposed rule revisions, at **2:00 P.M., ET, on October 31, 2023**. The public hearing will be accessible by phone and video conference.

To participate in the public hearing via phone, please dial 1-646-558-8656.

- Meeting ID: 861 6480 8878
- Passcode: 864747

To participate in the public hearing via videoconference, please follow the online link: <https://us06web.zoom.us/j/86164808878?pwd=4LK89vGau3M1NYePBCIGWkK1arn3Y6.1>

- Meeting ID: 861 6480 8878
- Passcode: 864747

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

- **Website.** You can submit comments to MOME through the NYC rules Website at www.nyc.gov/nycrules.
- **Email.** You can email written comments to MOME at lbarrett-peterson@media.nyc.gov.
- **Mail.** You can mail written comments to MOME at 1 Centre Street, 27th Floor, New York, NY 10007 c/o General Counsel.
- **By Speaking at the Hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by sending an email to lbarrett-peterson@media.nyc.gov by 5:00 P.M., ET, on October 30, 2023, 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 for submitting written comments? Yes, you must submit written comments by 11:59 P.M., ET, on October 31, 2023.

What if I need assistance to participate in the Hearing?

You must tell MOME if you need a reasonable accommodation of a disability at the Hearing, such as an American Sign Language interpreter. You can tell us by contacting MOME's disability services facilitator, Lori Barrett-Peterson, by email at DisabilityServices@media.nyc.gov or 212-602-7418. Advance notice is requested to allow sufficient time to arrange the accommodation. Please contact us by 4:00 P.M., ET, on October 26, 2023.

Can I review the comments made on the proposed rules? A few days after the hearing, a summary of the hearing and copies of the written comments will be available to the public on MOME's website, www.nyc.gov/MOME.

What authorizes MOMÉ to promulgate this rule amendment?

Sections 389(b) and 1043 of the City Charter authorize MOMÉ to issue this proposed rule amendment. This rule amendment was included in MOMÉ's regulatory agenda.

Where can I find MOMÉ's rules? MOMÉ's rules are found in Title 43 of the Rules of the City of New York.

What laws govern the rulemaking process? MOMÉ 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

The Mayor's Office of Media and Entertainment ("MOMÉ") comprises five divisions: the Film Office (also known as the "Office of Film, Theatre and Broadcasting," "MOFTB," and "OFTB"), which coordinates film and television production throughout the five boroughs; NYC Media, the City's official broadcast network and production group; the Office of Nightlife, which supports the city's nighttime economy; the Press Credentials Office, which issues press cards; and Programs and Initiatives to advance industry and workforce development across NYC's creative sectors.

The Film Office is proposing changes to Chapters 8 and 9 of Title 43 of the Rules of the City of New York.

A. 43 RCNY Chapter 8: Premiere Permits

Pursuant to Chapter 8 of Title 43 of the Rules of the City of New York, the Film Office issues permits for certain entertainment events on public property in the City of New York, including events associated with movie premieres, theatre openings, and other similar events with respect to film, television, and radio. These permits are known as "Premiere Permits." The Premiere Permits rules became effective in August 2009. Thirteen years later, several amendments are necessary to codify changes in procedures and insurance requirements:

Specifically, the proposed rule would:

- Replace references to the "Office of Film, Theatre and Broadcasting" or "OFTB" with the "Film Office."
- Expand the definition of "sponsor" or "applicant," recognizing that any type of legal person may apply for a Premiere Permit.
- Allow for the flexibility to accept different forms of payment.
- Update the role of the Office of Citywide Event Coordination and Management to reflect that Premiere Permit applications became part of the Street Activity Permit Office's electronic application system known as the Citywide Event Management System, which allows MOMÉ to determine if there are conflicts among activities proposed for the same time and location.
- Add indemnification and insurance requirements, consistent with the City's requirements for permits for activity on public property.
- Include minor plain language edits throughout.

43 RCNY Chapter 9: Film Permits

For over 50 years, the Film Office has provided one-stop clearance and permit operations for film and television productions in the city. As part of these services, the Film Office continues to coordinate and provide free police assistance, free parking privileges, and free access to most exterior locations. In 2010, the Film Office adopted a rule authorizing a New Project Account application fee of \$300. This New Project Account application fee was valid for the duration of continuous photography for any scouting, rigging and/or shooting activity that requires a permit. For a television series, a single New Project Account application fee covered all Film Office permits for the entire season. The same is true for a television commercial, which typically involves much less filming on City property than a television series (often only a day or two).

The demand for the Film Office's permits and the Film Office's attendant administrative and personnel costs of issuing permits have significantly increased in the past decade. Accordingly, this rule revision is proposed to (i) increase the fees to reflect the administrative and personnel costs incurred by MOMÉ for processing permit applications, but also (ii) charge lower fees for projects that involve less permitted activity and higher fees for projects that involve more permitted activity. Permit applicants that require permits for longer than a two-week period would pay a fee for each two-week period. Consequently, short-term projects like commercials, that typically require less of the Film Office's staff time, would pay less than long-term projects, like episodic television series that take more of the Film Office's staff time.

In addition to adjusting the fee, the proposed rule amendments would:

- Update the name of the office to the "Film Office."
- Update the reference to the rule governing press credentials.
- Allow for the flexibility to accept different forms of payment.
- Include provisions concerning unmanned aircraft (including drones) to reflect the new rules set forth in Chapter 24 of Title 38 of the Rules of the City of New York.
- Repeal the rules regarding Optional Permits. The Film Office established an alternative self-certification to the Optional Permit that reduces the administrative burden on both filmmakers and the Film Office and provides filmmakers with documentation that they can present in response to inquiries from the public and law enforcement. That self-certification is available on the Film Office's website: <https://www1.nyc.gov/site/mome/permits/letter-in-lieu-of-optional-permit.page>.
- Amend the required information on a permit application to reflect changes in procedures since 2012 when the permit applications became available electronically.
- Update the responsibilities of film permit holders, for example, with respect to maintaining a fire lane, pyrotechnics, and care of trees.
- Amend insurance requirements to be consistent with insurance required for other City permits. Specifically, the proposed changes related to insurance requirements would:
 - Give permittees the option of covering the City of New York, including its officials and employees, as an "additional insured" with a coverage form that is at least as broad as Insurance Services Office ("ISO") Form CG 20 12 (Additional Insured – State or Governmental Agency or Subdivision or Political Subdivision – Permits or Authorizations) in lieu of coverage at least as broad as that provided by ISO Form CG 20 26.
 - Require permittees to obtain a commercial general liability insurance policy that is at least as broad as the most recently issued version of ISO Form CG 00 01, which is a commonly issued insurance policy. Permittees may maintain commercial general liability insurance on a different insurance policy form if the policy is at least as protective as ISO Form CG 00 01.
 - Modify the phrase "Certificate of Insurance Broker or Agent" to reflect a change in the name of the form approved by the New York State Department of Financial Services in 2015.
 - Modify requirements for the financial strength ratings of the insurance company to reflect standard citywide requirements necessary to decrease the risk that the permittee's insurance company will lack resources to pay a claim.
 - Amend indemnified parties and the additional insureds to include "officials and employees". MOMÉ will have the authority to modify insurance requirements for a particular permit applicant if there is an unreasonable hardship and the modification does not pose an unreasonable risk.

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

New material is underlined.

[Bracketed material indicates deleted material]

Section 1. Chapter 8 of Title 43 of the Rules of the City of New York is amended to read as follows:

CHAPTER 8 PREMIERE PERMITS AND FEES**§ 8-01 Premiere Permits Relating to Certain Entertainment Events.**

[The Mayor's Office of Film, Theatre & Broadcasting ("MOFTB") shall] The Film Office is authorized to issue Premiere Permits in connection with certain entertainment events held in New York City. These include [special] entertainment events associated with movie premieres, theatre openings, and other similar events held with respect to films, television programs, commercials, and radio productions. [Premiere Permits for such events may, at the discretion of the Commissioner of MOFTB and, as indicated below, be issued to individuals or commercial entities.]

§ 8-02 Definitions.

For purposes of this chapter, the following terms shall have the following meanings:

- (a) [Sponsor or applicant.] “Sponsor” or “applicant” [shall mean] means the [individual or commercial entity] person named in an application for a Premiere Permit[,], which application shall be submitted on forms prescribed by the Commissioner of MOFTB.]
- (b) [Extra large event.] “Extra large event” [shall mean] means an event (1) for which there is an anticipated attendance of 5,000 or more people; and (2) that has an extensive impact on the surrounding community and/or on vehicular/pedestrian traffic, in that they include obstructions or structures such as any temporary platforms, bleachers, reviewing stands, outdoor bandstands or similar structures, or tents or canopies that require a Department of Buildings permit. This may involve, but is not limited to, significant coordination by other City agencies, including permitting agencies; a large and/or complicated permitting role by the Department of Buildings; full closure of streets and/or sidewalks; and extensive coordination [between MOFTB] among the Film Office, the Office of Citywide Events Coordination and Management (“CECM”), the Police Department, the Fire Department, and other City agencies as appropriate.
- (c) [Large event.] “Large event” [shall mean] means an event (1) for which there is an anticipated attendance of fewer than 5,000 people; and (2) that has an extensive impact on the surrounding community and/or on vehicular/pedestrian traffic, in that they include obstructions or structures such as any temporary platforms, bleachers, reviewing stands, outdoor bandstands or similar structures, or tents or canopies that require a Department of Buildings permit. This may involve, but is not limited to, coordination by other City agencies, including permitting agencies; full closure of streets and/or sidewalks; and coordination [between MOFTB] among the Film Office, CECM, and other City agencies as appropriate.
- (d) [Medium event.] “Medium event” [shall mean] means an event (1) for which there is an anticipated attendance of fewer than 1,500 people; and (2) that has an impact on pedestrian and/or vehicular traffic and may include the presence of an obstruction such as a press riser, stage, table, or other structure. Such events require coordination [between MOFTB] among the Film Office, CECM, the Police Department, and the Department of Transportation, but would require minimal involvement of the Department of Buildings or the Fire Department.
- (e) [Small event.] “Small event” [shall mean] means an event (1) for which there is an anticipated attendance of fewer than 1,000 people; and (2) that [occupies a period of time that does not exceed four hours and] has moderate impact on pedestrian and/or vehicular traffic. Such events require some degree of coordination [between MOFTB] among the Film Office, the Department of Transportation, and the Police Department.
- (f) [Extra small event.] “Extra small event” [shall mean] means an event (1) for which there is an anticipated attendance of fewer than 500 people; and (2) that [occupies a period of time that does not exceed four hours and] has low or no impact on pedestrian and/or vehicular traffic. Such events require little or no coordination [between MOFTB] among the Film Office and other City agencies.
- (g) “Film Office” means the office or division of an agency with authority to issue permits pursuant to Chapter 8 of Title 43 of the Rules of the City of New York formerly known as the Mayor’s Office of Film, Theatre & Broadcasting.

§ 8-03 Fees.

- (a) [MOFTB] The Film Office shall determine which fee category is appropriate for a proposed event. Fees are based on the City resources required as determined by the anticipated attendance at events to be held and extent of the impact on City property, and permits will authorize activities including, for example, the placement of a “red carpet”, the setting aside of a “limousine lane”, or the siting of a tent or other structure. [Fees shall be paid in the form of a certified check or money order made payable to “New York City Department of Finance” or, if available as a payment method, through the use of a credit or debit card.] Fees shall be non-refundable, and payment [shall] must accompany each application for a Premiere Permit as follows:

- (1) For an extra large event: \$24,000.00.
 - (2) For a large event: \$14,000.00.
 - (3) For a medium event: \$5,000.00.
 - (4) For a small event: \$2,750.00.
 - (5) For an extra small event: \$450.00.
- (b) Each fee described in subdivision (a) of this section includes permission to use the following:
 - (1) One curb lane closure.
 - (2) One red carpet.
 - (3) One press pen.
 - (4) One generator.
 - (5) One klieg light.
 - (6) One tent (10 feet by 20 feet).

§ 8-04 Processing of Premiere Permits.

- (a) Applications for Premiere Permits [shall] must be submitted to the [MOFTB] Film Office on forms prescribed by the Commissioner of the Mayor’s Office of Media and Entertainment, together with proof of insurance, pursuant to section 8-06 of this chapter, no later than fourteen (14) days prior to the date of the event. The sponsor or applicant must promptly provide additional information necessary to evaluate the application upon request of the Film Office. [Upon receipt of an application, MOFTB shall forward it to CECM, which shall notify and consult, as appropriate, with the Police Department, the Fire Department, the Department of Transportation, and the Department of Sanitation. CECM shall consider information, if any, submitted by any of the foregoing agencies in connection with such notification and shall attempt to resolve any issues in connection with the issuing of a permit.]
- (b) [CECM] The Film Office shall review the application for a Premiere Permit to determine if there are conflicting scheduled activities. The Film Office may consult with other City agencies on the feasibility and logistics of resolving such conflicts. The Film Office may require the sponsor or applicant to modify its permit application to avoid or mitigate its impact on conflicting activities. [Where such exist, CECM shall make recommendations regarding ways to resolve them, and shall forward such recommendations to MOFTB. Prior to issuing a Premiere Permit, MOFTB and CECM shall have resolved any outstanding scheduling issues.]
- (c) At any time during the review of an application for a Premiere Permit, the applicant or sponsor may be required to submit such additional information as is deemed necessary, during evaluation of the application or the particular facts surrounding the proposed event that is the subject of the permit request.]
- (d) (c) [MOFTB] The Film Office shall have the authority to deny an application, to condition the approval of an application, or to revoke a Premiere Permit, based on one or more of the following reasons: [the past or present failure of the applicant or sponsor]
 - (1) The sponsor or applicant failed to make payment of the application fee; [or]
 - (2) The sponsor or applicant failed to present proof of insurance and proof that all necessary and proper licenses, permits or authorizations have been received; [or]
 - (3) The sponsor or applicant requested a date and time that was previously requested by another applicant;
 - (4) Conditions exist that may pose a danger or a threat to participants, onlookers, or the general public;
 - (3)(5) [to comply with applicable laws or rules] The Film Office has concluded, based on specific information, that the applicant is unlikely to comply with the material terms of the requested permit, laws, or rules; [or]
 - (4)(6) The sponsor or applicant failed to comply with a condition imposed on a permit issued previously to the sponsor or applicant[.];
 - (7) Any of the City or other government agencies which were notified of the Premiere Permit application had reason to raise objections regarding the permit request;

- (8) The proposed activity, when considered in conjunction with other proposed activities, would produce an excessive burden on the community, City services or City personnel; or
- (9) Approval of the application is not in the best interest of the City for reasons that may include, but are not limited to, honesty, integrity or financial responsibility of the sponsor or applicant.

[(e) CECM shall have the authority to recommend denial of an application, the conditioning of approval of an application, or revocation of a Premiere Permit on any or all of the following grounds:

- (1) any of the City or other government agencies which were notified of the Premiere Permit application had reason to raise objections regarding the permit request; or
- (2) the proposed activity, when considered in conjunction with other proposed activities, would produce an excessive burden on the community, City services or City personnel; or
- (3) approval of the application is not in the best interest of the community, the City or the general public for reasons that may include, but are not limited to, honesty, integrity or financial responsibility of the sponsor.
- (f) Upon completing its review of a Premiere Permit application, CECM shall indicate its recommendation on the MOFTB permit application and shall return such form to MOFTB.
- (g) Permits received pursuant to this section shall be non-transferable.]

§ 8-05 Non-Transferability.

A Premiere Permit may not be transferred.

§ 8-06 Indemnification and Insurance.

- (a) In connection with operations performed by or on behalf of the permittee under a Premiere Permit, the permittee must (i) protect persons and property from damage, loss, or injury (including death) and (ii) defend, indemnify, and hold harmless the City, including its officials and employees, to the fullest extent permitted by law, from all claims, losses, and expenses, including attorneys' fees.
- (b) A permittee must maintain, during the entire course of its operations, commercial general liability insurance that
- (1) has a limit of at least one million dollars (\$1,000,000) per occurrence; provided, however, that the Film Office may require a higher minimum limit of insurance based on the risk of bodily injury, property damage, or both arising from factors including, but not limited to, the projected attendance, the location of the activity, and the nature of the activity;
- (2) provides coverage at least as broad as provided by the most recently issued Insurance Services Office (ISO) form CG 00 01;
- (3) is occurrence based (not claims-made);
- (4) includes a policy provision or endorsement covering the City of New York, including its officials and employees, as an additional insured with coverage at least as broad as coverage provided by ISO form CG 20 26 or form CG 20 12; and
- (5) is issued by a company that may lawfully issue the policy and has an A.M. Best rating of at least A-/VII, a Standard and Poor's rating of at least A, a Moody's Investors Service rating of at least A3, a Fitch Ratings rating of at least A-, or a similar rating by any other nationally recognized statistical organization acceptable to the City.
- (c) An sponsor or applicant must provide proof of such insurance prior to the issuance of a Premiere Permit by submitting a Certificate of Insurance in a form acceptable to the Commissioner certifying compliance with the foregoing requirements, accompanied by a duly executed Certification by Broker or Agent in the form required by the New York City Law Department and the specific endorsement or policy language by which the City of New York, including its officials and employees, has been made an Additional Insured.
- (d) Acceptance by the Commissioner of any purported proof of insurance shall not be deemed to constitute a waiver of the

permittee's obligation to ensure that insurance fully consistent with these requirements is maintained, and the permittee shall be liable to the City of New York, including its officials and employees, for any failure to do so.

§ 2. Chapter 9 of Title 43 of the Rules of the City of New York is amended to read as follows:

CHAPTER 9 PERMITS ISSUED BY [MAYOR'S OFFICE OF FILM, THEATRE AND BROADCASTING] THE FILM OFFICE

§ 9-01 Permits for Scouting, Rigging and Production Activities.

- (a) **Scope of Rules.** The [Mayor's Office of Film Theatre and Broadcasting ("MOFTB")] Film Office, a division of the Mayor's Office of Media and Entertainment as established by mayoral executive order number 21 for the year 2022, or any successor to such office shall issue permits in connection with filming, including but not limited to the taking of motion pictures; the taking of photographs; the use and operation of television cameras, transmitting television equipment, or radio remotes in or about city property; load-ins or load-outs supporting indoor performances; or such activities in or about any street, park, marginal street, pier, wharf, dock, bridge or tunnel within the jurisdiction of any City department or agency, or involving the use of any City owned or maintained facilities or equipment. As defined herein, [MOFTB] the Film Office will issue permits for scouting, rigging, and shooting activities. Obtaining such a permit does not obviate the need to comply with other applicable laws, rules or case law also governing such activity.
- (b) **Required and Optional Permits.** Unless a permit is designated in these rules as an "Optional Permit", the use of the term "permit" herein shall be deemed to be a "Required Permit".
- (1) (b) **[Required] Permits.**
- [a.] (1) The following activities require that a permit be obtained pursuant to this chapter:
- (i) (a) Filming, photography, production, television, or radio remotes occurring on City property, as described in subdivision (a) of this section, that uses vehicles or equipment.
- (ii) (b) Filming, photography, production, television or radio remotes occurring on City property, as described in subdivision (a) of this section, (A) if such activity involves the assertion by any means, including physical or verbal, of exclusive use of one or more lanes of a street or walkway of a bridge or (B) if such activity involves the assertion by any means, including physical or verbal, of exclusive use of more than one-half width of a sidewalk or other pedestrian passageway or, in a situation in which the sidewalk or pedestrian passageway is narrower than sixteen feet, if such activity involves the assertion by any means, including physical or verbal, of exclusive use of the sidewalk or pedestrian passageway such that less than eight feet is otherwise available for pedestrian use. [For purposes of this subparagraph, standing on a street, walkway of a bridge, sidewalk, or other pedestrian passageway while using a handheld device and not otherwise asserting exclusive use by any means, including physical or verbal, is not activity that requires a permit.]
- [a.] (2) The following activities do not require that a permit be obtained pursuant to this chapter:
- (a) Standing on a sidewalk, walkway of a bridge or other pedestrian passageway while using a handheld device and not otherwise asserting exclusive use by any means.
- (i)(b) Filming, photography, production, television or radio remotes occurring on City property, as described in subdivision (a) of this section, involving the use of handheld devices as defined in paragraph three of subdivision (a) of §9-02, (A) if such activity does not involve the assertion by any means, including physical or verbal, of exclusive use of [one or more lanes of a street] a sidewalk or walkway of a bridge or (B) if such activity does not involve the assertion by any means, including physical or verbal, of exclusive use of more than one-half width of a sidewalk or other pedestrian passageway or, in a situation in which the sidewalk or pedestrian passageway is narrower than sixteen

feet, does not involve the assertion by any means, including physical or verbal, of exclusive use of the sidewalk or pedestrian passageway such that less than eight feet is otherwise available for pedestrian use.

[For purposes of this subparagraph, standing on a street, walkway of a bridge, sidewalk, or other pedestrian passageway while using a handheld device and not otherwise asserting exclusive use by any means, including physical or verbal, is not activity that requires a permit.]

(ii)(c) Filming or photography of a parade[, rally, protest, or demonstration] except when using vehicles or equipment.

(d) Filming or photography of a rally, protest, or demonstration.

(e) The takeoff or landing of unmanned aircraft (including drones) if such takeoff or landing is entirely within the authority of Chapter 24 of Title 38 of the Rules of the City of New York.

[(2) **Optional Permits:** Persons who are engaged in filming or still photography and are not otherwise required to obtain a permit pursuant to paragraph (1) of subdivision (b) of this section may be issued an Optional Permit.

a. Persons requesting such an Optional Permit shall provide accurate information concerning their postal address, and, if available, e-mail address, telephone number and fax number; and accurate information as to the location(s) of such activities, the date(s) and time(s) during which such activities are proposed to take place.

b. MOFTB shall process Optional Permit requests in accordance with the provisions of paragraphs four, five, six, seven, eight, nine and ten of subdivision (b) of § 9-02 of these rules.]

(c) **Press [passes] cards.** The use of a press [pass] card issued [by the New York City Police Department (“NYPD”)] in accordance with Chapter [11 of Title 38] 16 of Title 43 of the Rules of the City of New York (“Press Credentials”), where an individual is acting in furtherance of the activity authorized by such press [pass] card, and is engaged in filming as defined in these rules, does not require that a permit be obtained pursuant to this chapter.

(d) **Authorization from other agencies[:].** Notwithstanding the provisions of subdivision (a) of this section, scouting, rigging, or shooting activities within City parks or the interiors of City buildings, bridges or tunnels require, if applicable, separate authorization from the City agency with jurisdiction over the location. The use of certain items or activities, including but not limited to animals, firearms (actual or simulated), special effects, pyrotechnics, police uniforms, police vehicles, unmanned aircraft (including drones), driving shots with tow or camera rigs, and conditions that require holding of traffic may require authorization and/or assistance from the relevant government agency.

§ 9-02 Processing of Permit Applications.

(a) **Definitions.** For purposes of this chapter, the following terms shall have the following meanings:

[(1)] “Equipment” [shall include] includes, but is not limited to, television, photographic, film or videocameras or transmitting television equipment, including radio remotes, unmanned aircraft (including drones), props, sets, lights, electric and grip equipment, dolly tracks, screens, or microphone devices, and any and all production related materials. “Equipment” [shall] does not include (a) “hand-held devices,” as defined in paragraph (3) of this subdivision, and (b) vehicles, as defined in section one hundred fifty-nine of the New York vehicle and traffic law, that are used solely to transport a person or persons while engaged in the activity of filming or photography from within such vehicle, operated in compliance with relevant traffic laws and rules.

[(2)] “Filming” [shall mean] means the taking of motion pictures, the taking of still photography or the use and operation of television cameras or transmitting television equipment, including radio remotes and any preparatory activity associated therewith, and [shall] includes [events that include], but are not limited to, the making of feature or documentary films, television serials, webcasts, simulcasts, or specials.

“Film Office” means the office or division of an agency with authority to issue permits pursuant to Chapter 9 of Title 43 of the

Rules of the City of New York formerly known as the Mayor’s Office of Film, Theatre & Broadcasting.

[(3)] “Hand-held devices” [shall mean] means (a) film, still or television cameras, videocameras or other equipment which are held in the photographer’s or filmmaker’s hand and carried at all times with the photographer or filmmaker during the course of filming, or (b) tripods used to support film, still, television cameras or videocameras. “Hand-held devices” [shall] does not include cables or any other item or equipment not carried by the photographer or filmmaker at all times during the course of photography, filming, or transmission.

[(4)] “New Project Account application” [shall mean] means a request submitted on [an MOFTB form] the Film Office’s electronic application by an applicant indicating that the applicant intends to request one or more permits for scouting, rigging and/or shooting activities.

[(5)] “Photography” [shall mean] means the taking of moving or still images.

[(6)] “Pre-permit reserve” shall mean the designation by MOFTB, at the request of a permit applicant, of a location(s) where the applicant intends to conduct rigging or shooting activities.]

[(7)] “Rigging/de-rigging” [shall mean] means the loading in or loading out, loading, or unloading, of any shooting or production related equipment, including but not limited to props, sets, electric and grip equipment, at any location, time and date where film or theatrical production is not occurring.

[(8)] “Same date” [shall mean] means the same actual calendar date (numerical date and month) [for the same day of the same week in a given month, as relevant. For example, “same date” shall encompass the date July 11, as well as the second Sunday in the month of July, as relevant.]

[(9)] “Same location” [shall mean] means the location identified in the rigging permit or the [filming] shooting permit application.

[(10)] “Scouting” [shall mean] means the act of viewing, assessing, and photographing locations for filming or photography during pre-production or production for, including, but not limited to, still photography, feature films, television series, mini-series, or specials.

[(11)] “Shooting” [shall include] includes (a) filming interiors or exteriors, and (b) theatrical productions whose performances are presented indoors.

(b) New Project Account application and Permit application for scouting, rigging and/or shooting activities.

(1) The following steps [shall] must be taken to obtain a scouting, rigging, and/or shooting permit:

a. Submission of a New Project Account application to [MOFTB] the Film Office.

(i) For any activity needing a [Required] [Permit] permit, a New Project Account application shall be valid for [the duration of continuous photography] one or more consecutive periods of 14 consecutive calendar days, as requested on such application.

(ii) [For a television series, such application shall be valid for no more than one season.] A new Project Account application shall be valid for no more than one season (for episodic programs) or for no more than one year (for other activities).

(iii) For [a special event] special content produced by a [television] program, including but not limited to a concert or awards show [or street event involving an outdoor public audience,] a separate New Project Account application shall be required. If such special [event] content requires a Premiere Permit as set forth in chapter 8 of this title, a separate New Project Account application will not be required.

b. A New Project Account application, when submitted in connection with a [Required P] permit, [shall] must be accompanied by a non-refundable fee of [(\$300.00)] \$500.00 per each requested period of 14 consecutive calendar days. [paid in the form of a credit card payment or certified check or money order and made payable to “New York City Department of Finance.” An applicant may make a request for a waiver of such fee, which shall accompany the application when submitted.] An applicant may make a request for a waiver of such fee prior to submitting an

application. [MOFTB] The Film Office shall have the authority to waive such fee where the applicant is able to demonstrate unreasonable hardship. The burden of demonstrating unreasonable hardship shall be on the applicant.

- c. At the same time, [or some time thereafter,] an applicant [shall] must seek a scouting, rigging, and/or shooting permit.
- d. At the same time, or prior thereto, the applicant [shall] must have obtained and provided to [MOFTB a certificate] the Film Office proof of insurance for a policy that reflects the requirements contained in §9-03 of this chapter.

(2) New Project Account Application contents. Applicants [shall] must complete an application, on a form prescribed by [MOFTB] the Commissioner of the Mayor's Office of Media and Entertainment, [which shall contain] providing detailed [identifying] information about the applicant and the project, proof of insurance required pursuant to section 9-03 of this chapter, and, for film school applicants, a letter from the school confirming insurance coverage and the student's enrollment and a copy of the student's school identification card. [In completing such form, applications shall provide the information set forth below.

- a. A postal address (but not a post office box) and, if available, an e-mail address, and a telephone number and a facsimile number for purposes of receiving notification from MOFTB.
- b. Valid photo identification of the applicant or, if the applicant is not a natural person, a valid photo identification of the natural person authorized by the applicant to act on its behalf in connection with the application.
- c. If known at the time of the application, the dates, and times of scouting, rigging, or shooting and location of such activity, and any special circumstances including, but not limited to, information regarding whether the activity involves special parking requests, traffic control issues or special effects.
- d. Film school students shall provide a letter from the student's school confirming insurance coverage, and the student's current enrollment, subject to the provisions of §9-03.]

(3) Scouting, Rigging and/or Shooting Permit Applications. When applicants submit a scouting, rigging and/or shooting permit application, on a form prescribed by [MOFTB] the Film Office, they [shall] must:

- a. identify the date(s), time(s) and location(s) of such activity; and
- b. identify any special circumstances including, but not limited to, information regarding whether the activity involves requests for [special] parking [requests], traffic control [issues], or special effects[.].
- [c. for applicants requesting a scouting permit, provide a letter from the applicant's producing/financing entity verifying the project by name and identifying the natural person(s) on-site who will be performing scouting activities on behalf of the applicant;
- d. for applicants requesting a scouting permit, provide documents of incorporation, financing documents for the project or grant or foundation award letter.]

(4) Processing of Permits. All permit applications will be processed based on the date of the proposed activity. If there are multiple applications for film permits for the same location on the same date and time, the Film Office will review the applications in order of receipt. [on a "first come, first served" basis. Upon request by an applicant for a Required Permit, MOFTB will place a pre-permit reserve on the location(s) identified in the New Project Account application or the rigging and/or shooting application. An applicant can request such pre-permit reserve no more than three weeks in advance of the activity, but upon a need demonstrated in writing by the applicant, MOFTB may grant a greater period of time. If two or more permit applicants request the same date and the same location, the New Project Account application request that was received first shall be first eligible for approval.]

(5) [MOFTB] The Film Office shall respond to the applicant with one of the responses enumerated in subparagraphs a through c of paragraph (6) of this section in accordance with the following schedule:

- a. for applications filed 45 days or more prior to the date for which such permit is sought, [MOFTB] the Film Office shall respond no later than 30 days after the receipt of such applications;
- b. for applications filed less than 45 days but more than 15 days prior to the date for which such permit is sought, [MOFTB]

the Film Office shall respond no later than ten days after the receipt of such applications; or

- c. for applications filed 15 days or less prior to the date for which such permit is sought, [MOFTB] the Film Office shall respond as soon as is reasonably practicable.
- d. No application may be filed more than sixty days prior to the date of the requested event, unless special circumstances are presented to the commissioner or [her] the commissioner's designee for approval.

(6) Determination upon review of application. Following receipt of an application, [the MOFTB] the Film Office will make one or more of the following determinations:

- a. issuance of the particular permit.
- b. written notification that more information is needed before [MOFTB] the Film Office can make a determination as to a particular permit application.
- c. written notification that the particular permit application has been denied and a statement of the reason or reasons pursuant to paragraph (7) of this subdivision for such denial.

(7) Denial of new project account applications or scouting, rigging, and/or shooting permit application. [MOFTB] The Film Office may deny a permit if any one or more of the following issues exists:

- a. conditions exist that may pose a danger or a threat to participants, onlookers or the general public;
- b. the location sought is not suitable because the proposed use cannot reasonably be accommodated in the proposed location;
- c. the date and time requested for a particular location is not available because (i) a permit has previously been issued for such date and time, or (ii) [the permit request is the subject of a new project account application, as provided in paragraph (4) of this subdivision,] the date and time has already been requested by another applicant, or (iii) another City agency has issued a permit for such date or time;
- d. [MOFTB] The Film Office has concluded, based on specific information, that the applicant is unlikely to comply with the material terms of the requested permit;
- e. use of the location or the proposed activity at the location would otherwise violate any law, ordinance, statute, or regulation; or
- f. use of the location would interfere unreasonably with the operation of City functions.

(8) If the permit has been denied pursuant to subparagraphs a, b, c, e (with respect to location) or f of paragraph (7) of this subdivision, [MOFTB] the Film Office shall employ reasonable efforts to offer the applicant suitable alternative locations and/or times and/or dates for the proposed rigging or shooting. If the permit has been denied pursuant to subparagraph d, [the MOFTB] the Film Office may consider whether special conditions may be placed or whether additional steps can be taken to address its concern about potential non-compliance.

(9) The denial of a permit shall be in writing and shall contain information about the right to appeal such denial unless the applicant, in its application, authorizes [MOFTB] the Film Office to issue an oral determination in connection with the filing of the application. Subsequent to the filing of such application, an applicant may request a written determination upon notifying [MOFTB] the Film Office in writing that such applicant now seeks a written determination. Upon receiving such request for a written determination, [MOFTB] the Film Office shall respond in accordance with the requirements of paragraph (5) of this subdivision, such time to respond commencing on the date of receipt by [MOFTB] the Film Office of the notification.

(10) After a permit application is denied, the applicant may appeal a written determination by written request filed with the appeals officer who may reverse, affirm, or modify the original determination and provide a written explanation of his or her finding.

- a. If a permit application is denied more than 30 days prior to the proposed scouting, rigging, or shooting, the applicant shall have 10 days from the date that such denial is e-mailed [or faxed] to the applicant to appeal such denial. [MOFTB] The Film Office shall render a decision on such appeal within 10 days of receipt of such appeal.
- b. If a permit application is denied more than 10 days and less than 30 days prior to the proposed scouting, rigging, or shooting, the applicant shall have 5 days from the date such denial is e-mailed [or faxed] to the applicant to appeal such

denial. [MOFTB] The Film Office shall render a decision on such appeal within 5 days of receipt of such appeal.

- c. If a permit application is denied 10 days or less prior to the proposed scouting, rigging, or shooting, the applicant shall have one day from the date such denial is e-mailed [or faxed] to the applicant to appeal such denial. [MOFTB] The Film Office shall render a decision on such appeal as soon as is reasonably practicable.

(c) Responsibilities of Holders of Required [and Optional] Permits.

- (1) **Rules:** All permittees are subject to the rules of [MOFTB] the Film Office, the specific terms and conditions of the permit, and all applicable city, state, and federal laws or rules. Nothing herein is intended to authorize activities that are illegal under any applicable city, state or federal law or rule, except that permittees may engage in such conduct as is expressly authorized by the permit issued to them.
- (2) **Display of permit:** All permittees shall have the permit in their possession on location at the time and site of the scouting, rigging, or shooting, as well as any other permits required by [MOFTB] the Film Office or any other governmental agency, and shall make such permit available for inspection at the request of an employee of the Police Department or other government agency.
- (3) **Permit restrictions:** All permittees shall confine their activities to the locations and times specified on their permit. [MOFTB] The Film Office may establish specific guidelines to address conditions that exist at certain designated locations and the use of vehicles and equipment at locations based on, among other considerations, the time of day, weather conditions, season, location, and day of the week.
- (4) **Non-transferability:** [Required] Permits [and Optional Permits] are not transferable.
- (5) **Clean-up:** All permittees are responsible for cleaning and restoring the site after the rigging or shooting. The cost of any City employee time incurred because of a permittee's failure to clean and/or restore the site following the rigging or shooting will be borne by the permittee.
- (6) **Accidents or injuries:** Should there be any injuries, accidents, other health incidents or damage to private, [or] City, or other public property at a permitted [event] location, the permittee [shall] must notify [MOFTB] the Film Office immediately.
- (7) **Vehicle Parking:** Only vehicles [with permits issued by MOFTB] registered with the Film Office will be allowed to park in areas designated for the rigging or shooting activity at the time(s) and location(s) described in the applicable permit.
- (8) **Dolly track or other equipment:** No dolly track or other equipment, including cables, may be laid across a street or a bike lane or block [a fire lane] an emergency access lane without prior approval of [MOFTB] the Film Office and NYPD and, with respect to an emergency access lane, the FDNY.
- (9) [Pyrotechnics: The use of pyrotechnics, fire effects, and explosions, including simulated smoke and smoke effects shall be conducted only upon authorization by the New York City Fire Department and subsequent approval shall be obtained from MOFTB and the NYPD prior to shooting.] **FDNY Permits and Approvals:** As a condition of obtaining a permit under this chapter, the permittee must obtain all relevant required permits from the FDNY pursuant to Fire Code section 105.6, including, but not limited to, permits for fireworks, flammable and combustible liquids, hot work operations, liquified petroleum gas, open flames, pyrotechnic material, and special effects. In addition to obtaining a permit from FDNY, the permittee must obtain permission from the Film Office and NYPD.
- (10) **Animals:** [The use of wild] Wild animals, as defined in Article 161, [§161.02]§161.01 of the New York City Health Code, shall be used only upon authorization by the New York City Department of Health and Mental Hygiene, and subsequent approval [shall] must be obtained from [MOFTB] the Film Office prior to shooting.
- (11) **Potentially dangerous activities:** Conduct or activities associated with rigging or shooting permits [which] that are determined by [MOFTB] the Film Office to cause a potential danger to persons or property will be referred by [MOFTB] the Film Office for approval by the NYPD or other

governmental agency having jurisdiction over such activity. Such activities shall include, but not be limited to, the use of stunts, helicopters, the takeoff and landing of certain unmanned aircraft, firearms, or simulated firearms.

- (12) [Traffic control: Where a public street is closed in connection with rigging or production activities, a 13.5-foot lane shall be kept open.] **Emergency Access:** The permittee [shall] must maintain an unobstructed lane of not less than 15 feet in width. Such requirement may be waived or reduced by [MOFTB] the Film Office upon an appropriate showing of need or at the discretion of the NYPD and the FDNY.
- (13) **Trees and plantings:** Trimming, [damaging,] removing, [or] cutting, or otherwise altering trees or vegetation on City property is prohibited without the prior approval of the New York City Department of Parks and Recreation. If a tree or vegetation is damaged or destroyed by the permittee and the permittee (including the permittee's employee, officer, contractor, or agent) has actual knowledge of such damage or destruction, the permittee must promptly notify the designated unit or office of the New York City Department of Parks and Recreation and the Film Office.
- (14) **Street structures:** No street signs, lights, [postal boxes,] parking meters or any other permanent street structure may be removed or altered without the prior approval of the New York City Department of Transportation or other agency charged with maintaining such structures.
- (15) **Production location access:** If determined by [MOFTB] the Film Office to be appropriate, permittees [shall] must submit a mitigation plan for minimizing the potential inconvenience to residents and/or businesses caused by rigging or shooting activities.
- (16) **Food services:** There shall be no sit-down catered meals permitted on public streets or sidewalks.
- (17) **Code of Conduct:** [MOFTB] shall issue a location Code of Conduct that addresses the importance of considerate behavior on the set of all rigging and shooting activities. A copy of the Code of Conduct shall be given to holders of Required and Optional Permits under these rules. All permittees are subject to the Code of Conduct issued by the Film Office and must ensure that all cast and crew comply with such Code of Conduct. The Film Office shall publish the Code of Conduct on its webpage. The permittee is responsible for providing a copy of the Code of Conduct to the cast and crew of each permitted rigging or shooting activity and each cast and crew member is required to follow the Code of Conduct. [Permittees shall be required to encourage participants in the permitted event to act in accordance with such code.]
- (d) Modifications to or Suspension of Required [or Optional] Permits.**
- (1) If a permittee seeks to modify its permit, it [shall] must submit [an addendum] a revision to [its original request] said permit, which will be governed by the same timetable as provided in paragraph (5) of subdivision (b) of this section.
- (2) If [MOFTB] the Film Office determines that modifications should be made to the terms or conditions of any permit, or that a permit should be revoked, after notice and opportunity to be heard, [MOFTB] the Film Office may do so, based upon reasons set forth in paragraph (7) of subdivision (b) of this section.
- (3) If [MOFTB] the Film Office revokes any permit prior to the date of the scouting, rigging, or shooting, the permittee may appeal the revocation, subject to the time limitations set forth in paragraph (10) of subdivision (b) of this section.
- (4) During the course of scouting, rigging, or shooting, [MOFTB] the Film Office or the NYPD may suspend any permit where public health or safety risks are found or where exigent circumstances warrant such action. Where a suspension lasting longer than six hours occurs, permittees shall be given notice and an opportunity to be heard within ten days after the suspension.

§ 9-03 Indemnification and Insurance.

- (a) By accepting a permit, a permittee agrees to protect all persons and property from damage, loss, or injury (including death) arising from any of the operations performed by or on behalf of the permittee, and to defend, indemnify and hold harmless the City, including its officials and employees, to the fullest extent permitted by law, from all claims, losses, and expenses, including attorneys' fees, that may result

therefrom. [This indemnification requirement does not apply to any person or entity acting with an Optional Permit in accordance with §9-01(b)(2).]

- (b) Every holder of a [Required P] permit [shall] must maintain, during the entire course of its operations, commercial general liability insurance with a limit of at least one million dollars (\$1,000,000) per occurrence with coverage at least as broad as provided by the most recently issued Insurance Services Office (ISO) form CG 00 01. Such insurance [shall] must be occurrence based (not claims-made) and must include a policy provision or endorsement [naming] covering the City of New York, including its officials and employees, as an additional insured with coverage at least as broad as provided by [Insurance Services Office (ISO)] ISO form CG 20 26 or form CG 20 12. Such insurance must be issued by a company that may lawfully issue the policy and has an A.M. Best rating of at least A-/VII, a Standard and Poor's rating of at least A, a Moody's Investors Service rating of at least A3, a Fitch Ratings rating of at least A-, or a similar rating by any other nationally recognized statistical organization acceptable to the City. The applicant [shall] must provide proof of such insurance prior to the issuance of the permit by submitting a Certificate of Insurance in a form acceptable to the Commissioner certifying compliance with the foregoing requirements, accompanied by a duly executed Certification by Broker or Agent in the form required by the [Commissioner] New York City Law Department and the specific endorsement or policy language by which the City of New York, including its officials and employees, has been made an Additional Insured. Acceptance by the Commissioner of any purported proof of insurance shall not be deemed to constitute a waiver of the permittee's obligation to ensure that insurance fully consistent with these requirements is secured and maintained, and the permittee shall be liable to the City of New York, including its officials and employees, for any failure to do so. For currently enrolled film students, proof of insurance through their school and the student's current attendance shall satisfy this requirement. [This insurance requirement does not apply to any person or entity holding an Optional Permit issued in accordance with §9-01(b)(4).]
- (c) If [MOFTB] the Film Office determines, in light of the activity for which a permit is sought, that such activity may increase the potential for injury to individuals and/or damage to property, and that the minimum limit of insurance should be higher than one million dollars (\$1,000,000) per occurrence or additional type of coverage is necessary to cover the risks arising from the activity, [MOFTB] the Film Office shall determine what higher minimum limit or type of coverage is to be required and inform the applicant of such higher limit or type of coverage. Factors to be considered by [MOFTB] the Film Office may include, but shall not be limited to, the number of people involved, the location of the activity, [and] the nature of the activity, and risks arising from the activity that may not be covered by a commercial general liability insurance policy. The applicant [shall] must thereafter provide proof of such insurance in accordance with subdivision (b) of this section. If [MOFTB] the Film Office determines in writing that a higher minimum limit or an additional type of coverage is [to be] required, the applicant may appeal such determination by written request filed with the [MOFTB] Film Office appeals officer who may reverse, affirm, or modify the determination and provide a written explanation of his or her finding.
- (d) [(1) MOFTB] The Film Office shall have the authority to waive or modify the insurance required by subdivision (b) of this section where the applicant is able to demonstrate that such insurance cannot be obtained without imposing an unreasonable hardship on the applicant. Any request for a waiver or modification of the insurance required by subdivision (b) of this section [shall] must be included by the applicant in the application submitted to [MOFTB] the Film Office under §9-02 of this chapter. The burden of demonstrating unreasonable hardship shall be on the applicant, and may be demonstrated by a showing, for example, that the cost of obtaining insurance for the permitted activity exceeds twenty-five percent (25%) of the applicant's budget for such activity that is the subject of the application. [MOFTB] The Film Office shall take into consideration the applicant's projections of budget as well as the budget projections for comparable productions of similar size and duration in determining whether the cost of obtaining insurance exceeds twenty-five percent (25%) of the budget. [MOFTB] The Film Office may also take into consideration its determination that the permitted activity

may increase the potential for injury to individuals and/or damage to property. [In the event that MOFTB] If the Film Office denies a waiver or modification of the insurance requirement, the applicant may thereafter respond to the denial and appeal such denial pursuant to the provisions of §9-02 of this chapter.

[(2) If an applicant requests and is granted a waiver of the insurance required by subdivision (b) of this section because it would impose an unreasonable hardship, such applicant shall be deemed to qualify for a waiver of the \$300.00 fee required by subparagraph b of paragraph (1) of subdivision (b) of §9-02 of this chapter in the event such applicant makes a request for a waiver of the \$300.00 fee.]

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

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

RULE TITLE: Amendment of Rules Relating to Premier Permits and Permits for Scouting, Rigging and Filming Activities

REFERENCE NUMBER: MOME-10

RULEMAKING AGENCY: Mayor's Office of Media and Entertainment

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

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

September 12, 2023
Date

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

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

RULE TITLE: Amendment of Rules Relating to Premier Permits and Permits for Scouting, Rigging and Filming Activities

REFERENCE NUMBER: 2023 RG 056

RULEMAKING AGENCY: Mayor's Office of Media and Entertainment

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
Senior Counsel

Date: September 12, 2023

Accessibility questions: Lori Barrett Peterson, 212-602-7418, DisabilityServices@media.nyc.gov, by: Thursday, October 26, 2023 4:00 P.M.



TAXI AND LIMOUSINE COMMISSION

■ NOTICE

Notice of Promulgation

Notice is hereby given in accordance with section 1043 of the New York City Charter ("Charter") that the Taxi and Limousine Commission ("TLC") promulgates a new rule that: 1) creates a new short-term storage program for For-Hire Vehicle (FHV) licenses ("Short-Term FHV Storage Program"); and 2) clarifies that, after August 31, 2023, the end date of the previous storage program, created during the height of the COVID-19 pandemic ("COVID-19 FHV Storage Program"), licenses remaining in that program will not transfer over to the new Short-Term FHV Storage Program, and if not expired, will be subject to fines and suspension for failure to follow directives to exit the storage program, as well as revocation for non-use.

This rule is promulgated pursuant to sections 1043 and 2303 of the Charter and section 19-503 of the Administrative Code of the City of New York. This rule was published in the City Record on July 20, 2023 for public comment. On August 23, 2023, a public hearing was held virtually by the TLC and the rule was adopted by the Commission on September 13, 2023.

STATEMENT OF BASIS AND PURPOSE OF RULE

In 2020, the TLC created a COVID-19 FHV License Storage Program to give relief to vehicle license holders who could not afford to retain or repair their vehicles during the COVID-19 pandemic. This program ends on August 31, 2023. FHV owners were notified by TLC multiple times through the TLC website and via email that FHV licenses must be taken out of storage by August 31, 2023.

This rule establishes a new, short-term storage program for For-Hire Vehicle (FHV) Licenses called the "Short-Term FHV License Storage Program. This new program will permit active FHV licensees to put their FHV license in storage once during every 2-year license term for up to 90 days. The TLC originally proposed a 60-day storage period, but after hearing comments at the public hearing, the storage period was extended to 90 days. This program will be useful to licensees who may be traveling overseas for an extended period, or who may be experiencing issues with their vehicle. An application must be filed for an FHV license to be placed into storage with the TLC.

To be placed into the Short-Term For-Hire Vehicle License Storage Program, all suspensions must be cleared, all fines and fees must be paid to TLC, and plates must be surrendered to the DMV within 60 days prior to the storage date. (Surrendering plates to the New York State Department of Motor Vehicles alone is insufficient to enter TLC's storage program.) Licensees with pending base, plate or vehicle transfers will not be permitted to be placed into storage with the TLC. While the FHV license is in storage, the TLC will not enforce insurance or inspection requirements pursuant to subchapter 59A or other applicable TLC rules.

To take a license out of storage, the licensee must submit an application as prescribed by the Commission, and if the period in storage exceeds the renewal date, the licensee must complete any renewal requirements. Any FHV license not taken out of storage when the 90-day period has ended will be subject to a fine of \$300 and suspension until compliance for failure to follow directives to exit the storage program pursuant to Section 59A-13(j)(1), as well as revocation for non-use pursuant to Section 59A-08(c).

The rule also clarifies that FHV licenses remaining in the FHV License Storage Program established during the COVID-19 pandemic ("COVID-19 FHV License Storage Program") after the program end date, August 31, 2023, will not automatically transfer over to the new Short-Term FHV Storage Program, and, if the license has not expired, the licensee will be subject to fines and suspension for failure to follow directives to exit the storage program pursuant to Section 59A-13(j)(1), as well as revocation for non-use pursuant to Section 59A-08(c).

TLC's authority for these rules is found in section 2303 of the New York City Charter and section 19-503 of the New York City Administrative Code.

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. Subchapter 59A of chapter 59 of Title 35 of the Rules of the City of New York is amended by adding a new section 59A-36, to read as follows:

§ 59A-36. Storage of For-Hire Vehicle Licenses

(1) Short-Term For-Hire Vehicle License Storage Program.

(a) Description of Program. A Licensee may put their For-Hire Vehicle License in storage with the Commission for up to 90 days once during every two year license term, during which time the TLC will not enforce insurance or inspection requirements set forth in this sub-chapter 59A, or pursuant to any other applicable TLC rules, subject to the following terms.

(b) Application, Criteria and Approval. In order to be placed into the Short-Term For-Hire Vehicle License Storage Program:

- (i) All suspensions must be cleared, and the licensee must pay all fines and fees due to TLC,
- (ii) Plates must be surrendered to the DMV within 60 days prior to the storage date,
- (iii) The licensee must submit an application as set forth by the Commission, and
- (iv) Licenses with pending transfers will not be permitted to go into storage.

(c) Removal from Storage. To remove a license from storage, a Licensee must submit an application as prescribed by the Commission, and if the period the license is in storage exceeds the renewal date, the licensee must complete all renewal requirements.

(d) Licenses Remaining in Storage at the End of the Storage Period. Any For-Hire Vehicle License not taken out of storage when the 90-day period has ended will be subject to fines and suspension for failure to follow directives to exit the storage program as set forth in section 59A-13(j)(1) of these rules, as well as revocation for non-use pursuant to section 59A-08(c) of these rules if they are not in use for 60 or more days after the 90-day storage period has ended.

(2) COVID-19 For-Hire Vehicle License Storage Program, End of Program.

(a) End of Program. The COVID-19 For-Hire Vehicle License Storage Program established in 2020 ends on August 31, 2023.

(b) Licenses Remaining in Storage at the End of the Program. Any For-Hire Vehicle License not taken out of storage when the COVID-19 For-Hire Vehicle License Storage Program ends on August 31, 2023 will not be transferred to the new Short-Term For-Hire Vehicle License Storage Program. For-Hire Vehicle Licenses in storage after the program end date, August 31, 2023, that are not expired will be subject to fines and suspension for failure to follow directives to exit the storage program as set forth in section 59A-13(j)(1) of these rules, as well as revocation for non-use pursuant to section 59A-08(c) of these rules if they are not in use for 60 or more days after the program has ended.

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August 2023

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CITYWIDE ADMINISTRATIVE SERVICES

■ NOTICE

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 9248
 FUEL OIL AND KEROSENE**

| CONTR. NO. | ITEM NO. | FUEL/OIL TYPE | DELIVERY | VENDOR | CHANGE (\$) | PRICE (\$) EFF. 9/25/2023 |
|----------------|----------|---------------|-----------------------------|-----------------|----------------------|------------------------------|
| 4287148 | 1 | #2DULS | CITYWIDE BY TW | GLOBAL MONTELLO | -0.0673 GAL. | 3.5663 GAL. |
| 4287148 | 2 | #2DULS | RACK PICK-UP | GLOBAL MONTELLO | -0.0673 GAL. | 3.4493 GAL. |
| 4287148 | 3 | #2DULS | CITYWIDE BY TW | GLOBAL MONTELLO | -0.0673 GAL. | 3.6045 GAL. |
| 4287148 | 4 | #2DULS | RACK PICK-UP | GLOBAL MONTELLO | -0.0673 GAL. | 3.4875 GAL. |
| 4287149 | 5 | #2DULS | CITYWIDE BY TW | SPRAGUE | -0.0673 GAL. | 3.8509 GAL. |
| 4287149 | 6 | #2DULS | CITYWIDE BY TW | SPRAGUE | -0.0673 GAL. | 4.0639 GAL. |
| 4287149 | 7 | B100 | CITYWIDE BY TW | SPRAGUE | -0.3031 GAL. | 6.1439 GAL. |
| 4287149 | 8 | #2DULS | RACK PICK-UP | SPRAGUE | -0.0673 GAL. | 3.7009 GAL. |
| 4287149 | 9 | #2DULS | RACK PICK-UP | SPRAGUE | -0.0673 GAL. | 3.9139 GAL. |
| 4287149 | 10 | B100 | RACK PICK-UP | SPRAGUE | -0.3031 GAL. | 5.9939 GAL. |
| 4287149 | 11 | #1DULS | CITYWIDE BY TW | SPRAGUE | -0.0660 GAL. | 4.4344 GAL. |
| 4287149 | 12 | B100 | CITYWIDE BY TW | SPRAGUE | -0.3031 GAL. | 6.1679 GAL. |
| 4287149 | 13 | #1DULS | RACK PICK-UP | SPRAGUE | -0.0660 GAL. | 4.2844 GAL. |
| 4287149 | 14 | B100 | RACK PICK-UP | SPRAGUE | -0.3031 GAL. | 6.0179 GAL. |
| 4287149 | 15 | #2DULS | BARGE DELIVERY | SPRAGUE | -0.0673 GAL. | 3.6003 GAL. |
| 4287149 | 16 | #2DULS | BARGE DELIVERY | SPRAGUE | -0.0673 GAL. | 3.6663 GAL. |
| 4287149 | 17 | #2DULSB50 | CITYWIDE BY TW | SPRAGUE | -0.0673 GAL. | 4.4751 GAL. |
| 4287149 | 18 | #2DULSB50 | CITYWIDE BY TW | SPRAGUE | -0.3031 GAL. | 5.7581 GAL. |
| 4287149 | 19 | #2DULSB50 | RACK PICK-UP | SPRAGUE | -0.0673 GAL. | 4.3251 GAL. |
| 4287149 | 20 | #2DULSB50 | RACK PICK-UP | SPRAGUE | -0.3031 GAL. | 5.6081 GAL. |
| 4287126 | 1 | JET | FLOYD BENNETT | SPRAGUE | -0.0893 GAL. | 4.4391 GAL. |
| Non-Winterized | | | | | | |
| 4287149 | | #2DULSB5 | 95% ITEM 5.0 5% ITEM 7.0 | CITYWIDE BY TW | SPRAGUE | -0.0791 GAL. 3.9656 GAL. |
| 4287149 | | #2DULSB10 | 90% ITEM 5.0 10% ITEM 7.0 | CITYWIDE BY TW | SPRAGUE | -0.0909 GAL. 4.0802 GAL. |
| 4287149 | | #2DULSB20 | 80% ITEM 5.0 20% ITEM 7.0 | CITYWIDE BY TW | SPRAGUE | -0.1145 GAL. 4.3095 GAL. |
| 4287149 | | #2DULSB5 | 95% ITEM 8.0 5% ITEM 10.0 | RACK PICK-UP | SPRAGUE | -0.0791 GAL. 3.8155 GAL. |
| 4287149 | | #2DULSB10 | 90% ITEM 8.0 10% ITEM 10.0 | RACK PICK-UP | SPRAGUE | -0.0909 GAL. 3.9302 GAL. |
| 4287149 | | #2DULSB20 | 80% ITEM 8.0 20% ITEM 10.0 | RACK PICK-UP | SPRAGUE | -0.1145 GAL. 4.1595 GAL. |
| 4287149 | | #2DULSB50 | 50% ITEM 17.0 50% ITEM 18.0 | CITYWIDE BY TW | SPRAGUE | -0.1852 GAL. 5.1166 GAL. |
| 4287149 | | #2DULSB50 | 50% ITEM 19.0 50% ITEM 20.0 | RACK PICK-UP | SPRAGUE | -0.1852 GAL. 4.9666 GAL. |
| 4387181 | | HDRD NW1 | HDRD 95% +B100 5% (TW) | CITYWIDE BY TW | APPROVED OIL COMPANY | 0.0000 GAL. 4.8109 GAL. |

| | | | | | | |
|--|-----------|---|----------------|----------------------|--------------|--------------|
| 4387181 | HDRD NW2 | HDRD 95% +B100 5% (P/U) | RACK PICK-UP | APPROVED OIL COMPANY | 0.0000 GAL. | 4.6609 GAL. |
| Winterized/ 4287149 | #2DULSB5 | Nov 1 - Mar 31 95% ITEM 6.0 5% ITEM 7.0 | CITYWIDE BY TW | SPRAGUE | -0.0791 GAL. | 4.1679 GAL. |
| 4287149 | #2DULSB10 | 90% ITEM 6.0 10% ITEM 7.0 | CITYWIDE BY TW | SPRAGUE | -0.0909 GAL. | 4.2719 GAL. |
| 4287149 | #2DULSB20 | 80% ITEM 6.0 20% ITEM 7.0 | CITYWIDE BY TW | SPRAGUE | -0.1145 GAL. | 4.4799 GAL. |
| 4287149 | #2DULSB5 | 95% ITEM 9.0 5% ITEM 10.0 | RACK PICK-UP | SPRAGUE | -0.0791 GAL. | 4.0179 GAL. |
| 4287149 | #2DULSB10 | 90% ITEM 9.0 10% ITEM 10.0 | RACK PICK-UP | SPRAGUE | -0.0909 GAL. | 4.1219 GAL. |
| 4287149 | #2DULSB20 | 80% ITEM 9.0 20% ITEM 10.0 | RACK PICK-UP | SPRAGUE | -0.1145 GAL. | 4.3299 GAL. |
| 4387181 | HDRD W1 | HDRD 95%+ B100 5% (TW) | CITYWIDE BY TW | APPROVED OIL COMPANY | 0.0000 UNIT. | 0.0000 UNIT. |
| 4387181 | HDRD W2 | HDRD 95%+ B100 5% (P/U) Year-Round | RACK PICK-UP | APPROVED OIL COMPANY | 0.0000 UNIT. | 0.0000 UNIT. |
| Non- Winterized/ Winterized 4287149 | #1DULSB20 | 80% ITEM 11.0 20% ITEM 12.0 | CITYWIDE BY TW | SPRAGUE | -0.1134 GAL. | 4.7811 GAL. |
| 4287149 | #1DULSB20 | 80% ITEM 13.0 20% ITEM 14.0 | RACK PICK-UP | SPRAGUE | -0.1134 GAL. | 4.6311 GAL. |
| 4287149 | #1DULSB5 | 95% ITEM 11.0 5% ITEM 12.0 | CITYWIDE BY TW | SPRAGUE | -0.0779 GAL. | 4.5211 GAL. |
| 4287149 | #1DULSB5 | 95% ITEM 13.0 5% ITEM 14.0 | RACK PICK-UP | SPRAGUE | -0.0779 GAL. | 4.3711 GAL. |

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 9249
FUEL OIL, PRIME AND START**

| CONTR. NO. | ITEM NO. | FUEL/OIL TYPE | DELIVERY | VENDOR | CHANGE (\$) | PRICE (\$) EFF. 9/25/2023 |
|------------|----------|---------------|------------------------------|----------------------|--------------|------------------------------|
| 4287030 | 1 | #4B5 | MANHATTAN | UNITED METRO | -0.0557 GAL. | 3.1693 GAL. |
| 4287030 | 2 | #4B5 | BRONX | UNITED METRO | -0.0557 GAL. | 3.1893 GAL. |
| 4287030 | 3 | #4B5 | BROOKLYN | UNITED METRO | -0.0557 GAL. | 3.1293 GAL. |
| 4287030 | 4 | #4B5 | QUEENS | UNITED METRO | -0.0557 GAL. | 3.1593 GAL. |
| 4287031 | 5 | #4B5 | RICHMOND | APPROVED OIL COMPANY | -0.0557 GAL. | 3.3493 GAL. |
| 4187014 | 1 | #2B5 | MANHATTAN | SPRAGUE | -0.0791 GAL. | 3.6725 GAL. |
| 4187014 | 3 | #2B5 | BRONX | SPRAGUE | -0.0791 GAL. | 3.6245 GAL. |
| 4187014 | 5 | #2B5 | BROOKLYN | SPRAGUE | -0.0791 GAL. | 3.6375 GAL. |
| 4187014 | 7 | #2B5 | QUEENS | SPRAGUE | -0.0791 GAL. | 3.6455 GAL. |
| 4187014 | 9 | #2B5 | STATEN ISLAND | SPRAGUE | -0.0791 GAL. | 3.7245 GAL. |
| 4187014 | 11 | #2B10 | CITYWIDE BY TW | SPRAGUE | -0.0909 GAL. | 3.7112 GAL. |
| 4187014 | 12 | #2B20 | CITYWIDE BY TW | SPRAGUE | -0.1145 GAL. | 3.8429 GAL. |
| 4187015 | 2 | #2B5 | MANHATTAN (RACK PICK-UP) | APPROVED OIL COMPANY | -0.0791 GAL. | 3.4378 GAL. |
| 4187015 | 4 | #2B5 | BRONX (RACK PICK-UP) | APPROVED OIL COMPANY | -0.0791 GAL. | 3.4378 GAL. |
| 4187015 | 6 | #2B5 | BROOKLYN (RACK PICK-UP) | APPROVED OIL COMPANY | -0.0791 GAL. | 3.4378 GAL. |
| 4187015 | 8 | #2B5 | QUEENS (RACK PICK-UP) | APPROVED OIL COMPANY | -0.0791 GAL. | 3.4378 GAL. |
| 4187015 | 10 | #2B5 | STATEN ISLAND (RACK PICK-UP) | APPROVED OIL COMPANY | -0.0791 GAL. | 3.4378 GAL. |

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 9250
FUEL OIL AND REPAIRS**

| CONTR. NO. | ITEM NO. | FUEL/OIL TYPE | DELIVERY | VENDOR | CHANGE (\$) | PRICE (\$) EFF. 9/25/2023 |
|-------------|----------|---------------|--------------------------------------|--------------|--------------|------------------------------|
| 20211200451 | 1 | #2B5 | All Boroughs (Pickup under delivery) | APPROVED OIL | -0.0791 GAL. | 3.8519 GAL. |
| 20211200451 | 2 | #4B5 | All Boroughs (Pickup under delivery) | APPROVED OIL | -0.0557 GAL. | 3.4197 GAL. |

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 9251
GASOLINE**

| CONTR. NO. | ITEM NO. | FUEL/OIL TYPE | DELIVERY | VENDOR | CHANGE (\$) | PRICE (\$) EFF. 9/25/2023 |
|------------|----------|---------------|--|-----------------|--------------|------------------------------|
| 4387063 | 1.0 | Reg UL | CITYWIDE BY TW | GLOBAL MONTELLO | -0.2849 GAL. | 2.7634 GAL. |
| 4387063 | 2.0 | Prem UL | CITYWIDE BY TW | GLOBAL MONTELLO | -0.3217 GAL. | 3.3322 GAL. |
| 4387063 | 3.0 | Reg UL | RACK PICK-UP | GLOBAL MONTELLO | -0.2849 GAL. | 2.6612 GAL. |
| 4387063 | 4.0 | Prem UL | RACK PICK-UP | GLOBAL MONTELLO | -0.3217 GAL. | 3.2350 GAL. |
| 3787121 | 5.0 | E85 | CITYWIDE BY DELIVERY | UNITED METRO | -0.1389 GAL. | 2.8258 GAL. |
| 3787121 | 6.0 | E70 | Non-Winterized Winterized CITYWIDE BY DELIVERY | UNITED METRO | -0.1681 GAL. | 2.9036 GAL. |

NOTE:

1. Federal excise taxes are imposed on taxable fuels, (i.e., gasoline, kerosene, and diesel), when removed from a taxable fuel terminal. This fuel excise tax does not include Leaking Underground Storage Tank (LUST) tax. LUST tax applies to motor fuels for both diesel and gasoline invoices. Going forward, LUST Tax will appear as an additional fee at the rate of \$0.001 per gallon and will be shown as a separate line item on your invoice.
2. The National Oil Heat Research Alliance (NORA) has been extended until February 6, 2029. A related assessment of \$.002 per gallon has been added to the posted weekly fuel prices and will appear as a separate line item on invoices. This fee applies to heating oil only and since 2015 has included #4 heating oil. All other terms and conditions remain unchanged.

3. Items 1 - 4 on contract 4287148 and 5 - 20 on contract 4287149 are effective as of June 1st, 2022.
4. Items 1 – 4 on contract 4387063 are effective as of December 19, 2022.
5. Federal Superfund Tax is included in the DCAS weekly pricing schedule, and it should not show as an additional fee.

REMINDER FOR ALL AGENCIES:

All entities utilizing DCAS fuel contracts are reminded to pay their invoices on time to avoid interruption of service. Please send inspection copy of receiving report for all gasoline (E70, UL PREM) delivered by tank wagon to OCP/Bureau of Quality Assurance (BQA), 1 Centre Street, 18th Floor, New York, NY 10007.

• s29

OFFICE OF THE MAYOR

■ NOTICE

EXECUTIVE ORDER NO. 35
September 21, 2023

COMMITMENT TO ENFORCEMENT OF WAGE REQUIREMENTS AND STREAMLINING THE PROCUREMENT PROCESS

WHEREAS, the City of New York continues to be committed to ensuring that all required prevailing and living wages are paid on all public works projects and service contracts; and

WHEREAS, Article 8 of the Labor Law mandates that contracts for public work contain provisions requiring that each laborer, worker or mechanic employed by a contractor or subcontractor upon such public work shall be paid wages at not less than the prevailing rate for the same trade or occupation in the location where the work is performed, and provided supplements in accordance with the prevailing practices in such location; and

WHEREAS, Article 9 of the Labor Law mandates that contracts for building service work contain provisions requiring that each building service employee employed by a contractor or subcontractor for such building service work shall be paid wages at not less than the prevailing rate for craft, trade or occupation in the location where the work is performed, and shall be provided prevailing supplements; and

WHEREAS, the Living Wage Law, as set forth in section 6-109 of the Administrative Code, mandates that a city service contractor or city service subcontractor that provides homecare services, day care services, head start services or services to persons with cerebral palsy pay its covered employees that directly render such services in performance of the city service contract or subcontract no less than the living wage and either provide its employees health benefits or supplement their hourly wage rate by an amount no less than the health benefits supplement rate; and

WHEREAS, the Living Wage Law also mandates that a city service contractor or city service subcontractor that provides building services, food services or temporary services pay its employees that are engaged in performing the city service contract or subcontract no less than the living wage or the prevailing wage, whichever is greater; and

WHEREAS, section 6-109.1 of the Administrative Code requires that a shelter operator or covered guard service company that employs covered guards at a shelter shall pay such guards no less than the prevailing wage determined in a manner consistent with the requirements of section 234 of the Labor Law, and provides that the obligation of a shelter operator or covered guard service company to pay prevailing supplements may be discharged by furnishing any equivalent combinations of fringe benefits or by making equivalent or differential payments in cash under rules and regulations promulgated pursuant to section 6-109.1; and

WHEREAS, the City continues its commitment to streamline and minimize redundancies and paperwork burdens in the procurement process in order to save time and costs; and

WHEREAS, the pre-award review provisions of Executive Order 102 of 2007, and its predecessor, Executive Order 73 of 2005, added layers of duplicative, costly, and lengthy reviews that added time and costs to City contracts; and

WHEREAS, since 2007, the City has put in place a number of measures to ensure compliance with prevailing wage requirements, including the Standard Construction Contract (which includes specific language on prevailing wage enforcement) and Project Labor Agreements with the Building and Construction Trades Council; and

WHEREAS, City agencies typically review, among other things, compliance with the Labor Law and the Living Wage Law and other laws described in this Order as part of determining the responsibility of a vendor; and

WHEREAS, contract management staff at City agencies, such as project manager, in-house engineering and technical staff, labor law investigators, and audit officers, typically monitor compliance with Labor Law during a vendor's performance of a contract and refer vendors to the Comptroller's Office, Bureau of Labor Law for further investigation and enforcement;

NOW, THEREFORE, by the power vested in me as Mayor of New York City, it is hereby ordered that:

Section 1. The Director of the Mayor's Office of Contract Services ("MOCS") shall instruct agencies letting public works or building service work contracts that their solicitation documents and contracts shall:

(a) require contractors to enter into written agreements with their subcontractors, prior to the subcontractors commencing work under the contract, which shall include applicable prevailing wage and supplement requirements;

(b) require contractors to comply with the applicable prevailing wage and supplement requirements of Articles 8 and 9 of the Labor Law as material terms of their contracts with the City, and agree that, in the event a contractor is found liable for a violation of such requirements, the contractor shall be liable to the City for its costs in enforcing such requirements;

(c) require contractors and subcontractors to maintain standard sign-in and sign-out logs, or in the alternative, and subject to the approval of the Director of MOCS, an equivalent electronic or biometric recordkeeping system;

(d) require contractors and subcontractors to submit such logs and other payroll records to the contracting agency or the Comptroller upon request;

(e) require contractors and subcontractors to pay their workers under the contract by check, which, in the case of contracts worth over \$1,000,000, and subcontracts worth over \$750,000, shall be generated by a payroll service or automated payroll system (an in-house system may be used, subject to the approval of the agency), and in either case provide on each check stub or on other similar documentation provided to the employees information sufficient to document compliance with the requirements of the Labor Law concerning prevailing wages and supplements; and

(f) inform contractors that failure to comply with the requirements outlined in this section may be grounds for default and/or the withholding of payments due under the contract.

§ 2. In determining whether a prospective contractor may receive an award, the contracting agency shall consider whether the contractor will comply with the requirements of the Labor Law or any other provision of law concerning prevailing wages and supplements, and whether it will require its subcontractors to do the same.

§ 3. The contracting agency shall cooperate promptly with requests for information made by the Comptroller pursuant to the Comptroller's authority to investigate compliance with the requirements of the Labor Law concerning prevailing wages and supplements.

§ 4. The Director of MOCS shall instruct all contracting agencies entering into contracts subject to sections 6-109 and 6-109.1 of the Administrative Code ("Employee Wage Protection Requirements") that they shall require contractors to:

1. enter into written agreements with their subcontractors, prior to the subcontractors commencing work under the contract, which shall include provisions relating to wages, supplements and health benefits required by the applicable Employee Wage Protection Requirements; and

2. comply with the applicable Employee Wage Protection Requirements as material terms of their contracts with the City, and agree that, in the event a contractor is found liable for a violation of such requirements, the contractor shall be liable to the City for the costs in enforcing such requirements.

§ 5. In city service contracts and solicitation documents for such contracts, the contracting agency shall require that contractors and subcontractors pay their workers under the contract by check, which,

in the case of contracts worth over \$1,000,000, and subcontracts worth over \$750,000, shall be generated by a payroll service or automated payroll system (an in-house system may be used, subject to the approval of the agency), and in either case provide employees check stubs or other documentation at least once each month containing information sufficient to document compliance with the requirements of the Living Wage Law concerning living wages, prevailing wages, supplements and health benefits.

§ 6. The contracting agency shall cooperate promptly with requests for information by agencies authorized to investigate compliance with the requirements of the Living Wage Law.

§ 7. The City shall continue to explore the potential for use of such technological tools as on-line certified payroll submissions, bar-coded worker identification badges, and other mechanisms for enhancing the enforcement of such requirements.

§ 8. Nothing herein shall be construed to limit the authority of agencies to determine whether prospective contractors are responsive or responsible, to require prospective contractors to provide information relevant to such determinations, or to enforce the requirements of the Labor Law, the Employee Wage Protection Requirements, or the terms of a contract, in accordance with applicable law.

§ 9. Nothing herein shall be construed to limit the authority of the Law Department and MOCS to continue to work with City agencies to ensure that City contracts, renewals, amendments, and modifications comply with applicable provisions of the Labor Law and the Employee Wage Protection Requirements.

§ 10. Executive Order 102 of 2007 is hereby revoked.

§ 11. This Order shall take effect immediately.

Eric Adams
Mayor

◀ s29

EMERGENCY EXECUTIVE ORDER NO. 489
September 2, 2023

WHEREAS, over the past several months, thousands of asylum seekers have been arriving in New York City, from the Southern border, without having any immediate plans for shelter; and

WHEREAS, the City now faces an unprecedented humanitarian crisis that requires it to take extraordinary measures to meet the immediate needs of the asylum seekers while continuing to serve the tens of thousands of people who are currently using the DHS Shelter System; and

WHEREAS, additional reasons for requiring the measures continued in this Order are set forth in Emergency Executive Order No. 224, dated October 7, 2022; and

WHEREAS, the state of emergency based on the arrival of thousands of individuals and families seeking asylum, first declared in Emergency Executive Order No. 224, dated October 7, 2022, and extended most recently by Emergency Executive Order No. 474, dated August 8, 2023, remains in effect;

NOW, THEREFORE, pursuant to the powers vested in me by the laws of the State of New York and the City of New York, including but not limited to the New York Executive Law, the New York City Charter and the Administrative Code of the City of New York, and the common law authority to protect the public in the event of an emergency:

Section 1. I hereby order that section 1 of Emergency Executive Order No. 486, dated August 28, 2023, is extended for five (5) days.

§ 2. This Emergency Executive Order shall take effect immediately and shall remain in effect for five (5) days unless it is terminated or modified at an earlier date.

Eric Adams
Mayor

◀ s29

EMERGENCY EXECUTIVE ORDER NO. 490
September 2, 2023

WHEREAS, on September 2, 2021, the federal monitor in the *Nunez* use-of-force class action stated steps must be taken immediately to address the conditions in the New York City jails; and

WHEREAS, on June 14, 2022, the federal court in *Nunez* approved the *Nunez* Action Plan, which “represents a way to move forward with concrete measures now to address the ongoing crisis at Rikers Island”; and

WHEREAS, while there has been improvement in excessive staff absenteeism, the Department of Correction’s (DOC’s) staffing levels continue to contribute to a rise in unrest and disorder and create a serious risk to the necessary maintenance and delivery of sanitary conditions; access to basic services including showers, meals, visitation, religious services, commissary, and recreation; and prompt processing at intake; and

WHEREAS, this Order is given to prioritize compliance with the *Nunez* Action Plan and to address the effects of DOC’s staffing levels, the conditions at DOC facilities, and health operations; and

WHEREAS, additional reasons for requiring the measures continued in this Order are set forth in Emergency Executive Order No. 140; and

WHEREAS, the state of emergency existing within DOC facilities, first declared in Emergency Executive Order No. 241, dated September 15, 2021, and extended most recently by Emergency Executive Order No. 482, dated August 18, 2023, remains in effect;

NOW, THEREFORE, pursuant to the powers vested in me by the laws of the State of New York and the City of New York, including but not limited to the New York Executive Law, the New York City Charter and the Administrative Code of the City of New York, and the common law authority to protect the public in the event of an emergency:

Section 1. I hereby direct that section 1 of Emergency Executive Order No. 488, dated August 28, 2023, is extended for five (5) days.

§ 2. This Emergency Executive Order shall take effect immediately and shall remain in effect for five (5) days unless it is terminated or modified at an earlier date.

Eric Adams
Mayor

◀ s29

EMERGENCY EXECUTIVE ORDER NO. 491
September 7, 2023

WHEREAS, over the past several months, thousands of asylum seekers have been arriving in New York City, from the Southern border, without having any immediate plans for shelter; and

WHEREAS, the City now faces an unprecedented humanitarian crisis that requires it to take extraordinary measures to meet the immediate needs of the asylum seekers while continuing to serve the tens of thousands of people who are currently using the DHS Shelter System; and

WHEREAS, additional reasons for requiring the measures continued in this Order are set forth in Emergency Executive Order No. 224, dated October 7, 2022; and

WHEREAS, the state of emergency based on the arrival of thousands of individuals and families seeking asylum, first declared in Emergency Executive Order No. 224, dated October 7, 2022, and extended most recently by Emergency Executive Order No. 474, dated August 8, 2023, remains in effect;

NOW, THEREFORE, pursuant to the powers vested in me by the laws of the State of New York and the City of New York, including but not limited to the New York Executive Law, the New York City Charter and the Administrative Code of the City of New York, and the common law authority to protect the public in the event of an emergency:

Section 1. I hereby direct that the State of Emergency declared in Emergency Executive Order No. 224, dated October 7, 2022, and extended by subsequent orders, is extended for thirty (30) days.

§ 2. I hereby order that section 1 of Emergency Executive Order No. 489, dated September 2, 2023, is extended for five (5) days.

§ 3. This Emergency Executive Order shall take effect immediately. The State of Emergency shall remain in effect for a period not to exceed thirty (30) days or until rescinded, whichever occurs first. Additional declarations to extend the State of Emergency for additional periods not to exceed thirty (30) days shall be issued if needed.

Eric Adams
Mayor

◀ s29

EMERGENCY EXECUTIVE ORDER NO. 492
September 7, 2023

WHEREAS, on September 2, 2021, the federal monitor in the *Nunez* use-of-force class action stated steps must be taken immediately to address the conditions in the New York City jails; and

WHEREAS, on June 14, 2022, the federal court in *Nunez* approved the *Nunez* Action Plan, which “represents a way to move forward with

concrete measures now to address the ongoing crisis at Rikers Island”; and

WHEREAS, while there has been improvement in excessive staff absenteeism, the Department of Correction’s (DOC’s) staffing levels continue to contribute to a rise in unrest and disorder and create a serious risk to the necessary maintenance and delivery of sanitary conditions; access to basic services including showers, meals, visitation, religious services, commissary, and recreation; and prompt processing at intake; and

WHEREAS, this Order is given to prioritize compliance with the *Nunez* Action Plan and to address the effects of DOC’s staffing levels, the conditions at DOC facilities, and health operations; and

WHEREAS, additional reasons for requiring the measures continued in this Order are set forth in Emergency Executive Order No. 140; and

WHEREAS, the state of emergency existing within DOC facilities, first declared in Emergency Executive Order No. 241, dated September 15, 2021, and extended most recently by Emergency Executive Order No. 482, dated August 18, 2023, remains in effect;

NOW, THEREFORE, pursuant to the powers vested in me by the laws of the State of New York and the City of New York, including but not limited to the New York Executive Law, the New York City Charter and the Administrative Code of the City of New York, and the common law authority to protect the public in the event of an emergency:

Section 1. I hereby direct that section 1 of Emergency Executive Order No. 490, dated September 2, 2023, is extended for five (5) days.

§ 2. This Emergency Executive Order shall take effect immediately and shall remain in effect for five (5) days unless it is terminated or modified at an earlier date.

Eric Adams
Mayor

☛ s29

EMERGENCY EXECUTIVE ORDER NO. 493
September 12, 2023

WHEREAS, over the past several months, thousands of asylum seekers have been arriving in New York City, from the Southern border, without having any immediate plans for shelter; and

WHEREAS, the City now faces an unprecedented humanitarian crisis that requires it to take extraordinary measures to meet the immediate needs of the asylum seekers while continuing to serve the tens of thousands of people who are currently using the DHS Shelter System; and

WHEREAS, additional reasons for requiring the measures continued in this Order are set forth in Emergency Executive Order No. 224, dated October 7, 2022; and

WHEREAS, the state of emergency based on the arrival of thousands of individuals and families seeking asylum, first declared in Emergency Executive Order No. 224, dated October 7, 2022, and extended most recently by Emergency Executive Order No. 491, dated September 7, 2023, remains in effect;

NOW, THEREFORE, pursuant to the powers vested in me by the laws of the State of New York and the City of New York, including but not limited to the New York Executive Law, the New York City Charter and the Administrative Code of the City of New York, and the common law authority to protect the public in the event of an emergency:

Section 1. I hereby order that section 2 of Emergency Executive Order No. 491, dated September 7, 2023, is extended for five (5) days.

§ 2. This Emergency Executive Order shall take effect immediately and shall remain in effect for five (5) days unless it is terminated or modified at an earlier date.

Eric Adams
Mayor

☛ s29

EMERGENCY EXECUTIVE ORDER NO. 494
September 12, 2023

WHEREAS, on September 2, 2021, the federal monitor in the *Nunez* use-of-force class action stated steps must be taken immediately to address the conditions in the New York City jails; and

WHEREAS, on June 14, 2022, the federal court in *Nunez* approved the *Nunez* Action Plan, which “represents a way to move forward with concrete measures now to address the ongoing crisis at Rikers Island”; and

WHEREAS, while there has been improvement in excessive staff absenteeism, the Department of Correction’s (DOC’s) staffing levels continue to contribute to a rise in unrest and disorder and create a serious risk to the necessary maintenance and delivery of sanitary conditions; access to basic services including showers, meals, visitation, religious services, commissary, and recreation; and prompt processing at intake; and

WHEREAS, this Order is given to prioritize compliance with the *Nunez* Action Plan and to address the effects of DOC’s staffing levels, the conditions at DOC facilities, and health operations; and

WHEREAS, additional reasons for requiring the measures continued in this Order are set forth in Emergency Executive Order No. 140; and

WHEREAS, the state of emergency existing within DOC facilities, first declared in Emergency Executive Order No. 241, dated September 15, 2021, and extended most recently by Emergency Executive Order No. 482, dated August 18, 2023, remains in effect;

NOW, THEREFORE, pursuant to the powers vested in me by the laws of the State of New York and the City of New York, including but not limited to the New York Executive Law, the New York City Charter and the Administrative Code of the City of New York, and the common law authority to protect the public in the event of an emergency:

Section 1. I hereby direct that section 1 of Emergency Executive Order No. 492, dated September 7, 2023, is extended for five (5) days.

§ 2. This Emergency Executive Order shall take effect immediately and shall remain in effect for five (5) days unless it is terminated or modified at an earlier date.

Eric Adams
Mayor

☛ s29

EMERGENCY EXECUTIVE ORDER NO. 495
September 17, 2023

WHEREAS, over the past several months, thousands of asylum seekers have been arriving in New York City, from the Southern border, without having any immediate plans for shelter; and

WHEREAS, the City now faces an unprecedented humanitarian crisis that requires it to take extraordinary measures to meet the immediate needs of the asylum seekers while continuing to serve the tens of thousands of people who are currently using the DHS Shelter System; and

WHEREAS, additional reasons for requiring the measures continued in this Order are set forth in Emergency Executive Order No. 224, dated October 7, 2022; and

WHEREAS, the state of emergency based on the arrival of thousands of individuals and families seeking asylum, first declared in Emergency Executive Order No. 224, dated October 7, 2022, and extended most recently by Emergency Executive Order No. 491, dated September 7, 2023, remains in effect;

NOW, THEREFORE, pursuant to the powers vested in me by the laws of the State of New York and the City of New York, including but not limited to the New York Executive Law, the New York City Charter and the Administrative Code of the City of New York, and the common law authority to protect the public in the event of an emergency:

Section 1. I hereby order that section 1 of Emergency Executive Order No. 493, dated September 12, 2023, is extended for five (5) days.

§ 2. This Emergency Executive Order shall take effect immediately and shall remain in effect for five (5) days unless it is terminated or modified at an earlier date.

Eric Adams
Mayor

☛ s29

EMERGENCY EXECUTIVE ORDER NO. 496
September 17, 2023

WHEREAS, on September 2, 2021, the federal monitor in the *Nunez* use-of-force class action stated steps must be taken immediately to address the conditions in the New York City jails; and

WHEREAS, on June 14, 2022, the federal court in *Nunez* approved the *Nunez* Action Plan, which “represents a way to move forward with concrete measures now to address the ongoing crisis at Rikers Island”; and

WHEREAS, while there has been improvement in excessive staff absenteeism, the Department of Correction’s (DOC’s) staffing levels continue to contribute to a rise in unrest and disorder and create a

serious risk to the necessary maintenance and delivery of sanitary conditions; access to basic services including showers, meals, visitation, religious services, commissary, and recreation; and prompt processing at intake; and

WHEREAS, this Order is given to prioritize compliance with the Nunez Action Plan and to address the effects of DOC's staffing levels, the conditions at DOC facilities, and health operations; and

WHEREAS, additional reasons for requiring the measures continued in this Order are set forth in Emergency Executive Order No. 140; and

WHEREAS, the state of emergency existing within DOC facilities, first declared in Emergency Executive Order No. 241, dated September 15, 2021, and extended most recently by Emergency Executive Order No. 482, dated August 18, 2023, remains in effect;

NOW, THEREFORE, pursuant to the powers vested in me by the laws of the State of New York and the City of New York, including but not limited to the New York Executive Law, the New York City Charter and the Administrative Code of the City of New York, and the common law authority to protect the public in the event of an emergency:

Section 1. I hereby direct that the State of Emergency declared in Emergency Executive Order No. 241, dated September 15, 2021, and extended by subsequent orders, is extended for thirty (30) days.

§ 2. I hereby direct that section 1 of Emergency Executive Order No. 494, dated September 12, 2023, is extended for five (5) days.

§ 3. This Emergency Executive Order shall take effect immediately. The State of Emergency shall remain in effect for a period not to exceed thirty (30) days or until rescinded, whichever occurs first. Additional declarations to extend the State of Emergency for additional periods not to exceed thirty (30) days shall be issued if needed.

Eric Adams Mayor

☛ s29

EMERGENCY EXECUTIVE ORDER NO. 497 September 22, 2023

WHEREAS, over the past several months, thousands of asylum seekers have been arriving in New York City, from the Southern border, without having any immediate plans for shelter; and

WHEREAS, the City now faces an unprecedented humanitarian crisis that requires it to take extraordinary measures to meet the immediate needs of the asylum seekers while continuing to serve the tens of thousands of people who are currently using the DHS Shelter System; and

WHEREAS, additional reasons for requiring the measures continued in this Order are set forth in Emergency Executive Order No. 224, dated October 7, 2022; and

WHEREAS, the state of emergency based on the arrival of thousands of individuals and families seeking asylum, first declared in Emergency Executive Order No. 224, dated October 7, 2022, and extended most recently by Emergency Executive Order No. 491, dated September 7, 2023, remains in effect;

NOW, THEREFORE, pursuant to the powers vested in me by the laws of the State of New York and the City of New York, including but not limited to the New York Executive Law, the New York City Charter and the Administrative Code of the City of New York, and the common law authority to protect the public in the event of an emergency:

Section 1. I hereby order that section 1 of Emergency Executive Order No. 495, dated September 17, 2023, is extended for five (5) days.

§ 2. This Emergency Executive Order shall take effect immediately and shall remain in effect for five (5) days unless it is terminated or modified at an earlier date.

Eric Adams Mayor

☛ s29

EMERGENCY EXECUTIVE ORDER NO. 498 September 22, 2023

WHEREAS, on September 2, 2021, the federal monitor in the Nunez use-of-force class action stated steps must be taken immediately to address the conditions in the New York City jails; and

WHEREAS, on June 14, 2022, the federal court in Nunez approved the Nunez Action Plan, which "represents a way to move forward with concrete measures now to address the ongoing crisis at Rikers Island"; and

WHEREAS, while there has been improvement in excessive staff absenteeism, the Department of Correction's (DOC's) staffing levels continue to contribute to a rise in unrest and disorder and create a serious risk to the necessary maintenance and delivery of sanitary conditions; access to basic services including showers, meals, visitation, religious services, commissary, and recreation; and prompt processing at intake; and

WHEREAS, this Order is given to prioritize compliance with the Nunez Action Plan and to address the effects of DOC's staffing levels, the conditions at DOC facilities, and health operations; and

WHEREAS, additional reasons for requiring the measures continued in this Order are set forth in Emergency Executive Order No. 140; and

WHEREAS, the state of emergency existing within DOC facilities, first declared in Emergency Executive Order No. 241, dated September 15, 2021, and extended most recently by Emergency Executive Order No. 496, dated September 17, 2023, remains in effect;

NOW, THEREFORE, pursuant to the powers vested in me by the laws of the State of New York and the City of New York, including but not limited to the New York Executive Law, the New York City Charter and the Administrative Code of the City of New York, and the common law authority to protect the public in the event of an emergency:

Section 1. I hereby direct that section 2 of Emergency Executive Order No. 496, dated September 17, 2023, is extended for five (5) days.

§ 2. This Emergency Executive Order shall take effect immediately and shall remain in effect for five (5) days unless it is terminated or modified at an earlier date.

Eric Adams Mayor

☛ s29

CHANGES IN PERSONNEL

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Title: BUSINESS INTEGRITY COMMISSION FOR PERIOD ENDING 07/07/23.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Title: DEPARTMENT OF FINANCE FOR PERIOD ENDING 07/07/23.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Title: DEPARTMENT OF FINANCE FOR PERIOD ENDING 07/07/23.

| | | | | | | | | |
|--------------|----------|---|-------|---------------|-----------|-----|----------|-----|
| MORRIS | TATIANA | M | 40523 | \$76198.0000 | INCREASE | NO | 06/18/23 | 836 |
| OLUFUMMILAYO | DOLAPO | O | 40523 | \$76198.0000 | INCREASE | NO | 06/18/23 | 836 |
| QUATTLEBAUM | JENNIFER | | 10124 | \$58000.0000 | APPOINTED | YES | 06/04/23 | 836 |
| REVELL | JAMES | | 40523 | \$76198.0000 | INCREASE | NO | 06/18/23 | 836 |
| ROGOZIN | DEREK | S | 40523 | \$49640.0000 | APPOINTED | NO | 06/25/23 | 836 |
| ROSE | JANELLE | S | 10251 | \$50287.0000 | APPOINTED | YES | 06/18/23 | 836 |
| SADIKOV JR | MOISE | | 40202 | \$80638.0000 | INCREASE | NO | 06/18/23 | 836 |
| SANCHEZ | CASANDRA | | 40202 | \$80638.0000 | INCREASE | NO | 06/18/23 | 836 |
| SAUNDERS | ASIA | K | 10251 | \$45728.0000 | APPOINTED | YES | 06/25/23 | 836 |
| SCHNEEBALG | HEIDI | A | 40202 | \$80638.0000 | INCREASE | NO | 06/18/23 | 836 |
| SINGH | AMARPREE | | 40202 | \$80638.0000 | INCREASE | NO | 06/18/23 | 836 |
| WALTERS | WARRINGT | A | 30312 | \$36577.0000 | DECREASE | NO | 05/12/23 | 836 |
| WANG | SUE | X | 10050 | \$165000.0000 | INCREASE | NO | 06/25/23 | 836 |
| WONG | ALVIN | | 40202 | \$80638.0000 | INCREASE | NO | 06/18/23 | 836 |

DEPARTMENT OF TRANSPORTATION
FOR PERIOD ENDING 07/07/23

| NAME | TITLE | NUM | SALARY | ACTION | PROV | EFF DATE | AGENCY | |
|-------------|----------|-----|--------|---------------|-----------|----------|----------|-----|
| AHMED | ALAA | T | 20210 | \$62370.0000 | APPOINTED | NO | 06/11/23 | 841 |
| BOYD | RAHEEM | D | 12200 | \$36900.0000 | APPOINTED | NO | 06/26/23 | 841 |
| BYGRAVE | AMIR | | 10209 | \$17.3000 | APPOINTED | YES | 06/20/23 | 841 |
| CALLAHAN | DESHAUN | A | 90692 | \$24.8400 | APPOINTED | YES | 06/20/23 | 841 |
| CARDENTRY | KAITLYN | N | 10209 | \$17.3000 | APPOINTED | YES | 06/20/23 | 841 |
| CHLADNICEK | KATHERIN | A | 90692 | \$28.5700 | APPOINTED | YES | 06/04/23 | 841 |
| CHRISTIE | GLENN | A | 90910 | \$73334.0000 | RETIRED | NO | 07/01/23 | 841 |
| COLON-LOPEZ | NICHOLAS | D | 35007 | \$51891.0000 | APPOINTED | YES | 10/23/21 | 841 |
| CUSH | KIYANNA | A | 60888 | \$33.1100 | APPOINTED | NO | 06/25/23 | 841 |
| DAVIS | SHANNA | N | 83008 | \$195000.0000 | APPOINTED | YES | 06/25/23 | 841 |
| DE LARA | OSVALDO | A | 90910 | \$52857.0000 | RESIGNED | YES | 06/20/23 | 841 |
| DONKOR | KODIE AM | | 10209 | \$17.3000 | APPOINTED | YES | 06/25/23 | 841 |
| DONTHULA | SILESH | | 95711 | \$150000.0000 | APPOINTED | YES | 06/25/23 | 841 |
| DUVALL | CHAREE | | 35007 | \$33019.0000 | RESIGNED | YES | 06/15/23 | 841 |
| ESTIOCO | JIM | O | 20210 | \$87339.0000 | RESIGNED | NO | 06/14/23 | 841 |
| ETIENNE | ROSA | N | 10251 | \$41218.0000 | RESIGNED | NO | 06/20/23 | 841 |
| FERDOUS | JANNATUL | | 10251 | \$23.9300 | APPOINTED | YES | 06/25/23 | 841 |
| FERNANDEZ | CINDY | | 31173 | \$63250.0000 | APPOINTED | YES | 06/20/23 | 841 |
| FLORES | GARY | J | 56058 | \$62215.0000 | APPOINTED | YES | 06/18/23 | 841 |
| FORBES | DWAINE | | 35007 | \$51891.0000 | APPOINTED | YES | 09/25/21 | 841 |
| FRAZIER | DARLENE | | 1002C | \$90656.0000 | RETIRED | NO | 07/01/23 | 841 |
| FULLER | RAY | J | 91352 | \$125369.0000 | INCREASE | NO | 05/28/23 | 841 |
| GATTI JR | RONALD | J | 91547 | \$61555.0000 | INCREASE | YES | 05/28/23 | 841 |
| GIARRATANO | LOUIS | | 92205 | \$380.9400 | RETIRED | NO | 07/01/23 | 841 |
| GONZALEZ | DINO | | 91215 | \$60.2700 | APPOINTED | YES | 06/20/23 | 841 |
| GONZALEZ | RAYMOND | | 31626 | \$72000.0000 | RETIRED | NO | 07/01/23 | 841 |
| GRIFFITH | OMARI | W | 10232 | \$17.3000 | APPOINTED | YES | 06/25/23 | 841 |
| HAIRSTON | EDWARD | F | 92406 | \$380.6400 | RETIRED | NO | 07/01/23 | 841 |
| HARPER | MARVIN | | 92472 | \$399.6800 | RETIRED | NO | 06/29/23 | 841 |
| IOANNIDIS | NANCY | | 1002D | \$135969.0000 | RETIRED | NO | 06/28/23 | 841 |
| JUMANA | RUMALSA | N | 56058 | \$55723.0000 | RESIGNED | YES | 06/18/23 | 841 |
| KAPAR | SURENDRA | | 20202 | \$59125.0000 | APPOINTED | YES | 06/25/23 | 841 |
| KIM | MINJUE | | 10209 | \$17.3000 | APPOINTED | YES | 06/20/23 | 841 |
| LANDSMAN | JONATHAN | L | 22122 | \$111584.0000 | APPOINTED | YES | 06/11/23 | 841 |
| LORENZO | BEATRIZ | | 56057 | \$51445.0000 | APPOINTED | YES | 06/25/23 | 841 |
| MANCINO | MARK | S | 90910 | \$51317.0000 | APPOINTED | YES | 06/25/23 | 841 |
| MANGLOS | EDWARD | | 22316 | \$114659.0000 | RETIRED | NO | 07/01/23 | 841 |
| MANNAN | MOHAMMAD | A | 12200 | \$36900.0000 | RESIGNED | NO | 06/11/23 | 841 |
| MARSHALL | DAMON | B | 90910 | \$59015.0000 | INCREASE | YES | 06/11/23 | 841 |
| MILLER | ROCK | | 1020B | \$23.3600 | APPOINTED | YES | 06/27/23 | 841 |
| MITCHELL | DONNA | J | 1002C | \$93466.0000 | RETIRED | NO | 07/01/23 | 841 |
| MUIR | KENO | N | 90692 | \$24.8400 | APPOINTED | YES | 06/20/23 | 841 |
| MUSTAFA | AYICH | M | 90910 | \$59015.0000 | INCREASE | YES | 06/25/23 | 841 |
| NOEL | LYONEL | M | 1001A | \$134373.0000 | RESIGNED | NO | 07/01/23 | 841 |
| ORTIZ | BRANDON | | 90692 | \$24.8400 | APPOINTED | YES | 06/20/23 | 841 |
| PARAJULI | BISHAL | | 20210 | \$71726.0000 | APPOINTED | NO | 06/11/23 | 841 |
| PILGRIM | ANDRE | S | 90910 | \$59015.0000 | INCREASE | YES | 06/11/23 | 841 |
| RAMPHAL | TREVOR | | 90910 | \$51317.0000 | APPOINTED | YES | 06/20/23 | 841 |
| RIDDICK | STEVEN | A | 91547 | \$61555.0000 | INCREASE | YES | 05/28/23 | 841 |
| RODRIGUEZ | CARLOS | R | 90692 | \$24.8400 | APPOINTED | YES | 06/20/23 | 841 |
| RUSSELL | DAVID | G | 92406 | \$380.6400 | RETIRED | NO | 07/01/23 | 841 |

DEPARTMENT OF TRANSPORTATION
FOR PERIOD ENDING 07/07/23

| NAME | TITLE | NUM | SALARY | ACTION | PROV | EFF DATE | AGENCY | |
|--------------|---------|-----|--------|--------------|-----------|----------|----------|-----|
| SINGH | RAJESH | | 12200 | \$36900.0000 | APPOINTED | NO | 06/25/23 | 841 |
| STORES | LARRY | | 92406 | \$380.6400 | RETIRED | YES | 07/01/23 | 841 |
| STORES | LARRY | | 90692 | \$52999.0000 | RETIRED | YES | 07/01/23 | 841 |
| UMANA | EVER | M | 21215 | \$96569.0000 | RESIGNED | NO | 06/25/23 | 841 |
| VANN | NATASHA | N | 90692 | \$24.8400 | RESIGNED | YES | 06/21/23 | 841 |
| VAZQUEZ | JESUS | M | 90692 | \$24.8400 | RESIGNED | YES | 06/22/23 | 841 |
| VINAS | ALBERT | | 10209 | \$17.3000 | APPOINTED | YES | 06/20/23 | 841 |
| WHITE | JADE | S | 56058 | \$55723.0000 | RESIGNED | YES | 06/11/23 | 841 |
| WOJCIK | SOPHIE | E | 10234 | \$17.3000 | APPOINTED | YES | 06/25/23 | 841 |
| YORKS | MICHAEL | | 91616 | \$67.0800 | APPOINTED | YES | 06/20/23 | 841 |
| ZATULOVSKAYA | LARISA | D | 1002C | \$40.5700 | RETIRED | NO | 07/01/23 | 841 |
| ZHU | SHIRLEY | | 10234 | \$17.3000 | APPOINTED | YES | 06/20/23 | 841 |

DEPT OF PARKS & RECREATION
FOR PERIOD ENDING 07/07/23

| NAME | TITLE | NUM | SALARY | ACTION | PROV | EFF DATE | AGENCY | |
|----------------|----------|-----|--------|--------------|-----------|----------|----------|-----|
| ABBAS | MENNA | | 71205 | \$21.2600 | APPOINTED | YES | 06/27/23 | 846 |
| ABRAMOV | ETHAN | | 71205 | \$21.2600 | APPOINTED | YES | 06/20/23 | 846 |
| ALEXANDER | SAMUEL | | 91406 | \$20.4500 | APPOINTED | YES | 06/15/23 | 846 |
| ALVAREZ OLMEDA | MARLENE | Y | 80633 | \$16.8800 | RESIGNED | YES | 06/23/23 | 846 |
| ALVEY | KATHLEEN | C | 56058 | \$78786.0000 | RESIGNED | YES | 06/18/23 | 846 |
| AMIN-NICHOLSON | MARIA | | 12627 | \$81203.0000 | RESIGNED | NO | 06/29/23 | 846 |
| ANDREJCZUK | PETER | | 71205 | \$21.2600 | APPOINTED | YES | 06/26/23 | 846 |

| | | | | | | | | |
|-------------|----------|---|-------|--------------|-----------|-----|----------|-----|
| ANISHCHANKA | DIANA | | 71205 | \$21.2600 | APPOINTED | YES | 06/21/23 | 846 |
| ANTHONY | LAWRENCE | | 90641 | \$57091.0000 | INCREASE | YES | 06/04/23 | 846 |
| ANTIGUA | MARLON | | 10124 | \$82000.0000 | INCREASE | NO | 06/25/23 | 846 |
| ANTOINE JR. | ALIX | | 60422 | \$59054.0000 | INCREASE | YES | 06/11/23 | 846 |
| ATHANASAKIS | EFTITHIA | M | 71205 | \$21.2600 | APPOINTED | YES | 06/23/23 | 846 |
| AVILES | HAILEY | E | 91406 | \$16.8800 | APPOINTED | YES | 06/27/23 | 846 |
| BABAEV | SAID | | 71205 | \$21.2600 | APPOINTED | YES | 06/22/23 | 846 |
| BAI | YANG | | 21310 | \$71726.0000 | RESIGNED | NO | 06/18/23 | 846 |
| BARNES | SHAGASIA | M | 90641 | \$20.8900 | APPOINTED | YES | 06/18/23 | 846 |
| BATISTA | JENNIFER | B | 90641 | \$20.8900 | APPOINTED | YES | 06/26/23 | 846 |
| BOLIVAR | GIOVANY | | 71205 | \$21.2600 | APPOINTED | YES | 06/11/23 | 846 |
| BOND | SEMIAJ | R | 90641 | \$20.8900 | APPOINTED | YES | 06/11/23 | 846 |
| BOVAN | MELINDA | H | 91406 | \$16.8800 | APPOINTED | YES | 06/25/23 | 846 |
| BOVIAN | MICHELLE | D | 90641 | \$20.8900 | APPOINTED | YES | 06/25/23 | 846 |
| BROWN | JEFFREY | | 81106 | \$57091.0000 | PROMOTED | NO | 06/11/23 | 846 |
| BRUNO | ESALE | | 90510 | \$46041.0000 | APPOINTED | YES | 06/25/23 | 846 |
| BUIE | TYRONE | L | 90641 | \$20.8900 | RESIGNED | YES | 06/18/23 | 846 |
| BURGESS | TATICHA | G | 80633 | \$16.8800 | RESIGNED | YES | 06/04/23 | 846 |
| BUTLER | JOSEPH | P | 71205 | \$21.2600 | APPOINTED | YES | 06/20/23 | 846 |
| CALCANO | GLORIA | M | 80633 | \$16.3900 | RESIGNED | YES | 01/27/23 | 846 |
| CARDENAS | ADRIAN | G | 90641 | \$20.8900 | APPOINTED | YES | 06/19/23 | 846 |
| CARRILLO | KAYLA | | 91406 | \$16.8800 | APPOINTED | YES | 06/27/23 | 846 |

DEPT OF PARKS & RECREATION
FOR PERIOD ENDING 07/07/23

| NAME | TITLE | NUM | SALARY | ACTION | PROV | EFF DATE | AGENCY | |
|--------------|----------|-----|--------|---------------|-----------|----------|----------|-----|
| CARROLL | CHRISTIN | V | 91406 | \$16.8800 | APPOINTED | YES | 06/15/23 | 846 |
| CELESTIN | LUCE | | 91406 | \$16.8800 | APPOINTED | YES | 06/15/23 | 846 |
| CHANDRAKUMAR | ANIL | | 81310 | \$70128.0000 | INCREASE | NO | 06/25/23 | 846 |
| CHARLES | ERIC | | 91406 | \$16.8800 | APPOINTED | YES | 06/19/23 | 846 |
| CHEA | RONALD | | 81310 | \$70128.0000 | INCREASE | NO | 06/25/23 | 846 |
| CHIMILIO | VICTOR | | 80633 | \$16.3900 | RESIGNED | YES | 11/16/22 | 846 |
| CHOUDHURY | ABYAN | H | 90641 | \$20.8900 | APPOINTED | YES | 06/19/23 | 846 |
| CHRISTIE | JAYVON | B | 90641 | \$20.8900 | APPOINTED | YES | 06/23/23 | 846 |
| COLE | MICHAEL | R | 90641 | \$20.8900 | APPOINTED | YES | 06/18/23 | 846 |
| COLEMAN | MICHAEL | A | 91406 | \$17.7800 | INCREASE | YES | 06/12/23 | 846 |
| COLLIER | TAIVON | | 91406 | \$17.7800 | APPOINTED | YES | 06/12/23 | 846 |
| COLTER | SCHANDEL | | 90641 | \$43626.0000 | RESIGNED | YES | 06/18/23 | 846 |
| COOPER | NYRON | N | 91406 | \$17.7800 | APPOINTED | YES | 06/15/23 | 846 |
| CORREA | OLIVIA | | 71205 | \$21.2600 | APPOINTED | YES | 06/23/23 | 846 |
| CORTEZ | MARIA | I | 90641 | \$20.8900 | APPOINTED | YES | 06/16/23 | 846 |
| CRUGNALE | JAMES | D | 56057 | \$26.3700 | APPOINTED | YES | 06/29/23 | 846 |
| CURRAN | JOSEPH | | 71210 | \$34.6100 | APPOINTED | YES | 05/26/23 | 846 |
| DEANGELIS | MELVINA | C | 56057 | \$26.3700 | APPOINTED | YES | 06/05/23 | 846 |
| DELBAGO | STEVEN | G | 91406 | \$17.7800 | APPOINTED | YES | 06/19/23 | 846 |
| DELOATCH | MARCUS | | 80633 | \$16.8800 | RESIGNED | YES | 06/17/23 | 846 |
| DELOSSANTOS | MARIANO | E | 60422 | \$59190.0000 | DECREASE | NO | 06/24/23 | 846 |
| DEMARIA | JOSEPH | | 91915 | \$398.0200 | INCREASE | YES | 06/18/23 | 846 |
| DIAZ | LOUIS | G | 91406 | \$16.8800 | APPOINTED | YES | 06/12/23 | 846 |
| DICKERSON | MARETT | | 81106 | \$23.7800 | APPOINTED | YES | 05/30/23 | 846 |
| DONNELLY | NORA | K | 13652 | \$135560.0000 | RESIGNED | NO | 02/12/23 | 846 |
| DONOHUE | FRANCIS | J | 71205 | \$20.6400 | RESIGNED | YES | 05/21/23 | 846 |
| DUTAN | LEONARD | I | 60421 | \$50635.0000 | RESIGNED | YES | 06/18/23 | 846 |
| ENDALL | LAUREN | M | 71205 | \$21.2600 | APPOINTED | YES | 06/27/23 | 846 |
| EVANS | DERICK | T | 80633 | \$16.8800 | RESIGNED | YES | 06/15/23 | 846 |
| EVANS | IAN | | 60421 | \$24.2505 | RESIGNED | YES | 06/29/23 | 846 |
| EXUM | DEREK | L | 91406 | \$19.4100 | APPOINTED | YES | 06/11/23 | 846 |
| FIELDS | DANAYA | T | 91406 | \$16.8800 | APPOINTED | YES | 06/05/23 | 846 |
| FIGARO | MICHELLE | | 90641 | \$5 | | | | |

| | | | | | | | | |
|-------------|----------|---|-------|---------------|-----------|-----|----------|-----|
| JOHNSON | SAMARA | R | 90641 | \$20,890.00 | APPOINTED | YES | 06/11/23 | 846 |
| KAUR | RAVNEET | | 81361 | \$76157.0000 | RESIGNED | NO | 06/17/23 | 846 |
| KEANE | LILLY | | 71205 | \$21,260.00 | APPOINTED | YES | 06/29/23 | 846 |
| KELLEHER | JOHN | P | 95710 | \$100000.0000 | APPOINTED | YES | 06/25/23 | 846 |
| KELLY | DAVID | M | 71205 | \$21,260.00 | APPOINTED | YES | 06/22/23 | 846 |
| KIRBY | SHATANA | C | 90641 | \$20,890.00 | RESIGNED | YES | 06/22/23 | 846 |
| KNOWLES | INDIANA | N | 80633 | \$16,880.00 | RESIGNED | YES | 06/13/23 | 846 |
| KOZOUB | DARINA | D | 56057 | \$48170.0000 | APPOINTED | YES | 06/11/23 | 846 |
| KULIG | JESSICA | M | 90641 | \$57091.0000 | INCREASE | YES | 06/04/23 | 846 |
| LAATIKAINEN | KAI | | 71205 | \$21,260.00 | APPOINTED | YES | 06/29/23 | 846 |
| LALOR | MEGHAN | H | 10033 | \$160000.0000 | INCREASE | NO | 06/04/23 | 846 |
| LEE | JOY | K | 56058 | \$37,210.00 | RESIGNED | YES | 06/18/23 | 846 |
| LEONARD | ROBERT | F | 71205 | \$21,260.00 | APPOINTED | YES | 06/22/23 | 846 |
| LESANE | MARQUIS | N | 90641 | \$20,890.00 | APPOINTED | YES | 06/25/23 | 846 |
| LEVIN | GABRIEL | J | 71205 | \$21,260.00 | APPOINTED | YES | 06/23/23 | 846 |
| LI | ERIC | | 71205 | \$21,260.00 | APPOINTED | YES | 06/23/23 | 846 |
| LIANG | SUN | | 71205 | \$21,260.00 | APPOINTED | YES | 06/22/23 | 846 |
| LIBASSI | CARLI | | 71205 | \$21,260.00 | APPOINTED | YES | 06/09/23 | 846 |
| LOMBARDO | PETER | | 91644 | \$508,800.00 | APPOINTED | NO | 06/18/23 | 846 |
| LOVE | MICHAEL | R | 92510 | \$309,200.00 | RESIGNED | NO | 06/25/23 | 846 |
| MAITRE | JACQUES | C | 90641 | \$20,890.00 | APPOINTED | YES | 06/22/23 | 846 |
| MANDEL | PETER | | 81106 | \$23,780.00 | APPOINTED | YES | 06/12/23 | 846 |
| MARTINEZ | ANDY | P | 80633 | \$16,880.00 | RESIGNED | YES | 06/02/23 | 846 |
| MARTINEZ | SILVIA | | 71205 | \$21,260.00 | APPOINTED | YES | 06/20/23 | 846 |
| MASSATO | DANTE | R | 71205 | \$21,260.00 | APPOINTED | YES | 06/22/23 | 846 |
| MASSEY | KIM | L | 91406 | \$17,780.00 | INCREASE | YES | 06/12/23 | 846 |
| MATTHEWS | SARA | | 56058 | \$67983.0000 | APPOINTED | YES | 06/25/23 | 846 |
| MATTHEWS JR | COLLINS | J | 90641 | \$20,890.00 | APPOINTED | YES | 06/11/23 | 846 |
| MAXWELL | QUANASIA | | 90641 | \$20,890.00 | APPOINTED | YES | 06/11/23 | 846 |
| MC LEAN | JASON | | 80633 | \$16,880.00 | DECEASED | YES | 06/11/23 | 846 |
| MC LOUGHLIN | JOHN | G | 91972 | \$416,780.00 | RETIRED | NO | 07/01/23 | 846 |
| MCCULLON | RIFQAT | R | 80633 | \$16,880.00 | RESIGNED | YES | 06/23/23 | 846 |
| MCGILL | KORON | D | 91406 | \$16,880.00 | APPOINTED | YES | 06/12/23 | 846 |
| MCINTOSH | RICHARD | T | 10124 | \$54531.0000 | APPOINTED | YES | 06/04/23 | 846 |
| MCMORROW | THOMAS | | 71205 | \$21,260.00 | APPOINTED | YES | 06/23/23 | 846 |

DEPT OF PARKS & RECREATION
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| TITLE | | | | | | | | |
|-----------------|-----------|--------|--------|---------------|-----------|--------|----------|-----|
| NAME | NUM | SALARY | ACTION | PROV | EFF DATE | AGENCY | | |
| MCNIFF | THOMAS | J | 34202 | \$110000.0000 | APPOINTED | NO | 05/28/23 | 846 |
| MENDOZA JR | DANIEL | | 91406 | \$20,450.00 | INCREASE | YES | 06/04/23 | 846 |
| MITCHELL | GILBERT | M | 80633 | \$16,880.00 | RESIGNED | YES | 06/13/23 | 846 |
| MOHAMED | SAYED | M | 90641 | \$20,890.00 | APPOINTED | YES | 06/11/23 | 846 |
| MORRISON | KANDREW | | 71205 | \$21,260.00 | APPOINTED | YES | 06/23/23 | 846 |
| MORSBY | JOSEPHIN | | 91406 | \$17,780.00 | APPOINTED | YES | 06/19/23 | 846 |
| NELSON | GREGORY | S | 90641 | \$20,890.00 | APPOINTED | YES | 06/25/23 | 846 |
| NIEVES | ANA | M | 91406 | \$16,390.00 | RESIGNED | YES | 08/31/22 | 846 |
| O'NEAL | GUSTAN | T | 1002F | \$73479.0000 | RETIRED | NO | 06/14/23 | 846 |
| ORTIZ | ANGELLYNN | | 80633 | \$16,880.00 | RESIGNED | YES | 06/08/23 | 846 |
| ORTIZ | JAMIN | | 91406 | \$17,780.00 | APPOINTED | YES | 06/12/23 | 846 |
| ORTIZ | SUNJARES | Y | 90641 | \$43626.0000 | RESIGNED | YES | 06/18/23 | 846 |
| ORTIZ | SUIMARA | | 91406 | \$16,880.00 | APPOINTED | YES | 05/28/23 | 846 |
| ORTIZ CANDO | KATHERIN | E | 71205 | \$21,260.00 | APPOINTED | YES | 06/22/23 | 846 |
| OSEMWENGIE | MICHAEL | E | 90641 | \$20,890.00 | APPOINTED | YES | 06/26/23 | 846 |
| PARENTI | TYLER | H | 56058 | \$67983.0000 | APPOINTED | YES | 06/20/23 | 846 |
| PARKER-CLEMENT | HEAVEN | A | 91406 | \$17,780.00 | APPOINTED | YES | 06/11/23 | 846 |
| PARRILLA | LREJAY | | 10124 | \$81000.0000 | INCREASE | NO | 06/25/23 | 846 |
| PASAY | ERIC | S | 21744 | \$94882.0000 | RESIGNED | YES | 06/20/23 | 846 |
| PAULINO | NANCY | | 90641 | \$20,280.00 | APPOINTED | YES | 05/08/23 | 846 |
| PEAN | STEVE | F | 81106 | \$23,780.00 | APPOINTED | YES | 06/18/23 | 846 |
| PEARSON | XZAVIER | J | 90641 | \$20,890.00 | APPOINTED | YES | 06/27/23 | 846 |
| PEREZ | MILTON | L | 90641 | \$20,890.00 | APPOINTED | YES | 06/11/23 | 846 |
| PERKINS | MICHAEL | | 81106 | \$57558.0000 | RETIRED | NO | 06/28/23 | 846 |
| PERT | MICHAEL | J | 56058 | \$73000.0000 | INCREASE | YES | 06/25/23 | 846 |
| PHILLIPS | DEVANTE | R | 90641 | \$20,890.00 | APPOINTED | YES | 06/11/23 | 846 |
| PINKARD | MELISSA | M | 90641 | \$20,890.00 | APPOINTED | YES | 06/18/23 | 846 |
| PLANAS | ISAIAH | D | 71205 | \$21,260.00 | APPOINTED | YES | 06/21/23 | 846 |
| POLITO | JUSTIN | J | 71205 | \$21,260.00 | APPOINTED | YES | 06/28/23 | 846 |
| PONTONE | STEPHEN | | 81106 | \$23,780.00 | APPOINTED | YES | 06/18/23 | 846 |
| PORTEGIES-ZWART | MICHAEL | O | 22122 | \$81544.0000 | TRANSFER | NO | 06/25/23 | 846 |
| QUINTERO | GUILLELM | | 91406 | \$17,780.00 | APPOINTED | YES | 06/19/23 | 846 |
| RADCHENKO | SERHII | | 71205 | \$21,260.00 | APPOINTED | YES | 06/29/23 | 846 |
| RAMADHAR | REYNOLD | | 90641 | \$20,890.00 | APPOINTED | YES | 06/18/23 | 846 |
| RAMOS | HILARIO | M | 56058 | \$86856.0000 | RETIRED | YES | 06/28/23 | 846 |
| RAMOS | HILARIO | M | 1002F | \$69826.0000 | RETIRED | NO | 06/28/23 | 846 |
| RAMOS | RICHARD | | 81106 | \$57327.0000 | RETIRED | NO | 06/18/23 | 846 |
| RAMPERSAUD | SHARMILA | | 30087 | \$124000.0000 | INCREASE | NO | 06/25/23 | 846 |
| RAMSEUR | DAMEN | D | 10124 | \$84000.0000 | INCREASE | NO | 06/25/23 | 846 |
| RELLA | FREDERIC | F | 71205 | \$21,260.00 | APPOINTED | YES | 06/22/23 | 846 |
| RESK | GIANNI | M | 90641 | \$20,890.00 | APPOINTED | YES | 06/18/23 | 846 |
| REYES | DORIS | M | 90641 | \$20,890.00 | APPOINTED | YES | 06/11/23 | 846 |
| REYES | EQWAN | V | 90641 | \$20,890.00 | APPOINTED | YES | 06/18/23 | 846 |
| RHETT | CHRISTIN | N | 80633 | \$16,390.00 | RESIGNED | YES | 12/23/22 | 846 |
| RICHARDSON | CALVIN | F | 90641 | \$20,890.00 | APPOINTED | YES | 06/25/23 | 846 |
| RIVERA | WANDA | I | 80633 | \$16,880.00 | RESIGNED | YES | 06/11/23 | 846 |
| RIVERS | KENYA | | 90641 | \$20,890.00 | RESIGNED | YES | 06/13/23 | 846 |
| ROBINSON | RAY | C | 91406 | \$16,880.00 | APPOINTED | YES | 06/22/23 | 846 |
| RODRIGUEZ | DEVIN | | 90510 | \$46041.0000 | APPOINTED | YES | 06/04/23 | 846 |
| RODRIGUEZ | RAYMOND | | 92005 | \$53,580.00 | APPOINTED | YES | 06/20/23 | 846 |
| ROMAN | ALFRED | S | 20210 | \$65640.0000 | APPOINTED | YES | 05/08/22 | 846 |

DEPT OF PARKS & RECREATION
FOR PERIOD ENDING 07/07/23

| TITLE | | | | | | | | |
|--------|----------|--------|--------|-------------|-----------|--------|----------|-----|
| NAME | NUM | SALARY | ACTION | PROV | EFF DATE | AGENCY | | |
| ROMAN | JACKMARY | | 91406 | \$16,880.00 | APPOINTED | YES | 06/12/23 | 846 |
| ROSADO | ANTONIO | J | 80633 | \$16,880.00 | RESIGNED | YES | 06/23/23 | 846 |
| ROSADO | JUAN | A | 91406 | \$16,880.00 | APPOINTED | YES | 06/25/23 | 846 |

| | | | | | | | | |
|----------------|-----------|---|-------|--------------|-----------|-----|----------|-----|
| ROSE | JERMAINE | C | 80633 | \$16,880.00 | RESIGNED | YES | 06/12/23 | 846 |
| RUGGIERO | ANTHONY | M | 56058 | \$67983.0000 | INCREASE | YES | 06/25/23 | 846 |
| RYER | LATISHA | | 90641 | \$20,890.00 | APPOINTED | YES | 06/19/23 | 846 |
| SAHAROV | MICHAEL | | 71205 | \$21,260.00 | APPOINTED | YES | 06/20/23 | 846 |
| SANCHEZ | AMYA | | 71205 | \$21,260.00 | APPOINTED | YES | 06/26/23 | 846 |
| SANCHEZ ALMEDA | RD | M | 06664 | \$19,360.00 | RESIGNED | YES | 06/23/23 | 846 |
| SANDIFORD | CHERYL-A | M | 90641 | \$57091.0000 | INCREASE | YES | 06/04/23 | 846 |
| SANKIDIZE | JED | L | 71205 | \$21,260.00 | APPOINTED | YES | 06/23/23 | 846 |
| SANTANA | ALEJANDR | E | 71205 | \$21,260.00 | APPOINTED | YES | 06/23/23 | 846 |
| SANTIAGO | HILDA | L | 91406 | \$16,880.00 | APPOINTED | YES | 06/19/23 | 846 |
| SEABROOK | TYESHA | | 80633 | \$16,880.00 | RESIGNED | YES | 06/17/23 | 846 |
| SEABROOKS | CHONDRA | | 90641 | \$20,890.00 | APPOINTED | YES | 06/18/23 | 846 |
| SEPAIN | GEORGE | M | 34202 | \$82667.0000 | RESIGNED | YES | 03/05/23 | 846 |
| SHERIDAN | EVAN | | 71205 | \$21,260.00 | APPOINTED | YES | 06/20/23 | 846 |
| SIMMONS | EBONY | | 91406 | \$16,880.00 | APPOINTED | YES | 06/15/23 | 846 |
| SMITH | DEVON | F | 92306 | \$344,480.00 | DECREASE | YES | 05/01/22 | 846 |
| ST. JOHN | BARBARA | E | 56058 | \$71797.0000 | RESIGNED | YES | 06/25/23 | 846 |
| SULLIVAN | KEIRA | | 71205 | \$21,260.00 | APPOINTED | YES | 06/21/23 | 846 |
| SULLIVAN | LAUREN | | 71205 | \$21,260.00 | APPOINTED | YES | 06/21/23 | 846 |
| SUNTHARALINGAM | MAJJOORAN | | 22427 | \$81000.0000 | APPOINTED | YES | 01/22/23 | 846 |
| THOMAS | BARBARA | | 90641 | \$20,890.00 | APPOINTED | YES | 06/12/23 | 846 |
| THOMAS | KEVIN | | 90641 | \$20,890.00 | APPOINTED | YES | 06/11/23 | 846 |
| THOMPSON | ROGER | L | 91406 | \$17,780.00 | INCREASE | YES | 06/11/23 | 846 |
| TODD | CADEN | J | 71205 | \$21,260.00 | APPOINTED | YES | 06/20/23 | 846 |
| TOLBERT | NYLAN | C | 80633 | \$16,880.00 | RESIGNED | YES | 06/25/23 | 846 |
| TORRES | CASSIDY | | 71205 | \$21,260.00 | APPOINTED | YES | 06/28/23 | 846 |
| TREES | BARBARA | | 81310 | \$75500.0000 | RETIRED | NO | 07/01/23 | 846 |
| TUOHEY | DYLAN | | 71205 | \$21,260.00 | APPOINTED | YES | 06/28/23 | 846 |
| VALERIO | ANDREW | | 71205 | \$21,260.00 | APPOINTED | YES | 06/22/23 | 846 |
| VELANDIA | LEONARDO | | 56058 | \$83000.0000 | APPOINTED | YES | 06/20/23 | 846 |
| VIOLA | EMMA | | 56057 | \$26,370.00 | APPOINTED | YES | 06/05/23 | 846 |
| WALSH | RYAN | M | 91644 | \$508,800.00 | INCREASE | NO | 06/18/23 | 846 |
| WALTON | BRIDGET | Y | 91406 | \$17,780.00 | APPOINTED | YES | 06/12/23 | 846 |
| WARING | ANN | A | 91406 | \$16,880.00 | APPOINTED | YES | 06/12/23 | 846 |
| WILSON | TJUANA | N | 90641 | \$20,280.00 | RESIGNED | YES | 05/10/23 | 846 |
| WILSON | ZAIYEA | D | 91406 | \$16,880.00 | APPOINTED | YES | 06/25/23 | 846 |
| WINSTEAD | ROBERT | D | 34202 | \$86676.0000 | RETIRED | NO | 06/27/23 | 846 |
| XIE | JEREMY | D | 71205 | \$21,260.00 | APPOINTED | YES | 06/20/23 | 846 |
| ZABALA | JUAN | | 90641 | \$20,890.00 | APPOINTED | YES | 06/16/23 | 846 |

DEPT. OF DESIGN & CONSTRUCTION
FOR PERIOD ENDING 07/07/23

| TITLE | | | | | | | | |
|-----------|----------|--------|--------|---------------|-----------|--------|----------|-----|
| NAME | NUM | SALARY | ACTION | PROV | EFF DATE | AGENCY | | |
| AHAMED | TANVEER | | 22425 | \$61043.0000 | RESIGNED | YES | 06/23/23 | 850 |
| BROWN | MAURICE | C | 1005D | \$112112.0000 | RESIGNED | YES | 06/18/23 | 850 |
| BUZANSKI | KAMIL | S | 20215 | \$101230.0000 | APPOINTED | YES | 06/18/23 | 850 |
| CAMPBELL | DYLAN | P | 31313 | \$75814.0000 | APPOINTED | YES | 06/20/23 | 850 |
| CHOWDHURY | MOSAMMET | | 22425 | \$64760.0000 | APPOINTED | YES | 06/20/23 | 850 |
| DOLOR | SHARON | B | 10124 | \$77141.0000 | INCREASE | NO | 02/26/23 | 850 |
| GRAY | MIKESHA | A | 56058 | \$66000.0000 | APPOINTED | YES | 06/25/23 | 850 |
| HENRY | CURT | D | 31121 | \$75565.0000 | APPOINTED | YES | 06/25/23 | 850 |
| KIM | LYU | K | 56058 | \$70000.0000 | APPOINTED | YES | 06/20/23 | 850 |
| LAZAR | CLARE | B | 30086 | \$73579.0000 | APPOINTED | YES | 06/20/23 | 850 |
| LEUNG | CANDICE | P | 20210 | \$69637.0000 | RESIGNED | NO</ | | |