



THE CITY RECORD

Official Journal of The City of New York

THE CITY RECORD
U.S.P.S. 0114-660

Printed on paper containing
40% post-consumer material

VOLUME CXXXVI NUMBER 76

TUESDAY, APRIL 21, 2009

PRICE \$4.00

TABLE OF CONTENTS

PUBLIC HEARINGS & MEETINGS

City Council	1485
City Planning Commission	1485
Employees' Retirement System	1490
Equal Employment Practices Commission	1490
Landmarks Preservation Commission	1490
Board of Standards and Appeals	1491
Transportation	1491

COURT NOTICES

Supreme Court	1492
Queens County	1492
See Court Notice Maps	1504-1507

PROPERTY DISPOSITION

Citywide Administrative Services	1493
Division of Municipal Supply Services	1493
Sale By Sealed Bid	1493
Police	1493
Auction	1493

PROCUREMENT

Administration for Children's Services	1493
Aging	1493
Citywide Administrative Services	1493
Division of Municipal Supply Services	1493
Vendor Lists	1494
Economic Development Corporation	1494
Education	1494
Division of Contracts and Purchasing	1494
Environmental Protection	1494
Bureau of Water Supply	1494
Health and Hospitals Corporation	1494

Health and Mental Hygiene	1494
Agency Chief Contracting Officer	1494
Homeless Services	1494
Office of Contracts and Procurement	1494
Housing Authority	1494
Purchasing Division	1495
Office of Management and Budget	1495
Vendor Lists	1495
Parks and Recreation	1495
Revenue and Concessions	1495
School Construction Authority	1495
Contract Administration	1495
Transportation	1495
Division of Franchises, Concessions and Consents	1495
Division of Traffic	1496

AGENCY PUBLIC HEARINGS

Chief Medical Examiner	1496
Health and Mental Hygiene	1496

AGENCY RULES

Campaign Finance Board	1496
Citywide Administrative Services	1497

SPECIAL MATERIALS

City Planning	1497
Comptroller	1497
Labor Relations	1497
Police	1503
Transportation	1503
Changes in Personnel	1504

LATE NOTICES

City Council	1504
City University	1504

READERS GUIDE

THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

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

Published Monday through Friday, except legal holidays by the Department of Citywide Administrative Services of the City of New York under Authority of Section 1066 of the New York City Charter.

Subscription—\$500 a year; daily, \$4.00 a copy (\$5.00 by mail) Periodicals Postage Paid at New York, N.Y.
POSTMASTER: Send address changes to THE CITY RECORD, 1 Centre Street, Room 2208, New York, N.Y. 10007 - 1602

Editorial Office
1 Centre Street, Room 2208
New York N.Y. 10007-1602
Telephone (212) 669-8252

Subscription Changes/Information
1 Centre Street, Room 2208
New York N.Y. 10007-1602
Telephone (212) 669-8252

The City of New York Home Page
provides Internet access via the WORLD
WIDE WEB to solicitations and awards
<http://www.nyc.gov/cityrecord>

PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

CITY COUNCIL

HEARINGS

HEARING BY THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS

THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS WILL HOLD A HEARING ON WEDNESDAY, APRIL 22 AT 10:00 A.M. IN THE COUNCIL CHAMBERS, CITY HALL, NEW YORK, NEW YORK 10007 ON THE FOLLOWING MATTERS:

Advice and Consent

● **Pre-considered M**, Communication from the Mayor submitting the name of Margery H. Perlmutter for re-appointment as a member of the New York City Landmarks Preservation Commission ("LPC") pursuant to §§ 31 and 3020 of the *New York City Charter*. Should Ms. Perlmutter receive the advice and consent of the Council, she will serve the remainder of a three-year term that expires on June 28, 2011.

● **M-1353**, Communication from the Mayor submitting the name of Ms. Betty Y. Chen for re-appointment as a member of the New York City Planning Commission pursuant to §§ 31 and 192 of the *New York City Charter*. Should Ms. Chen receive the advice and consent of the Council, she will be eligible to serve the remainder of a five-year term that expires on June 30, 2013.

● **M-1354**, Communication from the Mayor submitting the name of Nancy G. Chaffetz for appointment as a member of the New York City Civil Service Commission pursuant to §§ 31 and 813 of the *New York City Charter*. Should Ms. Chaffetz receive the advice and consent of the Council, she will be eligible to serve the remainder of a six-year term that expires on March 21, 2011.

● **M-1355**, Communication from the Mayor submitting the name of Stephen Byrns for re-appointment as a member of the New York City Landmarks Preservation Commission ("LPC") pursuant to §§ 31 and 3020 of the *New York City Charter*. Should Mr. Byrns receive the advice and consent of the Council, he will serve the remainder of a three-year term that expires on June 28, 2011.

Appointment

● **Pre-considered M**, Robert L. Cohen, M.D., candidate for appointment by the Council to the New York City Board of Correction pursuant to § 626 of the *New York City Charter*. If Dr. Cohen is appointed, he will be eligible to serve for the remainder of a six-year term expiring on October 12, 2011.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

A calendar of speakers will be established in advance. Persons interested in being heard should write to the Honorable Christine C. Quinn, Speaker of the City Council, City Hall, New York, New York 10007, setting forth their name, representation and viewpoints.

Michael M. McSweeney
City Clerk, Clerk of the Council

a15-22

CITY PLANNING COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, April 22, 2009, commencing at 10:00 A.M.

BOROUGH OF MANHATTAN

No. 1

TIMES SQUARE BID

CDs 4 & 5 N 090346 BDM
IN THE MATTER OF an application submitted by the Department of Small Business Services on behalf of the Times Square Business Improvement District pursuant to Section 25-405 of the Administrative Code of the City of New York, as amended, concerning the amendment of the Times Square Business Improvement District.

No. 2 BATTERY PARK CITY SITE 3

CD 1 N 090306 ZRM
IN THE MATTER OF an application submitted by the Battery Park City Authority pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article VII, Chapter 4 (Special Battery Park City District) relating to paragraph (e) of Section 84-144 (Location of Curb Cuts) on the east side of Battery Place between Second Place and Third Place.

Matter Underlined is new, to be added;
Matter in ~~Strikeout~~ is old, to be deleted;
Matter within # # is defined in Section 12-10;

84-144
Location of curb cuts

Curb cuts are permitted only in the areas or locations indicated in Appendices 2.6 and 3.5. The aggregate width of all curb cuts provided for any #development# shall not exceed 20 feet, except that:

- (a) for the #zoning lot# bounded to the north by a mapped public place, to the west by North Park, to the south by Chambers Street, and to the east by Marginal Street, the aggregate width of all curb cuts shall not exceed 40 feet;
- (b) for the #zoning lot# bounded by Warren Street to

the north, River Terrace to the west, North End Avenue to the east and Park Place West to the south, the aggregate width of all curb cuts shall not exceed 30 feet, comprised of two 15 foot curb cuts;

- (c) for the #zoning lot# bounded by Murray Street to the north, River Terrace to the west, North End Avenue to the east and Vesey Place to the south, the aggregate width of all curb cuts shall not exceed 40 feet, including a 25 foot wide curb cut to the #accessory# off-street parking facility;
- (d) for the #zoning lot# south of First Place and east of Battery Place, the aggregate width of all curb cuts shall not exceed 50 feet;
- (e) for each #zoning lot# located on the east side of Battery Place:
 - (1) between First Place and ~~Third~~ Second Place, the aggregate width of all curb cuts shall not exceed 40 feet;
 - (2) between Second Place and Third Place, the aggregate width of all curb cuts shall not exceed 50 feet; and
- (f) for the #zoning lot# south of First Place and west of Battery Place, the aggregate width of all curb cuts shall not exceed 24 feet.

BOROUGH OF QUEENS

No. 3

CORD MEYER-FOREST HILLS REZONING

CD 6 C 090283 ZMQ
IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City charter for an amendment of the Zoning Map, Section No.14a; by changing from an R1-2 District to an R1-2A* District property bounded by a line midway between 66th Avenue and 66th Road, 110th Street, 67th Road, 112th Street, the easterly centerline prolongation line of 67th Drive, the southwesterly service road of the Grand Central Parkway, the easterly centerline prolongation of 72nd Avenue, 72nd Avenue, a line 425 feet northeasterly of 112th Street, a line midway between 72nd Avenue and 72nd Road, 112th Street, 71st Avenue, 110th Street, 70th Road, and 108th Street, as shown on a diagram (for illustrative purposes only) dated March 2, 2009.

* Note: An R1-2A District is proposed to be created under a related application N 090282 ZRY for an amendment of the Zoning Resolution.

No. 4

SPECIAL LONG ISLAND CITY DISTRICT TEXT AMENDMENT

CD 2 N 090304 ZRQ
IN THE MATTER OF an application submitted by the New York City Department of City Planning pursuant to Section 200 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Article XI, Chapter 7 to modify certain provisions concerning the Queens Plaza, Court Square, and Hunters Point subdistricts of the Special Long Island City Mixed Use District.

Matter Underlined is new, to be added;
Matter in ~~Strikeout~~ is old, to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicate where unchanged text appears in the Zoning Resolution

Article III - Commercial District Regulations

Chapter 7 Special Urban Design Regulations

37-40 OFF-STREET RELOCATION OR RENOVATION OF A SUBWAY STAIR

Where a #development# or #enlargement# is constructed on a #zoning lot# of 5,000 square feet or more of #lot area# that

fronts on a portion of a sidewalk containing a stairway entrance or entrances into a subway station located within the #Special Midtown District# as listed in Section 81-46, the #Special Lower Manhattan District# as listed in Section 91-43, the #Special Downtown Brooklyn District# as listed in Section 101-43, the #Special Long Island City Mixed Use District# as described in Section 117-44, the #Special Union Square District# as listed in Section 118-60 and those stations listed in the following table, the existing entrance or entrances shall be relocated from the #street# onto the #zoning lot#. The new entrance or entrances* shall be provided in accordance with the provisions of this Section.

Article XI - Special Purpose Districts

Chapter 7 Special Long Island City Mixed Use District

117-10 HUNTERS POINT SUBDISTRICT

117-23 Street Wall Location in Certain Designated Districts

R6B M1-4/R6A M1-4/R6B M1-4/R7A M1-4/R7X M1-5/R8A In the districts indicated, the #street wall# of any #development# or #enlargement# containing #residences# shall be located no closer to nor further from the #street line# than the #street wall# of an adjacent existing #building#.

117-40 COURT SQUARE SUBDISTRICT

117-401 General provisions

The regulations governing #developments#, #enlargements#, #extensions# or changes of #use# within the Court Square Subdistrict of the #Special Long Island City Mixed Use District# are contained within Sections 117-40 through 117-45, inclusive. These regulations supplement the provisions of Sections 117-01 through 117-03, inclusive, of the #Special Long Island City Mixed Use District# and supersede the underlying districts.

Mandatory pedestrian circulation and subway improvements are those elements of the Subdistrict Plan which shall be built by the developer of the #zoning lot# to which they apply.

For the purposes of the mandatory pedestrian circulation and subway improvements in the Subdistrict, the #floor area# of the #development# or #enlargement# shall be the total amount of #floor area# resulting from #developments# or #enlargements# after August 14, 1986.

For the purposes of the mandatory pedestrian circulation and subway improvements in the Subdistrict, any tract of land consisting of two or more contiguous lots of record under single ownership or control as of March 1, 1986, shall be considered a single #zoning lot#.

117-41 Court Square Subdistrict Plan

The Subdistrict Plan for the Court Square Subdistrict specifies the location of Blocks 1, 2 and 3 and identifies the improvements to be provided in the District under the provisions of this Chapter. The elements of the Subdistrict Plan are set forth in Appendix B of this Chapter, which consists of the Subdistrict Plan Map and the Description of Improvements, and is incorporated into the provisions of this Chapter.

117-42 Special Bulk and Use Regulations in the Court Square Subdistrict

#Developments# or #enlargements# containing at least 70,000 square feet of #floor area# on #zoning lots# of at least 10,000 square feet are subject to the provisions of the underlying C5-3 District, as modified by Sections 117-40 through 117-45, inclusive.

Other #developments# or #enlargements# are subject to the #use# provisions of the underlying C5-3 District and the #bulk# provisions of an M1-4/R6B designated district pursuant to the regulations of Article XII, Chapter 3 (Special Mixed Use District), as modified by Sections 117-00 through 117-22, inclusive.

117-421 Special bulk regulations

- (a) #Developments# or #enlargements# that meet the minimum #floor area# and #zoning lot# standards of Section 117-44 and provide mandatory subway improvements as required by Section 117-44, may #develop# to a #floor area ratio# of 15.0. #Developments# or #enlargements# that do not meet the minimum standards of Section 117-44 shall not exceed the maximum #floor area ratio# of the designated district for the applicable #use#.

- (b) The following provisions shall not apply within the Court Square Subdistrict:

Section 33-13 (Floor Area Bonus for a Public Plaza) Section 33-14 (Floor Area Bonus for Arcades)

Section 33-26 (Minimum Required Rear Yards) Section 34-223 (Floor area bonus for a public plaza) Section 34-224 (Floor area bonus for an arcade) Section 34-23 (Modification of Yard Regulations).

- (c) The height and setback regulations of the underlying C5-3 District shall apply, except that:

- (1) No #building or other structure# shall exceed a height of 85 feet above the #base plane# within the area bounded by 23rd Street, 44th Road, a line 60 feet east of and parallel to 23rd Street, and a line 75 feet north of and parallel to 45th Road, and

- (2) On Blocks 1 and 3, the #street wall# of a #building# or other structure# shall be located on the #street line# or sidewalk widening line, where applicable, and extend along the entire #street# frontage of the #zoning lot# up to at least a height of 60 feet and a maximum height of 85 feet before setback. Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. Above the level of the second #story#, up to 30 percent of the #aggregate width of #street walls# may be located beyond the #street line#, provided no such recesses are within 15 feet of an adjacent #building#.

Above a height of 85 feet, the underlying height and setback regulations shall apply. However, the underlying tower regulations shall be modified to permit portions of #buildings# that exceed a height of 85 feet to be set back at least five feet from a #wide street line#, provided no portion of such #building# that exceeds a height of 85 feet is located within 15 feet of a #side lot line#. The provisions of this paragraph (c)(2) shall not apply to #enlargements# on #zoning lots# existing on (the effective date of amendment), where such #zoning lot# includes an existing #building# to remain with at least 300,000 square feet of #floor area#.

117-423 Sidewalk widening

For any #development# or #enlargement# on Block 3 with a building wall facing 45th Road, a sidewalk widening with a minimum depth of five feet and a maximum depth of ten feet shall be provided on 45th Road between 23rd Street and Jackson Avenue. Such sidewalk widening shall be a continuous, paved open area along the #front lot line# of the #zoning lot# at the same elevation as the adjoining sidewalk and directly accessible to the public at all times. Such sidewalk widening shall be unobstructed from its lowest level to the sky except for temporary elements of weather protection, such as awnings or canopies, provided that the total area (measured on the plan) of such elements does not exceed 20 percent of the sidewalk widening area, and that such elements and any attachments thereto are at least 8 feet above #curb level#, and that any post or other support for such element or any attachment to the support has a maximum horizontal dimension of 6 inches. No #street# trees, vehicle storage, parking or trash storage is permitted on such sidewalk widening.

117-43 Mandatory Circulation Improvement

All #developments# or #enlargements# on #zoning lots# of at least 15,000 square feet that contain at least 50,000 square feet of #floor area# or on #zoning lots# of any size providing at least 200,000 square feet of #floor area# shall provide a minimum amount of pedestrian circulation space at the rate provided in the following table:

Table with 2 columns: #Lot Area# and Minimum Area of Pedestrian Circulation Space. Row 1: 15,000 to 40,000 sq. ft. - 1 sq. ft. per 250 sq. ft. of #floor area#. Row 2: Above 40,000 sq. ft. - 1 sq. ft. per 300 sq. ft. of #floor area#.

The pedestrian circulation space provided shall be one or more of the following types: building entrance recess area, corner circulation space, sidewalk widening or subway stair relocation.

Such pedestrian circulation space shall meet the requirements set forth in Section 117-421 (Design standards for pedestrian circulation spaces). No sidewalk widenings or corner circulation spaces shall be permitted along 23rd Street within the Court Square Subdistrict.

117-431 Design standards for pedestrian circulation spaces

- (a) Sidewalk widening A sidewalk widening is a continuous, paved open area along the #front lot line# of a #zoning lot# at the same elevation as the adjoining sidewalk and directly accessible to the public at all times. A sidewalk widening shall meet the following requirements: (1) Dimensions A sidewalk widening shall have a width

- (2) no less than 5 feet nor greater than 10 feet measured perpendicular to the #street line#, and shall be contiguous along its entire length to a sidewalk. Permitted interruptions Only under the following conditions shall any interruptions of the continuity of a qualifying sidewalk widening be permitted.

- (i) A sidewalk widening may be overlapped by a corner circulation space or a building entrance recess area that permits uninterrupted pedestrian flow.

- (ii) An off street subway entrance may interrupt a sidewalk widening, provided such an entrance is located at a #side lot line# or is located at the intersection of two #street lines#.

- (iii) A sidewalk widening may be overlapped by the queuing space of a relocated subway entrance, provided that the queuing space for the entrance leaves a 5-foot uninterrupted width of sidewalk widening along the entire length of the queuing space.

- (iv) A sidewalk widening may be interrupted by a driveway that is located at a #side lot line#. The area occupied by the driveway, up to the width of the sidewalk widening, may be counted towards meeting the pedestrian circulation space requirement, provided that there shall be no change of grade within the area of the sidewalk widening.

- (3) Permitted obstructions A sidewalk widening shall be unobstructed from its lowest level to the sky except for temporary elements of weather protection, such as awnings or canopies, provided that the total area (measured on the plan) of such elements does not exceed 20 percent of the sidewalk widening area, and that such elements and any attachments thereto are at least 8 feet above the #curb level#, and that any post or other support for such element or any attachment to the support has a maximum horizontal dimension of 6 inches.

- (4) Specific prohibitions No #street# trees are permitted on a sidewalk widening. No vehicle storage, parking or trash storage is permitted on a sidewalk widening. Gratings may not occupy more than 50 percent of the sidewalk widening area nor be wider than one-half the width of the sidewalk widening.

- (5) Special design treatment When one end of the sidewalk widening abuts an existing #building# on the #zoning lot# or an existing #building# on the #side lot line# of the adjacent #zoning lot#, design treatment of the termination of the sidewalk widening is required to smooth pedestrian flow. The portion of the sidewalk widening subject to design treatment, hereinafter called the transition area, shall not extend more than 10 feet along the sidewalk widening from its termination.

The transition area shall be landscaped and the paved portion shall have a curved or diagonal edge effecting a gradual reduction of its width over the length of the transition area to no width at the point of the sidewalk widening termination. The unpaved portion of such landscaped treatment shall not exceed 50 percent of the transition area and shall be considered a permitted obstruction.

- (b) Corner circulation space A corner circulation space is a small open space on the #zoning lot# of a #development# or #enlargement#, adjoining the intersection of two #streets#, at the same elevation as the adjoining sidewalk or sidewalk widening and directly accessible to the public at all times. A corner circulation space shall meet the following requirements:

- (1) Dimensions A corner circulation space shall have a minimum area of 200 square feet, a minimum depth of 15 feet measured along

a line bisecting the angle of intersecting #street lines#, and shall extend along both #street lines# for at least 15 feet but not more than 40 feet from the intersection of the two #street lines#.

(2) Obstructions

A corner circulation space shall be clear of all obstructions, including, without limitation, door swings, building columns, #street# trees, planters, vehicle storage, parking or trash storage. No gratings except for drainage are permitted.

(3) Building entrances

Entrances to ground level #uses# are permitted from a corner circulation space. An entrance to a building lobby is permitted from a corner circulation space, provided that the entrance is at no point within 20 feet of the intersection of the two #street lines# which bound the corner circulation space.

(4) Permitted overlap

A corner circulation space may overlap with a sidewalk widening.

(e) Building entrance recess area

A building entrance recess area is a space which adjoins and is open to a sidewalk or sidewalk widening for its entire length and provides unobstructed access to the building's lobby entrance. A building entrance recess area shall meet the following requirements.

(1) Dimensions

A building entrance recess area shall have a minimum length of 15 feet and a maximum length of 40 feet measured parallel to the #street line#. It shall have a maximum depth of 15 feet measured from the #street line#, and if it adjoins a sidewalk widening shall have a minimum depth of 10 feet measured from the #street line#.

(2) Obstructions

A building entrance recess area shall either be completely open to the sky or completely under an overhanging portion of the #building# with a minimum clear height of 15 feet. It shall be free of obstructions except for building columns, between any two of which there shall be a clear space of at least 15 feet measured parallel to the #street line#. Between a building column and a wall of the #building# there shall be a clear path at least 5 feet in width.

(3) Permitted overlap

A building entrance recess area may overlap with a sidewalk widening or a corner circulation space.

117-44 Mandatory Subway Improvements

#Developments# or #enlargements# containing at least 70,000 square feet of total #floor area# on #zoning lots# of at least 10,000 square feet shall provide mandatory subway improvements as described in Appendix B of this Chapter

(a) #Zoning lots# with at least 5,000 square feet of #lot area#

#Developments# or #enlargements# on #zoning lots# with 5,000 square feet or more of #lot area#, which front on a sidewalk containing a sidewalk entrance(s) into a subway, shall relocate the stairway or entrance(s) to the subway onto the #zoning lot# in accordance with the provisions of Section 37-40 (Off-Street Relocation or Renovation of a Subway Stair), with the exception that, in addition to the waivers provided by Section 37-44, the additional standards for location, design and hours of public accessibility contained in Section 37-41 may be waived upon a finding by the Metropolitan Transportation Authority that they are undesirable or unnecessary to ensure a good overall design.

(b) #Zoning lots# with at least 10,000 square feet of #lot area#

#Developments# or #enlargements# on Blocks 1, 2 or 3, identified in Appendix B (Court Square Subdistrict Plan Map and Description of Improvements) of this Chapter, containing at least 70,000 square feet of #floor area# on #zoning lots# of at least 10,000 square feet of #lot area# shall provide mandatory subway improvements as described in paragraph (a) for Block 1, paragraph (b) for Block 2 and paragraph (c)(1) for Block 3 in Appendix B.

In addition, on #Block # 3, any #development# or #enlargement# containing at least 300,000 square feet of total #floor area# or any #development# or #enlargement# on a #zoning lot# of at least 30,000 square feet of #lot area# shall provide all the mandatory subway improvements for the #block #, as described in paragraphs (c)(1) and (c)(2) for (# Block #-3).

117-441 Standards and procedures for mandatory subway improvements

(b) Procedure (1) Pre-application

(6) Where a #development# or #enlargement# is located on a #zoning lot# which fronts on a sidewalk containing a sidewalk entrance or entrances into a subway and such #zoning lot# contains 5,000 square feet or more of #lot area#, such #development# or #enlargement# shall relocate the stairway entrance or entrances to the subway onto the #zoning lot# in accordance with the provisions of Section 37-03 (Off-Street Relocation or Renovation of a Subway Stair), with the exception that, in addition to the waivers provided by Section 37-034 (Waiver of requirements), the additional standards contained in Section 37-031 (Standards for location, design and hours of public accessibility) may be waived upon a finding by the Metropolitan Transportation Authority that they are undesirable or unnecessary to ensure a good overall design.

117-50 QUEENS PLAZA SUBDISTRICT

117-531 Street wall location

(g) For any #development# or #enlargement# on a #zoning lot# located on Jackson Avenue between 42nd Road and Queens Plaza South, the #street wall# fronting on Jackson Avenue may be set back ten five feet from the #street line# only upon certification of the Chairperson of the City Planning Commission to the Department of Buildings that the Jackson Avenue sidewalk adjacent to the #zoning lot# will be landscaped in accordance with a plan acceptable to the Department of Transportation and the Chairperson. Such plan shall include five planting beds that shall contain a mixture of deciduous and evergreen shrubs, ground covers and flowers. Such planting beds shall be installed and maintained by the owner of the #development# or #enlargement#. The #street wall# of any subsequent #development# or #enlargement# shall be located no closer to nor further from the #street line# than the #street wall# of an adjacent existing #building#.

Appendix B Court Square Subdistrict Plan Map and Description of Improvements

Description of Improvements This Appendix describes the mandatory lot improvements that are designated on the District Plan Map in Appendix B for the Court Square Subdistrict. This Descriptions refers to the text for requirements and standards for the following improvements.

(a) # Block #-1

(1) A subway improvement, to consist of a connection between the G and 7 lines and maintenance of glass partitions in the control area of the E/F Ely Avenue mezzanine and near the control area of the G mezzanine which are to be installed by the developer of #Block #-2. The developer shall notify the Chairperson of the City Planning Commission upon both application for and issuance of a first building permit for the #development# on this #block#.

(b) # Block #-2

(1) A subway improvement, to consist of a connection between the E/F and G lines, preparation of preliminary plans for a G/7 connection and installation of glass partitions in the control area of the E/F Ely Avenue mezzanine and near the control area of the G mezzanine upon receipt of a written request by the Chairperson of the City Planning Commission, which shall occur only after the issuance of a first building permit for the #development# on #Block #-1.

(c) #Block #-3

(1) A subway improvement, to consist of construction of a building entrance within the #lot line# at the northwestern corner of the #block#, a direct link to the 7 platform and construction of a new mezzanine area; and/or The first #development# to meet the criteria for a subway improvement shall construct new entrances at the intersection of 44th Drive and 23rd Street for the Number 7 45th Road/Courthouse Square station, in consultation with the Metropolitan Transportation Authority and the Department of City Planning.

(2) A subway improvement, to consist of a

substantial physical improvement to the G platform and mezzanine areas, including reconfiguration of control areas as necessary and acoustical upgrading. For subsequent #developments#, a subway improvement to the north end of the Number 7 45th Road/Courthouse Square station shall be required. Such improvement shall be determined in consultation with the Metropolitan Transportation Authority and the Department of City Planning.

CITYWIDE No. 5 PRIVATELY OWNED PUBLIC PLAZAS FOLLOW-UP TEXT AMENDMENT

CITYWIDE N 090317 ZRY IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York relating to Article III, Chapter 7 (Special Urban Design Regulations concerning provisions related to privately owned public plazas.

Matter in underline is new, to be added; Matter in strikethrough is old, to be deleted; Matter within # # is defined in Section 12-10; * * * indicates where unchanged text appears in the Zoning Resolution

ARTICLE III COMMERCIAL DISTRICT REGULATIONS

Chapter 7 Special Urban Design Regulations

37-60 PUBLICLY ACCESSIBLE OPEN AREAS EXISTING PRIOR TO OCTOBER 17, 2007

37-62 Changes to Existing Publicly Accessible Open Areas

37-625 Design changes Design changes to existing #plazas#, #residential plazas# or #urban plazas# may be made only upon certification by the Chairperson of the City Planning Commission that such changes would result in a #plaza#, #residential plaza# or #urban plaza# that is in greater accordance with the standards set forth in Section 37-70 (PUBLIC PLAZAS), inclusive. The provisions of Section 37-78 (Compliance), other than paragraph (e) (Special regulations for an urban plaza in the Special Lower Manhattan District), shall be made applicable to such #plaza#, #residential plaza# or #urban plaza#.

37-70 PUBLIC PLAZAS

37-71 Basic Design Criteria

37-712 Area dimensions A #public plaza# shall contain an area of not less than 2,000 square feet. In no case shall spaces between existing #buildings# remaining on the #zoning lot# qualify as #public plazas#. In addition, in order to preserve the provisions relating to the boundaries, proportions and obstructions of #public plazas#, on any one #zoning lot#, an open area which does not qualify for bonus #floor area# may not be located between two #public plazas#, or between a #public plaza# and a #building# wall or #arcade#. of the #development#. Any non-bonus open area located adjacent to a #public plaza#, other than an open area bounding a #street line# used for pedestrian access, must either:

- (a) be separated from the #public plaza# by a buffer, such as a wall, decorative fence, or opaque plantings at least six feet in height; or
(b) meet all requirements for minor portions of #public plazas# related to size, configuration, orientation, as specified in Section 37-716.

37-713 Locational restrictions No #public plaza#, or portion thereof, shall be located within 175 feet of an existing #publicly accessible open area# or #public park#. The distance of 175 feet shall be measured along the #street# on which the existing amenity fronts. No #public plaza#, or portion thereof, shall be located within 175 feet of an existing #publicly accessible open area# or #public park# as measured along the #street line# on which the existing amenity fronts if the #public plaza# is to be located on the same side of the #street#, or as measured along the directly opposite #street line# if the #public plaza# is to be located on the other side of the #street#. Such distance shall include the width of any #street# that intersects the #street# on which the amenity fronts.

However, such location restriction may be waived if the #public plaza# is located directly across the #street# from the existing #publicly accessible open area# or #public park# and if the Chairperson of the City Planning Commission finds that the location of the #public plaza# at such location would create or contribute to a pedestrian circulation network connecting the two or more open areas.

37-72 Access and Circulation

37-721 Sidewalk frontage

To facilitate access to a #public plaza#, the area within 15 feet of a #street line# or sidewalk widening, along at least 50 percent of each aggregate #street# frontage of the major and minor portions, shall be free of obstructions to public access to the #public plaza# from the adjacent sidewalk or sidewalk widening, except for those obstructions listed in this Section. For #corner public plazas#, the area within 15 feet of the intersection of any two or more #streets# on which the #public plaza# fronts shall be at the same elevation as the adjoining public sidewalk and shall be free of obstructions, except for those listed in this Section. Only areas with at least five feet of clear, unobstructed area when measured parallel to the street line shall be considered to be free of obstructions. For the remaining 50 percent of the frontage and within 15 feet of the #street line#, no walls or other obstructions, except for permitted obstructions listed in this Section and fixed and moveable seating and tables, shall be higher than two feet above the #curb level# of the #street line# in front of the #public plaza#.

The following shall be considered permitted obstructions within the sidewalk frontage:

- Light stanchions;
- Public space signage;
- Railings for steps;
- Trash receptacles;
- Trees planted flush to grade.

To facilitate pedestrian access to a #public plaza#, the following rules shall apply to the area of the #public plaza# located within 15 feet of a #street line# or sidewalk widening line:

- (a) At least 50 percent of such area shall be free of obstructions and comply with the following provisions:
 - (1) At least 50 percent of the #public plaza# frontage along each #street line# or sidewalk widening line shall be free of obstructions; and
 - (2) Such unobstructed access area shall extend to a depth of 15 feet measured perpendicular to the #street line#. The width of such access area need not be contiguous provided that no portion of such area shall have a width of less than five feet measured parallel to the #street line#, and at least one portion of such area shall have a width of at least eight feet measured parallel to the #street line#.
- (b) In the remaining 50 percent of such area, only those obstructions listed in Section 37-726 (Permitted Obstructions) shall be allowed, provided such obstructions are not higher than two feet above the level of the public sidewalk fronting the #public plaza#, except for light stanchions, public space signage, railings for steps, trash receptacles, trees and fixed or moveable seating and tables. Furthermore, planting walls or trellises, water features and artwork may exceed a height of two feet when located within three feet of a wall bounding the #public plaza#.

For #corner public plazas#, the requirements of this Section shall apply separately to each #street# frontage, and the area within 15 feet of the intersection of any two or more #streets# on which the #public plaza# fronts shall be at the same elevation as the adjoining public sidewalk and shall be free of obstructions.

37-724
Subway entrances

Where an entry to a subway station exists in the sidewalk area of a #street# on which a #public plaza# fronts and such entry is not replaced within the #public plaza# itself, the #public plaza# shall be #developed# at the same elevation as the adjacent sidewalk for a distance of at least 15 feet in all directions from the entry superstructure. Such #public plaza# area around a subway entry shall be free of all obstructions and may count towards the required clear area requirements as specified in Section 37-721 (Sidewalk frontage).

37-726
Permitted obstructions

- (d) Prohibition of garage entrances, driveways, parking spaces, loading berths, exhaust vents, mechanical equipment and building trash storage facilities
- No exhaust vents or mechanical equipment are permitted on any #public plaza# or on the any building wall of the #development# fronting upon the #public plaza#, except that unless such exhaust vents on the building wall that are more than 15 feet above the level of the adjacent #public plaza# shall be permitted. All exhaust vents and mechanical equipment located adjacent to a #public plaza# shall be separated from it by a barrier sufficient to substantially, visually and audibly, conceal their presence and operation. Air intake vents or shafts shall be permitted within a #public plaza# provided that such vents are concealed from public view by planting or other design features and that such vents do not impair visibility within the #public plaza# area.

37-728
Standards of accessibility for persons with disabilities
All #public plazas# shall conform with applicable laws pertaining to access for persons with disabilities regardless of whether the #building# associated with the #public plaza# is existing or is a new. #development#.

37-73
Kiosks and Open Air Cafes
Kiosks and open air cafes may be placed within a #publicly accessible open area# upon certification, pursuant to this Section. Such features shall be treated as permitted obstructions. Only #uses# permitted by the applicable district regulations may occupy #publicly accessible open areas# or front on #publicly accessible open areas#.

- (a) Kiosks

Where a kiosk is provided, it shall be a one-story temporary or permanent structure that is substantially open and transparent as approved by the Department of Buildings in conformance with the Building Code. Kiosks, including roofed areas, shall not occupy an area in excess of 100 square feet per kiosk. One kiosk is permitted for every 5,000 square feet of #publicly accessible open area#, exclusive of areas occupied by other approved kiosks or open air cafes. Kiosk placement shall not impede or be located within any pedestrian circulation path. Any area occupied by a kiosk shall be excluded from the calculation of #floor area#. Kiosks may be occupied only by #uses# permitted by the applicable district regulations such as news, book or magazine stands, food or drink service, flower stands, information booths, or other activities that promote the public use and enjoyment of the #publicly accessible open area#. Any kitchen equipment shall be stored entirely within the kiosk.

Kiosks must be in operation and provide service a minimum of 225 days per year. However, kiosks may operate for fewer days in accordance with conditions set forth in paragraph (c) of this Section, if they are completely removed from the #publicly accessible open area# when not in operation and if the area previously occupied by the kiosk is returned to public use and such area is in compliance with the #public plaza# design standards.

Notwithstanding the provisions of Section 32-41 (Enclosure Within Buildings), outdoor eating services or #uses# occupying kiosks may serve customers in a #publicly accessible open area# through open windows.

- (b) Open air cafes

Where an open air cafe is provided, it shall be a permanently unenclosed restaurant or eating or drinking place, permitted by applicable district regulations, which may have waiter or table service, and shall be open to the sky except that it may have umbrellas, temporary fabric roofs with no vertical supports in conformance with the Building Code, and removable heating lamps. Open air cafes shall occupy an aggregate area not more than 20 percent of the total area of the #publicly accessible open area#. #Publicly accessible open areas# less than 10 feet in width that are located between separate sections of the same open air cafe or between sections of an open air cafe and a kiosk that provides service for such cafe must be included in the calculation of the maximum aggregate area of the open air cafe. Open air cafes shall be located along the edge of the #publicly accessible open area#, except for open air cafes located within #publicly accessible open areas# greater than 30,000 square feet in area. Open air cafes may not occupy more than one third of any #street# frontage in a major portion of the #publicly accessible open area# and may not contain any required circulation paths. An open air cafe must be accessible from all sides where there is a boundary with the remainder of the #publicly accessible open area#, except where there are planters or walls approved pursuant to a prior certification for an open air cafe. Subject to the foregoing exception, fences, planters, walls, fabric dividers or other barriers that separate open air cafe areas from the #public plaza# #publicly accessible open area# or sidewalk are prohibited. Open air cafes shall be located at the same elevation as the adjoining #public plaza# and sidewalk areas, except for platforms that shall not exceed six inches in height. All furnishings of an open air cafe, including tables, chairs, bussing stations, and heating lamps, shall be completely removed from the #publicly accessible open area# when the open air cafe is not in active use, except that tables and chairs may remain in the #publicly accessible open area# if they are unsecured and may be used by the public without restriction. No kitchen equipment shall be installed within an open air cafe; kitchen equipment, however, may be contained in a kiosk adjoining an open air cafe. An open air cafe qualifying as a permitted obstruction shall be excluded from the definition of #floor area#.

The exterior corners of the border of the space to be occupied by an open air cafe shall be marked on the ground by a line painted with white latex traffic or zone marking paint. The line shall be one inch wide and three inches in length on each side of the cafe border from the point where the borders intersect at an angled corner. In addition, a line one inch wide and three inches long shall be marked on the

- (c) Certification

Open air cafes shall be located at the same elevation as an adjoining #public plaza# and sidewalk area, except for platforms that shall not exceed six inches in height.

Kiosks and open air cafes that comply with the provisions of this Section may be placed within the area of a #publicly accessible open area# upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings, that:

 - (1) such #use# promotes public use and enjoyment of the #publicly accessible open area#;
 - (2) such #use# complements desirable #uses# in the surrounding area;
 - (4)(3) the owners of such #use# or the building owner will maintain such #use# in accordance with the provisions of Section 37-77 (Maintenance) shall be responsible for the maintenance of such kiosk or open air cafe, which shall be located within areas designated on building plans as available for occupancy by such #uses# and no encroachment by a kiosk or open air cafe outside an area so designated shall be permitted;
 - (5)(4) such #use# does not adversely impact visual and physical access to and throughout the #publicly accessible open area#;
 - (3)(5) such #use#, when located within a #public plaza#, is provided in accordance with all the requirements set forth in this Section;
 - (6) for kiosks and open air cafes located within an existing #publicly accessible open area# such #use#, is proposed as part of a general improvement of the #publicly accessible open area# where necessary, including as much landscaping and public seating as is feasible, in accordance with the standards for #public plazas#;
 - (7) a #sign# shall be provided in public view within the cafe area indicating the days and hours of operation of such cafe; and
 - (8) for kiosks that are in operation less than 225 days per year, an off-season plan has been submitted to the Chairperson showing that such kiosks will be completely removed from the #publicly accessible open area# when not in operation, that the area previously occupied by the kiosk is returned to public use and such area is in compliance with the applicable #publicly accessible open area# design standards.
- (d) Process

An application for certification shall be filed with the Chairperson of the City Planning Commission, and the Chairperson shall furnish a copy of the application for such certification to the affected Community Board at the earliest possible stage. The Chairperson will give due consideration to the Community Board's opinion as to the appropriateness of such a facility in the area and shall respond to such application for certification within 60 days of the application's receipt.

The Chairperson shall file any such certification with the City Council. The Council, within 20 days of such filing, may resolve by majority vote to review such certification. If the Council so resolves, within 50 days of the filing of the Chairperson's certification, the Council shall hold a public hearing and may approve or disapprove such certification. If, within the time periods provided for in this Section, the Council fails to act on the Chairperson's certification, the Council shall be deemed to have approved such certification.

Such certification shall be effective for a period of three years.

All applications for the placement of kiosks or open air cafes within a #publicly accessible open area# filed with the Chairperson of the City Planning Commission shall include a detailed site plan or plans indicating compliance with the provisions of this Section, including the layout and number of tables, chairs, restaurant equipment and heating lamps, as well as the storage location for periods when the kiosk or open air cafe is closed. Where a kiosk or open air cafe is to be located within an existing #publicly accessible open area# each kiosk or open air cafe application must be accompanied by a compliance report in accordance with the requirements of Section 37-78, paragraph (b)(c), except that date of inspection shall be within 15 days of the date that the application is filed. Where design changes to #publicly accessible open

areas# are necessary in order to accommodate such kiosk or open air café, or to comply with paragraph (c)(6) of this Section, a certification pursuant to Section 37-625 (Design Changes) shall be required.

All such plans for kiosks or open air cafes, once certified, shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument providing notice of the certification for the kiosk or open air cafe, pursuant to this Section. The form and contents of the legal instrument shall be satisfactory to the Chairperson, and the filing and recording of such instrument shall be a precondition for the placement of the kiosk or open air cafe within the #publicly accessible open area#.

37-741 Seating

The following standards shall be met for all required seating:

(3) At least 50 percent of the linear feet of fixed seating shall have backs at least 14 inches high and a maximum seat depth of 20 inches. Walls located adjacent to a seating surface shall not count as seat backs. All seat backs must either be contoured in form for comfort or shall be reclined from vertical between 10 to 15 degrees.

(4) Moveable seating or chairs, excluding seating for open air cafes, may be credited as 24 inches of linear seating per chair. Moveable seating provided as a required amenity shall be provided in the amount of one chair per 200 square feet of #public plaza# area. One table shall be provided for every four such moveable chairs.

All moveable seats must have backs and a maximum seat depth of 20 inches. Moveable chairs shall not be chained, fixed, or otherwise secured while the #public plaza# is open to the public; moveable chairs, however, may be removed during the nighttime hours of 9:00 pm to 7:00 am.

37-742 Planting and trees

The provisions of this Section are intended to facilitate a combination of landscaping elements in order to provide comfort, shade and textural variety.

At least 20 percent of the area of a #public plaza# shall be comprised of planting beds with a minimum dimension of two feet, exclusive of any bounding walls.

All #public plazas# shall provide a minimum of four trees. For a #public plaza# greater than 6,000 square feet in area, an additional four caliper inches in additional trees or multi-stemmed equivalents must be provided for each additional 1,000 square feet of #public plaza# area, rounded to the nearest 1,000 square feet.

All #public plazas# shall also provide one of the following additional planting types: additional trees, planters, planting beds, or accessible lawns. Trees provided to satisfy this requirement shall be provided at the rate of one tree for every 2,000 square feet of #public plaza# area. Planters, planting beds, and accessible lawns provided to satisfy this requirement shall be provided at the rate of 150 square feet for every 1,000 square feet of #public plaza# area. Plantings contained in hanging containers shall not satisfy this planting requirement.

For all #public plazas#, at least 50 percent of the required #public plaza# trees shall be planted flush-to-grade or planted at grade within planting beds with no raised curbs or railings. Trees planted flush-to-grade shall be surrounded by a porous surface (such as grating or open-joint paving) that allows water to penetrate into the soil for a minimum radius of two feet, six inches. Such porous surface shall be of sufficient strength and density to accommodate pedestrian circulation, including all requirements related to accessibility for the disabled, and shall be of a design that allows for tree growth. Installed fixtures such as lighting stanchions, electrical outlets or conduits shall not be located within the required porous area of any tree planted flush-to-grade.

Where trees are planted within a #public plaza#, they shall measure at least four inches in caliper at the time of planting, unless alternative, multi-stemmed equivalents are specified in the approved planting plans. Each tree shall be planted in at least 200 cubic feet of soil with a depth of soil of at least 3 feet, 6 inches.

When planting beds are provided, they shall have a soil depth of at least eighteen inches for grass or other ground cover, three feet for shrubs and 3 feet, 6 inches for trees. No planters or planting beds shall have bounding walls that exceed 18 inches in height above any adjacent walking surfaces. Any planting bed containing required trees shall have a continuous area of at least 75 square feet for each tree exclusive of bounding walls. Furthermore, each tree located within a planting bed shall be surrounded by a continuous permeable surface measuring at least five feet square. Any lawns or turf grass planting beds shall not exceed six inches above any adjacent walking surfaces.

37-747 Public space signage

Entry and information plaques shall be provided, as described in Section 37-751 (Public space signage systems).

37-75 Signs

37-751 Public space signage systems

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

(a) Entry plaque

* * *

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

(b) Information plaque

An information plaque, constructed from the same permanent materials as the entry plaque or combined with one or more of the required entry plaques shall be provided. Information plaques shall be located within five feet of a sidewalk and shall have all required lettering located above a height of three feet. The information plaque shall consist of:

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

* * *

37-753

Accessory signs

A #public plaza# shall be treated as a #street# for the purposes of the applicable #sign# regulations. #Signs#, except for the plaque required by Section 37-751, are permitted only as #accessory# to #uses# permitted within the #public plaza# and #uses# adjoining the #public plaza#, and are otherwise regulated by the applicable district regulations set forth in Section 32-60 (SIGN REGULATIONS).

#Signs accessory# to the #building# or tenants of retail spaces fronting on the #public plaza# are permitted within the #public plaza# area, provided that:

- (a) no more than three such #signs# are provided within the #public plaza#, but in no event shall more than one of these #signs# be freestanding, as described in paragraph (c) of this Section;
- (b) all such #signs# shall be non-illuminated;
- (c) such #signs# shall contain only the building or establishment name and address;
- (d) any #signs# affixed to the building walls may not exceed two feet square in size;
- (e) any freestanding #signs# shall not exceed two feet in horizontal dimension and, if associated with a #building# used for office uses, may contain the names of principal building tenants in addition to the content permitted, as described in this Section, and shall also contain the public space symbol as described in Section 37-751 and the words "Open to Public" in lettering at least two inches in height; and
- (f) any #sign# located on permitted canopies or awnings within the #public plaza# shall contain only the building or establishment name and must not exceed a height of one foot.

A #public plaza# shall be treated as a #street# for the purposes of the applicable #sign# regulations. #Signs#, except for the plaque required by Section 37-751, are permitted only as #accessory# to #uses# permitted within the #public plaza# and #uses# adjoining the #public plaza#, and are otherwise regulated by the applicable district regulations set forth in Section 32-60 (SIGN REGULATIONS), except as provided below:

- (a) each establishment fronting on the #public plaza# shall be permitted to have not more than one #sign# affixed to the building wall fronting on the #public plaza#;
- (b) all #signs# shall be non-illuminated#;
- (c) all #signs# shall contain only the building or establishment name and address;
- (d) all #signs accessory# to retail #uses# affixed to building walls may not exceed four square feet in size;
- (e) all #accessory signs# located within the #public plaza#, including structures to which the signs are affixed, shall not be higher than three feet above the level of the adjoining public access area. Such #signs# shall not exceed an area of two square feet. In addition, no portion of such sign facing the #street# shall exceed a width of 16 inches, except for corner #public plazas#, this limitation shall apply on

only one #street# frontage. If such #sign# is associated with a #building# used for office uses, such #sign# shall contain only the names of principal building tenants and shall also contain the public space symbol as described in Section 37-751 and the words "Open to Public" in lettering at least two inches in height; and

(f) all #signs# located on permitted canopies or awnings within the #public plaza# shall contain only the building or establishment name and shall not exceed a height of one foot.

37-76

Mandatory Allocation of Frontages for Permitted Uses

At least 50 percent of the total frontage of all new building walls of the #development# fronting on a #public plaza#, or fronting on an #arcade# adjoining a #public plaza#, exclusive of such frontage occupied by building lobbies and frontage used for subway access, shall be allocated for occupancy at the ground floor level by retail or service establishments permitted by the applicable district regulations but not including uses in Use Groups 6B, 6E, 7C, 8C, 9B, 10B, 11 and 12D, or banks, automobile showrooms or plumbing, heating or ventilating equipment showrooms. In addition, libraries, museums and art galleries shall be permitted. All such #uses# shall:

- (1) be directly accessible from the major portion of the #public plaza#, an adjoining #arcade#, or a #street# frontage shared by the retail establishment and the #public plaza#;
- (2) Such retail spaces shall have a minimum depth of 15 feet, measured perpendicular to the wall adjoining the #public plaza#; and
- (3) occupy such frontage for the life of the increased #floor area# of the bonused #development#.

The remaining frontage may be occupied by other #uses#, lobby entrances or vertical circulation elements, in accordance with the district regulations.

Principal entrances to #buildings# A public entrance to the principal use of the #building# associated with the #public plaza# shall be located within 10 feet of the major portion of the #public plaza#. Frontage on the #public plaza# that is occupied by a building entrance or lobby shall not exceed 60 feet or 40 percent of the total aggregate frontage of the #development's# new building walls on the major and minor portions of the #public plaza#, whichever is less, but in no case shall building entrances or lobbies occupy less than 20 feet of frontage on the #public plaza#.

The building frontage All new building walls fronting on the major and minor portions of the #public plaza# shall be treated with clear, untinted transparent material for 50 percent of its surface area below 14 feet above the #public plaza# level, or the ceiling level of the ground floor of the #building#, whichever is lower. Any non-transparent area fronting on the major or minor portion of a #public plaza# shall be treated with a decorative element or material or shall be planted to a minimum height of 15 feet above the #public plaza#.

37-77 Maintenance

- (a) The building owner shall be responsible for the maintenance of the #public plaza# including, but not limited to, the location of permitted obstructions pursuant to Section 37-726, litter control, management of pigeons and rodents, maintenance of required lighting levels, and the care and replacement of furnishings and vegetation within the #zoning lot# and in the #street# sidewalk area adjacent to the #zoning lot#.
- (b) Kiosks and open air cafes #developed# in accordance with the provisions of Section 37-73 shall be located within areas designated on building plans as available for occupancy by such #uses# and no encroachment by a kiosk or open air cafe outside an area so designated shall be permitted.
- (c) Performance bond

Prior to obtaining any certificate of occupancy from the Department of Buildings, the building owner shall post with the Comptroller of the City of New York, a performance bond, City securities or fixed income securities, at the Comptroller's discretion, to ensure the mandatory tree planting, moveable seating exclusive of any seating for open air cafes, and the litter free maintenance of the #public plaza# including the replacement of such trees and moveable furniture during the life of the #development#.

In the event of a failure in the required performance, the Chairperson of the City Planning Commission shall notify the building owner in writing of such failure and shall stipulate the period of time in which the building owner has to correct the failure. If the failure is not corrected in the stipulated time, the Chairperson may declare the building owner in default in the required performance and the City may enforce the obligation by whatever means may be appropriate to the situation, including letting contracts for doing any required planting, installation or maintenance and paying all labor, material and other costs connected with such work from the bond or City securities that the building owner is required to provide.

In the event that the City enforces the aforementioned obligation as provided for in this paragraph, (c), the building owner shall, within 90

days of such enforcement, provide the City with an additional bond or City securities in an amount not less than that which was expended to cure the default.

The value of the bond or City securities if tendered prior to January 1, 1998, shall be at a rate of \$750 per required tree, \$100 per moveable chair and \$200 per 1,000 square feet of #urban plaza# for litter removal, as set forth in this Section.

Effective January 1, 1989, and at five year intervals thereafter, the City Planning Commission shall establish new rates for the mandatory tree planting, moveable seating and litter free maintenance of the #public plaza#.

37-78 Compliance

(a) Building permits

No foundation permit shall be issued by the Department of Buildings for any #development# or #enlargement# that includes a #public plaza#, nor shall any permit be issued by the Department of Buildings for any change to a #plaza#, #residential plaza# or #urban plaza# without certification by the Chairperson of the City Planning Commission of compliance with the provisions of Section 37-70 or Section 37-625, as applicable.

An application for such certification shall be filed with the Chairperson showing the plan of the #zoning lot#; a site plan indicating the area and dimensions of the proposed #public plaza# and the location of the proposed #development# or #enlargement# and all existing #buildings# temporarily or permanently occupying the #zoning lot#; computations of proposed #floor area#, including bonus #floor area#; and a detailed plan or plans prepared by a registered landscape architect, including but not limited to a furnishing plan, a planting plan, a signage plan, a lighting/photometric plan and sections and elevations, as necessary to demonstrate compliance with the provisions of Section 37-70 or Section 37-625, as applicable.

All plans for #public plazas# or other #publicly accessible open areas# that are the subject of a certification pursuant to Section 37-625 shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument, in a form satisfactory to the Chairperson, providing notice of the certification of the #public plaza#, pursuant to this Section. Such filing and recording of such instrument shall be a precondition to certification. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date. No temporary or final certificate of occupancy shall be issued for any bonus #floor area# generated by a #public plaza# unless and until the #public plaza# has been substantially completed in accordance with the approved plans, as verified by the Department of City Planning and certified to the Department of Buildings.

Notwithstanding any of the provisions of Section 11-33 (Building Permits for Minor or Major Development or Other Construction Issued Before Effective Date of Amendment), any #residential plaza# or #urban plaza# for which a certification was granted pursuant to Article II, Chapter 3, or Article III, Chapter 7, between June 4, 2005 and June 4, 2007, and any #urban plaza# for which a certification was granted prior to (effective date of amendment) may be #developed# in accordance with the regulations in effect on the date of such certification.

(b) Periodic compliance reporting

No later than June 30 of the year, beginning in the third calendar year following the calendar year in which certification was made and at three year intervals thereafter, the Director of the Department of City Planning and the affected Community Board shall be provided with a report regarding compliance of the #public plaza# #publicly accessible open area# with the regulations of Section 37-70 or Section 37-625, as applicable, as of a date of inspection which shall be no earlier than May 15 of the year in which the report is filed. Such report shall be provided by a registered architect, landscape architect or professional engineer, in a format acceptable to the Director and shall include, without limitation:

- (1) a copy of the original #public plaza# or design change certification letter, and if applicable, any approval letter pertaining to any other authorization or certification pursuant to this Chapter;
(2) a statement that the #public plaza# #publicly accessible open area# has been inspected by such registered architect, landscape architect or professional engineer and that the #public plaza# such open area is in full compliance with the regulations under which the #public plaza# it was approved as well as the approved plans pertaining to such #public plaza# open area and, if applicable, the

requirements of any other authorization or certification pursuant to this Chapter, or non-compliance with such regulations and plans;

- (3) an inventory list of amenities required under the regulations under which the #public plaza# #publicly accessible open area# was approved and the approved plans pertaining to such #public plaza# open area and, if applicable, the requirements of any other authorization or certification pursuant to Section 37-70, together with an identification of any amenity on such inventory list for which inspection did not show compliance, including whether such amenities are in working order, and a description of the non-compliance;

- (4) photographs documenting the condition of the #public plaza# #publicly accessible open area# at the time of inspection, sufficient to indicate the presence or absence, either full or partial, of the amenities on the inventory list of amenities.

The report submitted to the Director of the Department of City Planning shall be accompanied by documentation demonstrating that such report has also been provided to the affected Community Board.

Compliance reporting pursuant to this paragraph, (b), shall be a condition of all certifications granted pursuant to Section 37-70.

(c) Compliance reports at time of application

In a Any application for a new certification or authorization for involving an existing #public plaza#, #publicly accessible open area# where such #public plaza# was the subject of a previously granted certification or authorization granted pursuant to Section 37-70, the applicant shall provide include a compliance report in the format required under paragraph (b) of this Section, based upon an inspection of the #public plaza# #publicly accessible open area# by a registered architect, landscape architect or professional engineer conducted no more than 45 days prior to the filing of such application.

The following conditions may constitute grounds to disapprove the application for certification or authorization:

- (1) such report shows non-compliance with the regulations under which the #public plaza# #publicly accessible open area# was approved, conditions or restrictions of a previously granted certification or authorization, or with the approved plans pertaining to such #public plaza# #publicly accessible open area#; or
(2) the #public plaza# #publicly accessible open area# has been the subject of one or more enforcement proceedings for which there have been final adjudications of a violation with respect to any of the foregoing.

In the case of a certification, the Chairperson, or in the case of an authorization, the Commission, may, in lieu of disapproval, accept a compliance plan for the #public plaza# #publicly accessible open area#, which plan shall set forth the means by which future compliance will be ensured.

(d) Failure to comply

Failure to comply with a condition or restriction in an authorization or certification granted pursuant to Section 37-70 or with approved plans related thereto, or failure to submit a required compliance report shall constitute a violation of this Resolution and may constitute the basis for denial or revocation

of a building permit or certificate of occupancy, or for a revocation or such authorization or certification, and for all other applicable remedies.

* * *

BOROUGH OF QUEENS No. 6 GRACE ASPHALT PLANT

CD 7 C 090366 PCQ IN THE MATTER OF an application submitted by the Department of Transportation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 130-31 Northern Boulevard (Block 1791, Lots 52, 68 and 72) , for use as an asphalt plant.

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

a9-22

EMPLOYEES' RETIREMENT SYSTEM

MEETING

Please be advised that the next Investment Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Tuesday, April 28,

2009 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor Boardroom, Brooklyn, NY 11201-3751.

a21-27

Please be advised that the next Regular Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Thursday, April 23, 2009 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor Boardroom, Brooklyn, NY 11201-3751.

a16-22

EQUAL EMPLOYMENT PRACTICES COMMISSION

MEETING

The next meeting of the Equal Employment Practices Commission will be held in the Commission's Conference Room/Library at 40 Rector Street, (14th Floor) on Tuesday, April 28, 2009 at 10:00 A.M.

a21-27

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, April 21, 2009 at 9:30 A.M. in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF QUEENS 09-7269- Block 133, lot 60-39-87 48th Street - Sunnyside Gardens Historic District A brick rowhouse with Colonial Revival style details designed by Clarence Stein, Henry Wright and Frederick Ackerman and built in 1927. Application is to install a fence.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF QUEENS 08-8128- Block 182, lot 79-39-02 44th Street - Sunnyside Gardens Historic District A brick rowhouse with Colonial Revival style details designed by Clarence Stein, Henry Wright and Frederick Ackerman and built in 1927. Application is to install a curb cut and parking pad.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 09-6415- Block 154, lot 17-372 Fulton Street - Gage & Tollner Restaurant, Interior Landmark - Individual Landmark A late-Italianate style townhouse with restaurant, built circa 1870. Application is to modify interior features.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 09-7473- Block 1977, lot 22-474 Waverly Place - Clinton Hill Historic District A neo-Grec style rowhouse designed by Robert Dixon and built in 1888. Application is to construct a rooftop addition. Zoned R68.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 09-6846- Block 230, lot 15-112 Hicks Street - Brooklyn Heights Historic District An eclectic style rowhouse built between 1880-1899. Application is to construct a rear yard addition. Zoned R6, LH-1.

ADVISORY REPORT BOROUGH OF MANHATTAN 09-7352- Block 7777, lot 77- Canal Street and Broadway - SoHo-Cast Iron Historic District and Tribeca East Historic District A commercial thoroughfare first laid out as a canal in 1805 and filled in as a road bed circa 1815. Application is to install flood mitigation measures.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 09-4742- Block 591, lot 48-82 Christopher Street - Greenwich Village Historic District An apartment building built in 1892. Application is to legalize the installation of a bracket sign installed without Landmarks Preservation Commission permits and to install a second bracket sign.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 08-5152- Block 612, lot 7504-15 Charles Street - Greenwich Village Historic District An apartment house built in 1961. Application is to legalize the installation of a storefront in non-compliance with CofA 06-7239.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 09-5670 - Block 611, lot 8-247 West 4th Street - Greenwich Village Historic District A Federal style rowhouse built in 1828. Application is to excavate the rear yard, to construct a rear yard addition, and modify an existing rooftop addition. Zoned R6.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 09-7103 - Block 633, lot 37-145 Perry Street - Greenwich Village Historic District A two-story building used as a freight loading station since 1938. Application is to demolish the existing building and construct three buildings and create curb cuts. Zoned C6-1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN
09-2361- Block, 7777 lot 777 - 97-99 7th Avenue South - Greenwich Village Historic District
A converted garage building built in 1919. Application is to modify a fence installed without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7506- Block 849, lot 7505-141 Fifth Avenue - Ladies' Mile Historic District
A Beaux-Arts style loft building designed by Robert Maynicke and built circa 1896-1900. Application is to install storefront infill.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7580 - Block 823, Lot 4-682 6th Avenue - Ladies' Mile Historic District
A neo-Renaissance style store and loft building designed by Stephenson & Greene and built in 1897. Application is to install storefront infill.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-3540 - Block 875, lot 18-34 Gramercy Park – Gramercy Park Historic District
A Queen Anne style apartment house designed by George W. DaCunha and built in 1882-1883. Application is to install pigeon netting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7587- Block 1121, lot 25-15 West 68th Street- Upper West Side/Central Park West Historic District
A Beaux Arts style rowhouse designed by Buchman & Fox and built in 1909 -10. Application is to modify a window opening to accommodate an at-grade entrance.

MODIFICATION OF USE AND BULK
BOROUGH OF MANHATTAN 09-3804 - Block 1121, lot 25-15 West 68th Street - Upper West Side/Central Park West Historic District
A Beaux Arts style rowhouse designed by Buchman & Fox and built in 1909-10. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use pursuant to Section 74-711 of the Zoning Resolution. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7914 - Block 1119, lot 36-2 West 67th Street, aka 70 Central Park West- Upper West Side/Central Park West Historic District
A neo-Renaissance style studio building designed by Rich & Mathesius and built in 1919. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7345 - Block 1141, lot 15-154 West 70th Street - Upper West Side/Central Park West Historic District
A neo-Renaissance style apartment building designed by Robert Maynicke, and built in 1899-1900. Application is to modify the ground floor, replace windows, and construct elevator and mechanical bulkheads.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-8278 - Block 1205, lot 29-315 Central Park West - Upper West Side/Central Park West Historic District
A neo-Renaissance style apartment building designed by Schwartz and Gross and built in 1912-13. Application is to construct a barrier-free access ramp.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7059 - Block 1217, lot 141 118 West 87th Street - Upper West Side Historic District
A Queen Anne style rowhouse designed by John G. Prague and built in 1887-88. Application is to legalize the installation of security cameras without Landmarks Preservation Commission permits, and a light fixture installed in non-compliance with PMW 08-5565.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-6640 - Block 1202, lot 41-22 West 89th Street - Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse designed by Gilbert A. Schellenger and built in 1894. Application is to construct a rear yard addition and relocate a window. Zoned R7-2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-6528 - Block 1380, lot 69-4 East 66th Street – Upper East Side Historic District
A neo-Italian Renaissance style apartment building designed by J.E.R. Carpenter and built in 1919-20. Application is to modify and create new window openings and install windows and balconies.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-0998 Block 1402, lot 1-651-657 - Park Avenue, aka 101-109 East 67th Street, 102-108 East 68th Street - Upper East Side Historic District
A neo-Federal style apartment building designed by J.E.R. Carpenter and built in 1923. Application is to construct a rooftop addition. Zoned R10.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-5983 - Block 1404, lot 9-117-119 East 69th Street – Upper East Side Historic District
A neo-Georgian style townhouse designed by Julius F. Gaynor and built in 1928-29. Application is to modify the rear facade.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7773 - Block 1410, lot 69-829 Park Avenue - Upper East Side Historic District
A neo-Classical style apartment building designed by Pickering & Walker and built in 1910-11. Application is to install tree-pits with metal bollards.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7911 - Block 1504, lot 44-66 East 93rd Street - Carnegie Hill Historic District
A Queen Anne style rowhouse designed by A.B. Ogden & Son and built in 1890-91. Application is to alter the areaway, install a barrier-free access lift, and construct a rooftop bulkhead.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-2731 - Block 2059, lot 156-466 West 145th Street - Hamilton Heights Historic District Extension
A Renaissance Revival style rowhouse designed by G. A. Schellenger and built in 1896. Application is to alter the areaway and install a barrier-free access chair lift.

a8-21

BOARD OF STANDARDS AND APPEALS

■ PUBLIC HEARINGS

MAY 12, 2009, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, May 12, 2009, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

951-55-BZ

APPLICANT – Eric Palatnik, P.C., for Deborah Luciano, owner; Gaseteria Oil Corporation, lessee.
SUBJECT – Application March 18, 2009 – Amendment (11-411) to permit the installation of a canopy and minor modifications to the existing pump islands to a previously granted variance for a UG16 gasoline service station in a C2-1/R3-2 zoning district.
PREMISES AFFECTED – 1098 Richmond Road, Targee Street and Richmond Road, Block 3181, Lot 1, Borough of Staten Island.
COMMUNITY BOARD #2SI

23-06-BZ

APPLICANT – Sheldon Lobel, P.C., for Kehilat Sephardim of Ahavat Achim, owners.
SUBJECT – Application April 7, 2009 – Extension of Time/waiver to Complete Construction (which expired on July 2, 2008) and to obtain a Certificate of Occupancy (which expired on January 2, 2009) of a previously granted Variance (72-21) for the expansion of an existing three story synagogue with accessory Rabbi's apartment in an R-4 zoning district.
PREMISES AFFECTED – 150-62 78th Road, southeast corner of the intersection formed by 78th Road and 153rd Street, Block 6711, Lot 84, Borough of Queens.
COMMUNITY BOARD #8Q

MAY 12, 2009, 1:30 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, May 12, 2009, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

297-08-BZ

APPLICANT – Lewis E. Garfinkel, for Itzhak Bardror, owner.
SUBJECT – Application December 4, 2008 – Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space and floor area (23-141(a)); and less than the required rear yard (23-47) in an R2 zoning district.
PREMISES AFFECTED – 3496 Bedford Avenue, between Avenue M and Avenue N, Block 7660, Lot 78, Borough of Brooklyn.
COMMUNITY BOARD #14BK

10-09-BZ

APPLICANT – Francis R. Angelino, Esq., for Religious Org. Tenseishinbikai USA, Inc., owner.
SUBJECT – Application January 23, 2009 – Variance pursuant to § 72-21 to allow a community facility use (house of worship), contrary to front yard regulations, §24-34. R3-2 District.
PREMISES AFFECTED – 2307 Farragut Road/583 East 23rd Street, north east corner of Farragut Road and East 23rd Street, Block 5223, Lot 2, Borough of Brooklyn.
COMMUNITY BOARD #14BK

17-09-BZ

APPLICANT – MetroPCS New York, LLC, for Pearl Beverly, LLC, owner; MetroPCS New York, LLC, lessee.
SUBJECT – Application February 4, 2009 – Special Permit (73-03 & 73-30) to allow a non-accessory radio facility and all accessory equipment.
PREMISES AFFECTED – 5421 Beverly Road, northside of Beverly Road, between East 54th and East 55th Street, Block 4739, Lot 33, Borough of Brooklyn.
COMMUNITY BOARD #17BK

21-09-BZ

APPLICANT – MetroPCS New York, LLC, for Braddock Avenue Owners, Inc., owner; MetroPCS New York, LLC, lessee.
SUBJECT – Application February 10, 2009 – Special Permit (73-03 & 73-30) to allow a non-accessory radio facility on the rooftop of the existing building.
PREMISES AFFECTED – 222-89 Braddock Avenue, north west corner of Braddock Avenue and Ransom Street, Block 7968, Lot 31, Borough of Queens.
COMMUNITY BOARD #13Q

35-09-BZ

APPLICANT – Kramer Levin Naftalis & Frankel LLP, for East 103rd Street Realty LLC c/o Glenwood Management Corporation, owner.

SUBJECT – Application March 2, 2009 – Special Permit filed pursuant to §§11-411 & 11-412 of the New York City Zoning Resolution to renew for an additional ten (10) years and to extend a use district exception previously granted pursuant to Section 7(e) of the pre-1961 Zoning Resolution, allowing the use of the ground floor of a two-story building located in an R7A zoning district as a contractors' establishment (Use Group 16).
PREMISES AFFECTED – 345-347 East 103rd Street, for North side of East 103rd Street between First and York Avenues, Block 1675, Lot 21, 22, Borough of Manhattan.
COMMUNITY BOARD #11M

Jeff Mulligan, Executive Director

a20-21

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 40 Worth Street, Room 814 commencing at 2:00 P.M. on Wednesday, April 29, 2009. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 40 Worth Street, 9th Floor South, New York, NY 10013, or by calling (212) 442-8040.

#1 In the matter of a proposed revocable consent authorizing Mr. and Mrs. S. Graham to continue to maintain and use a stoop and a fenced-in area on the south sidewalk of East 78th Street, west of Madison Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2018 - \$25/annum

the maintenance of a security deposit in the sum of \$5,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#2 In the matter of a proposed revocable consent authorizing The New York and Presbyterian Hospitals, Inc. to continue to maintain and use a tunnel under and across Fort Washington Avenue, south of West 168th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2009 - \$15,057
For the period July 1, 2009 to June 30, 2010 - \$15,496
For the period July 1, 2010 to June 30, 2011 - \$15,935
For the period July 1, 2011 to June 30, 2012 - \$16,374
For the period July 1, 2012 to June 30, 2013 - \$16,813
For the period July 1, 2013 to June 30, 2014 - \$17,252
For the period July 1, 2014 to June 30, 2015 - \$17,691
For the period July 1, 2015 to June 30, 2016 - \$18,130
For the period July 1, 2016 to June 30, 2017 - \$18,569
For the period July 1, 2017 to June 30, 2018 - \$19,008

the maintenance of a security deposit in the sum of \$19,000, and the filing of an insurance policy in the minimum amount of \$1,250,000/\$5,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

#3 In the matter of a proposed revocable consent authorizing The Trustees of Columbia University in the City of New York to continue to maintain and use three transformer vaults and a conduit, together with a manhole, under the south sidewalk of West 120th Street, east of Broadway, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$20,058
For the period July 1, 2010 to June 30, 2011 - \$20,642
For the period July 1, 2011 to June 30, 2012 - \$21,226
For the period July 1, 2012 to June 30, 2013 - \$21,810
For the period July 1, 2013 to June 30, 2014 - \$22,394
For the period July 1, 2014 to June 30, 2015 - \$22,978
For the period July 1, 2015 to June 30, 2016 - \$23,562
For the period July 1, 2016 to June 30, 2017 - \$24,146
For the period July 1, 2017 to June 30, 2018 - \$24,730
For the period July 1, 2018 to June 30, 2019 - \$25,314

the maintenance of a security deposit in the sum of \$25,400, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#4 In the matter of a proposed revocable consent authorizing Sprint Communications Company L.P. to continue to maintain and use conduits in West 15th Street, West 16th Street, Eighth Avenue and Ninth Avenue, and cables in the existing facilities of the Empire City Subway Company (Limited), in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$150,319
For the period July 1, 2010 to June 30, 2011 - \$154,697
For the period July 1, 2011 to June 30, 2012 - \$159,075
For the period July 1, 2012 to June 30, 2013 - \$163,453
For the period July 1, 2013 to June 30, 2014 - \$167,831
For the period July 1, 2014 to June 30, 2015 - \$172,209

For the period July 1, 2015 to June 30, 2016 - \$176,587
 For the period July 1, 2016 to June 30, 2017 - \$180,965
 For the period July 1, 2017 to June 30, 2018 - \$185,343
 For the period July 1, 2018 to June 30, 2019 - \$189,721

the maintenance of a security deposit in the sum of \$189,800, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#5 In the matter of a proposed revocable consent authorizing Grand Millennium Condominium to continue to maintain and use an electrical conduit under and along the west sidewalk of Broadway, south of West 67th Street, and under and along the south sidewalk of West 67th Street, west of Broadway, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2009 - \$2,761
 For the period July 1, 2009 to June 30, 2010 - \$2,841
 For the period July 1, 2010 to June 30, 2011 - \$2,921
 For the period July 1, 2011 to June 30, 2012 - \$3,001
 For the period July 1, 2012 to June 30, 2013 - \$3,081
 For the period July 1, 2013 to June 30, 2014 - \$3,161
 For the period July 1, 2014 to June 30, 2015 - \$3,241
 For the period July 1, 2015 to June 30, 2016 - \$3,321
 For the period July 1, 2016 to June 30, 2017 - \$3,401
 For the period July 1, 2017 to June 30, 2018 - \$3,481

the maintenance of a security deposit in the sum of \$3,500, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#6 In the matter of a proposed revocable consent authorizing New York University to continue to maintain and use a conduit under and across Stuyvesant Street, north of East 9th Street, a conduit under and across Cooper Square, north of East 4th Street, and cables in the existing facilities of the Empire City Subway Company (Limited), in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$15,643
 For the period July 1, 2010 to June 30, 2011 - \$16,099
 For the period July 1, 2011 to June 30, 2012 - \$16,655
 For the period July 1, 2012 to June 30, 2013 - \$17,011
 For the period July 1, 2013 to June 30, 2014 - \$17,467
 For the period July 1, 2014 to June 30, 2015 - \$17,923
 For the period July 1, 2015 to June 30, 2016 - \$18,379
 For the period July 1, 2016 to June 30, 2017 - \$18,835
 For the period July 1, 2017 to June 30, 2018 - \$19,291
 For the period July 1, 2018 to June 30, 2019 - \$19,747

the maintenance of a security deposit in the sum of \$15,200, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#7 In the matter of a proposed modification revocable consent authorizing New York University to construct, maintain and use the additional conduits under and across Washington Place, west of Mercer Street, under and across Mercer Street, north of Washington Place, and under and across Washington Place, east of Mercer Street, in the Borough of Manhattan. The proposed modification revocable consent is for the period from the Date of Approval by the Mayor to June 30, 2009 is increased by \$10,059 per annum and thereafter annual compensation shall be based on the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$35,601

the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

a9-29

COURT NOTICES

SUPREME COURT

NOTICE

QUEENS COUNTY IA PART 8 NOTICE OF PETITION INDEX NUMBER 8655/09

In the Matter of the Application of THE CITY OF NEW YORK, relative to acquiring title in fee to certain real property where not heretofore acquired for the same purpose located along

BEACH 43rd STREET
from Beach Channel Drive to Conch Basin Bulkhead; and

BEACH 44th STREET
from Beach Channel Drive to Conch Road; and

BEACH 45th STREET
from Beach Channel Drive to Norton Avenue; and

CONCH DRIVE
from Beach 43rd Street to Norton Basin Bulkhead; and

NORTON AVENUE
from Beach 45th Street to Beach 43rd Street; and

EDGEMERE DRIVE
from Beach 44th Street to Beach 43rd Street; and

HANTZ ROAD
from Beach 45th Street to Beach 44th Street; and

CONCH ROAD
from Beach 43rd Street to Beach 44th Street

in the Borough of Queens, City and State of New York.

PLEASE TAKE NOTICE that the Corporation Counsel of the City of New York intends to make application to the Supreme Court of the State of New York, Queens County, IA Part 8, for certain relief.

The application will be made at the following time and place: At 88-11 Sutphin Blvd., Jamaica, in the Borough of Queens, City and State of New York, on May 8, 2009 at 10:00 A.M., or as soon thereafter as counsel can be heard.

The application is for an order:

- authorizing the City to file an acquisition map in the Office of the City Register;
- directing that upon the filing of said map, title to the property sought to be acquired shall vest in the City;
- providing that just compensation therefor be ascertained and determined by the Supreme Court without a jury; and
- providing that notices of claim must be served and filed within one calendar year from the vesting date.

The City of New York, in this proceeding, intends to acquire title in fee simple absolute to certain real property where not heretofore acquired for the same purpose, for the DEPARTMENT OF DESIGN AND CONSTRUCTION and the DEPARTMENT OF TRANSPORTATION in the Borough of Queens City and State of New York.

The description of the real property to be acquired is as follows:

PART 1

Beginning at a point on the northerly line of Beach Channel Drive (75 feet wide) extended easterly, said point being 4.00 feet distant easterly from the corner formed by the intersection of the northerly line of Beach Channel Drive and the westerly line of Beach 45th Street (50 feet wide) as said streets are shown on Alteration Map No. 4929 and on Acquisition and Damage Map No. 5944, dated April 9, 2007

- Running thence northerly along a line through the bed of Beach 45th Street, for 887.71 feet to a point;
- Running thence westerly and deflecting to the left 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 4.00 feet to a point on the westerly line of Beach 45th Street;
- Running thence northerly along the westerly line of Beach 45th Street and deflecting to the right 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 164.09 feet to a point on the westerly line of Beach 45th Street;
- Running easterly along a line through the bed of Beach 45th Street and deflecting to the right 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 5.48 feet to a point;
- Running thence northerly along a line through the bed of Beach 45th Street and deflecting to the left 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 33.20 feet to a point;
- Running thence westerly along a line through the bed of Beach 45th Street and deflecting to the left 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 5.48 feet to a point on the westerly line of Beach 45th Street;
- Running thence northerly along the westerly line of Beach 45th Street and deflecting to the right 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 79.61 feet to a point of curvature;
- Running thence easterly through the bed of Norton Avenue and along a curve bearing to the right with a radius of 20.00 feet and a central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 31.42 feet to a point of tangency in the bed of Norton Avenue;
- Running thence easterly along a line through the bed of Norton Avenue, for 21.54 feet to a point in the bed of Beach 44th Street (60 feet wide);
- Running thence southerly along a line through the bed of Beach 44th Street, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 50.00 feet to a point in the bed of Beach 44th Street;
- Running thence westerly along a line through the bed of Norton Avenue, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 131.54 feet to a point of curvature;
- Running thence southerly through the bed of Norton Avenue and along a curve bearing to the left with a radius of 54.50 feet and a central angle of 90 degrees 00 minutes 00 second, an arc distance of 85.61 feet to a point of tangency in the bed of Beach 45th Street;
- Running thence southerly along a line through the bed of Beach 45th Street for 725.00 feet to a point on the northerly line of Hantz Road (50 feet wide) extended westerly;

- Running thence easterly along the northerly line of Hantz Road, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 189.54 feet to point in the bed of Beach 44th Street;
- Running thence southerly along a line through the bed of Beach 44th Street, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 50.00 feet to a point on the southerly line of Hantz Road extended easterly;
- Running thence westerly along said southerly line of Hantz Road extended westerly, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 189.54 feet to a point in the bed of Beach 45th Street;
- Running thence southerly along a line through the bed of Beach 45th Street, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 304.61 feet to a point on the northerly line of Beach Channel Drive;
- Running thence westerly along the northerly line of Beach Channel Drive, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 42.00 feet to the place and point of beginning.

PART 2

- Beginning at a point on the northerly line of Beach Channel Drive (75 feet wide) extended easterly, said point being 9.00 feet distant easterly from the corner formed by the intersection of the northerly line Beach Channel Drive and the westerly line of Beach 44th Street (60 feet wide) as said streets are shown on Alteration Map No. 2929 and on Acquisition and Damage Map No. 5944, dated April 9, 2007.
- Running thence northerly along a line through the bed of Beach 44th Street, for 1134.61 feet to a point;
 - Running thence westerly along a line through the bed of Beach 44th Street, and deflecting to the left 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 4.00 feet to a point on the westerly line of Beach 45th Street;
 - Running thence northerly along a line through the bed of Beach 44th Street and deflecting to the right 90 degrees 00 minutes 00 seconds from the last-mentioned course for 392.68 feet to a point of curvature;
 - Running thence easterly through the bed of Beach 44th Street and along a curve bearing to the right with a radius of 20.00 feet and a central angle of 90 degrees 06 minutes 52.5 seconds, an arc distance of 31.74 feet to a point of tangency in the bed of Conch Road;
 - Running thence easterly along a line through the bed of Conch Road, for 250.09 feet to a point on the westerly line of Beach 43rd Street (50 feet wide);
 - Running thence southerly along the westerly line of Beach 43rd Street deflecting to the right 90 degrees 02 minutes 42.5 seconds from the last mentioned course, for 50.00 feet to a point;
 - Running thence westerly along a line through the bed of Conch Road, deflecting to the right 89 degrees 57 minutes 17.5 seconds from the last mentioned course, for 164.87 feet to a point of curvature;
 - Running thence southerly through the bed of Conch Road and along a curve bearing to the left with a radius of 55.00 feet and a central angle of 90 degrees 06 minutes 52.5 seconds, an arc distance of 86.50 feet to a point of tangency in the bed of Beach 44th Street;
 - Running thence southerly along a line through the bed of Beach 44th Street for 257.51 feet to a point in the bed of Beach 44th Street;
 - Running thence easterly along a line through the bed of Norton Avenue, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 219.12 feet to point on the westerly line of Beach 43rd Street;
 - Running thence southerly along the westerly line of Beach 43rd Street, deflecting to the right 90 degrees 09 minutes 35 seconds from the last mentioned course, for 50.00 feet a point;
 - Running thence westerly along a line through the bed of Norton Avenue, deflecting to the right 89 degrees 50 minutes 25 seconds from the last mentioned course, for 222.99 feet to a point in the bed of Beach 44th Street;
 - Running thence southerly along a line through the bed of Beach 44th Street, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 382.82 feet to a point on the northerly line of Edgemere Drive (50 feet wide) extended westerly in the bed of Beach 44th Street;
 - Running thence easterly along the northerly line of Edgemere Drive, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 221.93 feet to the corner formed by the intersection of the northerly line of Edgemere Drive with the westerly line of Beach 43rd Street;
 - Running thence southerly along the westerly line of Beach 43rd Street, deflecting to the right 90 degrees 09 minutes 35 seconds from the last mentioned course, for 50.00 feet to the corner formed by the intersection of the southerly line of Edgemere Drive with the westerly line of Beach 43rd Street;
 - Running thence westerly along the southerly line of Edgemere Drive extended westerly, deflecting to the right 89 degrees 50 minutes 25 seconds from the last mentioned course, for 221.79 feet to a point in the bed of Beach 44th Street;
 - Running thence southerly along a line through the bed of Beach 44th Street, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 701.79 feet to a point on the northerly line of Beach Channel Drive;

No. 18 Running thence westerly along the northerly line of Beach Channel Drive, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 41.98 feet to the place and point of beginning.

PART 3

Beginning at the corner formed by the intersection of the northerly line of Beach Channel Drive (75 feet wide) with the westerly line of Beach 43rd Street (50 feet wide), as said streets are shown on Alteration Map No. 4929 and on Acquisition and Damage Map No. 5944, dated April 9, 2007.

- No. 1 Running thence northerly along said westerly line of Beach 43rd Street for 2071.91 feet to the intersection of the northerly terminus of Beach 43rd Street and the southerly U.S. Pierhead and Bulkhead Line of Conch Basin as shown on Alteration Map No. 4929;
- No. 2 Running thence northerly along said U.S. Pierhead and Bulkhead Line, deflecting to the right 45 degrees 13 minutes 06.7 seconds from the last mentioned course, for 7.04 feet to an angle point in the U.S. Pierhead and Bulkhead Line as shown on Alteration Map No. 4929;
- No. 3 Running thence northeasterly along said U.S. Pierhead and Bulkhead Line, deflecting to the right 21 degrees 15 minutes 19.5 seconds from the last mentioned course, for 49.08 feet to the intersection of the easterly line of Beach 43rd Street with the southerly U.S. Pierhead and Bulkhead Line of Conch Basin as shown on Alteration Map No. 4929;
- No. 4 Running thence southerly along the easterly line of Beach 43rd Street, deflecting to the right 113 degrees 31 minutes 33.8 seconds from the last mentioned course, for 84.65 feet to a point of curvature;
- No. 5 Running thence along a curve bearing to the left with a radius of 25.00 feet and a central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 39.27 feet to a point of tangency on the northerly line of Conch Drive (50 feet wide);
- No. 6 Running thence easterly along said northerly line of Conch Drive for 70.00 feet to the intersection of easterly terminus of Conch Drive and the westerly New York City Bulkhead Line of Norton Basin as shown on Alteration Map No. 4929;
- No. 7 Running thence southerly along said New York City Bulkhead Line, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 50.00 feet to a point on the southerly line of Conch Drive;
- No. 8 Running thence westerly along the southerly line of Conch Drive, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 70.00 feet to a point of curvature;
- No. 9 Running thence along a curve bearing to the left with a radius of 25.00 feet and a central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 39.27 feet to a point of tangency on the easterly line of Beach 43rd Street;
- No. 10 Running thence southerly along said easterly line of Beach 43rd Street for 1903.68 feet to a corner formed by the intersection of the northerly line of Beach Channel Drive with the easterly line of Beach 43rd Street as shown on Alteration Map No. 4949.
- No. 11 Thence westerly along a line, deflecting to the right 92 degrees 43 minutes 34 seconds from the last mentioned course, for 5.00 feet to a point;
- No. 12 Thence westerly along a line deflecting to the left 14 degrees 31 minutes 48 seconds from the last mentioned course, for 40.90 feet a point;
- No. 13 Thence westerly along a line, deflecting to the right 11 degrees 38 minutes 40 seconds from the last mentioned course, for 4.97 feet to the place and point of beginning.

The areas to be acquired are shown as Beach 43rd Street, Beach 44th Street, Beach 45th Street, Edgemere Drive, Conch Road, Conch Drive and Norton Avenue shown on Alteration Map No. 4929, certified by the City Planning Commission on August 18, 1997, and on Acquisition and Damage Map No. 5944 dated April 9, 2007.

The properties affected by this proceeding are located in Beach 43rd Street, Beach 44th Street, Beach 45th Street, Edgemere Drive, Conch Road, Conch Drive and Norton Avenue and Queens Tax Blocks 15960, 15961, 15962, 15963, 15964, 15965, 15966, 15967, and 15968 as shown on the Tax Map of the City of New York for the Borough and County of Queens as said Tax Map existed on March 10 & 16, 2006.

The property shall be acquired subject to encroachments, if any, of the structures, improvements and appurtenances standing or maintained partly upon the above described parcels and partly upon the lands and premises adjoining the same, as long as such encroachments shall stand.

Surveys, maps or plans of the property to be acquired are on file in the office of the Corporation Counsel of the City of New York, 100 Church Street, New York, New York 10007.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to EDPL § 402(B)(4), any party seeking to oppose the acquisition must interpose a verified answer, which must contain specific denial of each material allegation of the petition controverted by the opponent, or any statement of new matter deemed by the opponent to be a defense to the proceeding. Pursuant to CPLR 403, said answer must be served upon the office of the Corporation Counsel at least seven (7) days before the date that the petition is noticed to be heard.

Dated: April 3, 2009, New York, New York
 MICHAEL A. CARDOZO
 Corporation Counsel of the City of New York
 100 Church Street, Room 5-217
 New York, New York 10007
 Tel. (212) 788-0424

SEE MAPS ON BACK PAGES

a13-28

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AUCTION

PUBLIC AUCTION SALE NUMBER 09001- U AND V

NOTICE IS HEREBY GIVEN of a bi-weekly public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on WEDNESDAY, APRIL 29, 2009 (SALE NUMBER 09001-V). This auction is held every other Wednesday unless otherwise notified. Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

NOTE: The auction scheduled for Wednesday, April 15, 2009 (SALE NUMBER 09001-U) has been cancelled.

LOCATION: 570 Kent Avenue, Brooklyn, NY (in the Brooklyn Navy Yard between Taylor and Clymer Streets).

A listing of vehicles to be offered for sale in the next auction can be viewed on our Web site, on the Friday prior to the sale date at: <http://www.nyc.gov/auctions>
 Terms and Conditions of Sale can also be viewed at this site.

For further information, please call (718) 417-2155 or (718) 625-1313.

a1-29

■ SALE BY SEALED BID

SALE OF: 1 LOT OF UNCLEAR ALUMINUM/COPPER.

S.P. #: 09018 DUE: April 23, 2009

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.
 DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.
 For sales proposal contact Gladys Genoves-McCauley (718) 417-2156 for information.

a10-23

POLICE

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

The following listed property is in the custody, of the Property Clerk Division without claimants.

Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.
Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

INQUIRIES

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

FOR MOTOR VEHICLES

(All Boroughs):

- * College Auto Pound, 129-01 31 Avenue, College Point, NY 11354, (718) 445-0100
- * Gowanus Auto Pound, 29th Street and 2nd Avenue, Brooklyn, NY 11212, (718) 832-3852
- * Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2029

FOR ALL OTHER PROPERTY

- * Manhattan - 1 Police Plaza, New York, NY 10038, (212) 374-4925.
- * Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675.
- * Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.
- * Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.
- * Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.

j1-d31

■ AUCTION

PUBLIC AUCTION SALE NUMBER 1156

NOTICE IS HEREBY GIVEN of a ONE (1) day public auction of unclaimed salvage vehicles, motorcycles, trucks, and vans. Inspection day is April 20, 2009 from 10:00 A.M. - 2:00 P.M.

Salvage vehicles, motorcycles, automobiles, trucks, and vans will be auctioned on April 21, 2009 at approximately 9:30 A.M.

Auction will be held at the Erie Basin Auto Pound, 700 Columbia Street (in Redhook area of B'klyn., 2 blocks from Halleck St.)

For information concerning the inspection and sale of these items, call the Property Clerk Division's Auction Unit information line (646) 610-4614.

a8-21

PROCUREMENT

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

ADMINISTRATION FOR CHILDREN'S SERVICES

■ SOLICITATIONS

Construction Related Services

CAPITAL PROJECT - LA PUERTA ABIERTA PLAYGROUND UPGRADE – Competitive Sealed Bids – PIN# 068-09-ADM-0007 – DUE 05-19-09 AT 3:00 P.M. – Optional pre-bid date: Tuesday, May 5, 2009 at 10:00 A.M. at 150 William Street, Room 8B1, New York, NY 10038.

Bid forms and specifications may be obtained, free of charge, from the ACS website, any time before the bid date (recommended method). Copy the link into your browser to go to the appropriate page <http://nyc.gov/html/acs/html/business/business.shtml>. In the event that you are unable to download this bid, a bid package may be requested via e-mail. Blueprints must be picked up at 150 William Street, 9th Floor, prior to bid submission. Send all e-mail requests to acoadm@nysemail.state.ny.us and ana.betancourt@dfa.state.ny.us. Please type the PIN above and type of service into the subject line. Also type the name of the company, complete address, contact name, phone and fax numbers into the body of the e-mail. If all else fails, you may call (212) 341-3474 to make arrangements to pick up a bid package in person.

***This contract is subject to apprenticeship program requirements as described in the solicitation materials.
 ***This procurement is subject to participation goals for MBEs and/or WBEs are require by Local Law 129 of 2005.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Administration for Children's Services, 150 William Street, 9th Floor, New York, NY 10038. Hadda Acevedo-Delcamp (212) 341-3468, hadda.acevedo@dfa.state.ny.us

a21

AGING

■ AWARDS

Goods & Services

SERVICES FOR SENIOR CITIZENS – BP/City Council Discretionary – New York City Housing Authority 250 Broadway, New York, NY 10007 PIN: 12509DISC3ZY - Contract Amount: \$42,000

Visiting Neighbors, Inc. 611 Broadway, Suite 510, New York, NY 10012 PIN: 12509DISC3WQ - Contract Amount: \$10,000

a21

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

HALAL MEATS AND POULTRY FOR DOC – Competitive Sealed Bids – PIN# 8570900892 – DUE 04-24-09 AT 10:00 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Department of Citywide Administrative Services Office of Vendor Relations, 1 Centre Street, Room 1800 New York, NY 10007. Jeanette Megna (212) 669-8610.

a21

SAUCES, SEASONING, CONDIMENTS AND SPICES – Competitive Sealed Bids – PIN# 8570900904 – DUE 04-24-09 AT 10:00 A.M.
 ● **MUFFINS** – Competitive Sealed Bids – PIN# 8570900936 – DUE 04-24-09 AT 10:00 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Department of Citywide Administrative Services Office of Vendor Relations, 1 Centre Street, Room 1800 New York, NY 10007. Jeanette Megna (212) 669-8610.

a21

AWARDS

Goods

FIREFIGHTER PHYSICAL ABILITY TEST

EQUIPMENT – Sole Source – Available only from a single source - PIN# 857800863 – AMT: \$200,000.00 – TO: CPAT Distribution Inc., 39965 Sunset View Circle, Murrieta, CA 92562.
● GRP: ARVINMERITOR AFTER MARKET PARTS – Competitive Sealed Bids – PIN# 857900488 – AMT: \$2,928,250.00 – TO: Brake Service Inc. dba The Brake Service Group Nassau, 179 Herricks Road, Garden City Park, NY 11040.

☛ a21

CALCIUM CHLORIDE FLAKES – Competitive Sealed Bids – PIN# 857801225 – AMT: \$321,000.00 – TO: Innovative Municipal Products US, Inc., P.O. Box 712, Niagara Falls, NY 14302.

☛ a21

VENDOR LISTS

Goods

ACCEPTABLE BRAND LIST – In accordance with PPB Rules, Section 2-05(c)(3), the following is a list of all food items for which an Acceptable Brands List has been established.

- Mix, Biscuit - AB-14-1:92
- Mix, Bran Muffin - AB-14-2:91
- Mix, Corn Muffin - AB-14-5:91
- Mix, Pie Crust - AB-14-9:91
- Mixes, Cake - AB-14-11:92A
- Mix, Egg Nog - AB-14-19:93
- Canned Beef Stew - AB-14-25:97
- Canned Ham Shanks - AB-14-28:91
- Canned Corned Beef Hash - AB-14-26:94
- Canned Boned Chicken - AB-14-27:91
- Canned Corned Beef - AB-14-30:91
- Canned Ham, Cured - AB-14-29:91
- Complete Horse Feed Pellets - AB-15-1:92
- Canned Soups - AB-14-10:92D
- Infant Formula, Ready to Feed - AB-16-1:93
- Spices - AB-14-12:95
- Soy Sauce - AB-14-03:94
- Worcestershire Sauce - AB-14-04:94

Application for inclusion on the above enumerated Acceptable Brand Lists for foods shall be made in writing and addressed to: Purchase Director, Food Unit, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-4207.

j4-17

EQUIPMENT FOR DEPARTMENT OF SANITATION

In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:
 A. Collection Truck Bodies
 B. Collection Truck Cab Chassis
 C. Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8610.

j4-17

OPEN SPACE FURNITURE SYSTEMS - CITYWIDE – In accordance with PPB Rules, Section 2.05(c)(3), an Acceptable Brands List, #AB-17W-1:99, has been established for open space furniture systems.

Application for consideration of product for inclusion on this acceptable brands list shall be made in writing and addressed to: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007, (212) 669-8610.

j4-17

ECONOMIC DEVELOPMENT CORPORATION

AWARDS

Goods & Services

2328 ON TWELFTH, LLC – Sole Source – Available only from a single source - PIN# 0003641 – AMT: \$27,500.00 – TO: 2328 on Twelfth, LLC, 2328 Twelfth Avenue, New York, NY 10027. The New York City Economic Development Corporation, on behalf of the New York City Department of Small Business Services (the “City”), as Permittee and subject to the Franchise and Concession Review Committee’s approval, has entered into a sole source concession agreement with 2328 on Twelfth, L.L.C., as Permittee, whose address is 2328 Twelfth Avenue, New York, New York 10027 (the “Concession”).

The Concession is for approximately 1,921 square feet of a paved lot bordering Marginal Street between West 125th Street and West 132nd Street, in the Borough of Manhattan (part of Block 2004, Lot 999 on the Tax Map) for the purpose of accessory parking for customers of the Fairway store located at Twelfth Avenue and 132nd Street.

The Concession is a sole source award to 2328 on Twelfth, L.L.C.. The term of the Concession is one (1) year, with two (2) one-year renewal options. Permittee shall pay the City \$27,500.00 for the Initial Period, \$28,325.00 for the First Renewal Period and, \$29,174.75 for the Second Renewal Period (if exercised).

☛ a21-27

EDUCATION

DIVISION OF CONTRACTS AND PURCHASING

SOLICITATIONS

Goods

SPECIAL EDUCATION WORKSTATION FURNITURE – Competitive Sealed Bids – PIN# B0996040 – DUE 05-11-09 AT 5:00 P.M. – The New York City Department of Education (NYCDOE) is seeking bids from Authorized dealers and manufacturers experienced in providing Special Education Workstation Furniture for use in the NYC Department of Education, Citywide. If you cannot download this BID, please

send an e-mail to vendorhotline@schools.nyc.gov with the BID number and title in the subject. For all questions related to this BID, please send an e-mail to bhamilton@schools.nyc.gov with the BID’s number and title in the subject line of your e-mail.

Bid opening: Tuesday, May 12th, 2009 at 11:00 A.M.

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

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

☛ a21

ENVIRONMENTAL PROTECTION

BUREAU OF WATER SUPPLY

SOLICITATIONS

Services (Other Than Human Services)

CATSKILL WATERSHED CORPORATION

OPERATING FUNDS – Sole Source – Available only from a single source - PIN# 82609WS00036 – DUE 05-01-09 AT 4:00 P.M. – The NYC DEP proposes to enter into a sole source contract with the Catskill Watershed Corporation to provide operating funds for the continued implementation of a number of effective water quality protection programs in the West of Hudson Watershed. To implement and manage these programs, the City contracted with the Catskill Watershed Corporation, which is not-for-profit Corporation that was established to administer Watershed Protection and Partnership Programs. Any firm which believes it can also provide the required service is invited to so, indicated by letter which must be received no later than April 30, 2009, at 4:00 P.M., at: Department of Environmental Protection, Agency Chief Contracting Officer, 59-17 Junction Blvd., 17th Floor, Flushing, New York 11373. Debra Butlien (718) 595-3423, dbutlien@dep.nyc.gov. Contract CAT-381.

a15-21

HEALTH AND HOSPITALS CORPORATION

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-3863.

j1-d31

SOLICITATIONS

Goods & Services

REBID 3 YEAR REAGENT AGREEMENT – Competitive Sealed Bids – PIN# 11109113 – DUE 04-30-09 AT 2:30 P.M.

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

Bellevue Hospital Center, 462 First Avenue, Room 12E31 New York, NY 10016. Roberta Mazzyck (212) 562-3928 roberta.mazzyck@bellevue.nychhc.org

☛ a21

LITHOTRIPSY SYSTEM – Competitive Sealed Bids – PIN# 22209101A – DUE 05-06-09 AT 3:00 P.M.

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

Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451. Yolanda Johnson (718) 579-5867.

☛ a21

Human/Client Service

INSPECTION, TESTING AND CLEANING OF FIRE

ALARM SYSTEM – Competitive Sealed Bids – PIN# GD09-264566 – DUE 05-05-09 AT 3:00 P.M. – Testing to be performed as per NFA DOH and NYFD. Requirements and specifications as per bid package. For additional technical information please contact Christopher Werner at (718) 245-7301.

The total bid package is to be returned in the order in which it is received. All forms and certifications must be completed where applicable. Failure to comply may determine bid to be non-responsive.

There will be a mandatory site tour on 4/28/09 at 10:00 A.M. Vendors to call Chris Werner at (718) 245-7301.

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.

SSM Nursing and Rehab., 451 Clarkson Avenue, Brooklyn, NY 11203. Gracita Dedios (718) 245-2123, gracita.dedios@nychhc.org

Support Office Building, 591 Kingston Avenue, Room 251 Brooklyn, NY 11203.

☛ a21

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

AWARDS

Services (Other Than Human Services)

AUTISM AWARENESS – BP/City Council Discretionary – PIN# 09MR058101R0X00 – AMT: \$100,000.00 – TO: Samuel

Field YM and YWHA, Inc., 58-20 Little Neck Parkway, Little Neck, NY 11362.

☛ a21

HOMELESS SERVICES

OFFICE OF CONTRACTS AND PROCUREMENT

SOLICITATIONS

Human/Client Service

TRANSITIONAL RESIDENCES FOR HOMELESS/

DROP-IN CENTERS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-25-10 AT 10:00 A.M. – The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

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

Department of Homeless Services, 33 Beaver Street 13th Floor, New York, NY 10004.

Marta Zmoira (212) 361-0888, mzmaira@dhs.nyc.gov

j12-24

HOUSING AUTHORITY

SOLICITATIONS

Construction/Construction Services

REPAIRING WATER TANK ENCLOSURE AT

MONROE HOUSES – Competitive Sealed Bids – PIN# RW8014692 – DUE 04-28-09 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

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, 11th Floor, New York NY 10007. Gloria Guillo, MPA, CPPO, (212) 306-3121 gloria.guillo@nycha.nyc.gov

a15-21

INSTALLATION OF SMOKE, CARBON MONOXIDE

DETECTORS AND STROBE LIGHTS AT VARIOUS MANHATTAN DEVELOPMENTS – Competitive Sealed Bids – PIN# EL9004123 – DUE 05-05-09 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

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, 11th Floor, New York NY 10007. Gloria Guillo, MPA, CPPO, (212) 306-3121 gloria.guillo@nycha.nyc.gov

a17-23

REPAIRING EXTERIOR BRICKWORK AND NEW

ROOFING AT HIGHBRIDGE REHABS (NELSON AVENUE) – Competitive Sealed Bids – PIN# ST9004146 – DUE 05-07-09 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

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, 11th Floor, New York NY 10007. Gloria Guillo (212) 306-3121 gloria.guillo@nycha.nyc.gov

☛ a21-27

REPAIRING EXTERIOR BRICKWORK AND NEW

ROOFING AT HIGHBRIDGE REHABS (ANDERSON AVENUE) – Competitive Sealed Bids – PIN# ST9004147 – DUE 04-30-09 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

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, 11th Floor, New York NY 10007. Gloria Guillo (212) 306-3121 gloria.guillo@nycha.nyc.gov

a17-23

PURCHASING DIVISION

SOLICITATIONS

Goods

RAT BAIT CONTRAC – Competitive Sealed Bids – RFQ# 6639 RS – DUE 05-05-09 AT 10:45 A.M.

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

Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101. Bid documents available via internet ONLY: http://www.nyc.gov/html/nycha/html/businessgoods_materials.shtml Robin Smith, (718) 707-5446.

☛ a21

FURNISH ENERGY STAR REFRIGERATORS – Competitive Sealed Bids – RFQ #6501 – DUE 05-05-09 AT 10:35 A.M.

● **ELECTRICAL FIXTURES-FUSES AND BATTERIES** – Competitive Sealed Bids – RFQ #6637 – DUE 05-05-09 AT 10:40 A.M.

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

Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101. Bid documents available via internet ONLY:

http://www.nyc.gov/html/nychal/html/business/goods_materials.shtml Atul Shah (718) 707-5450.

a21

OFFICE OF MANAGEMENT AND BUDGET

■ VENDOR LISTS

Services (Other Than Human Services)

VALUE ENGINEERING VENDOR PRE-QUALIFICATION – VENDOR PRE-QUALIFICATION

In the category: Value Engineering (VE) Consultant Services for Complex Capital Projects. Consultant must be a Certified Value Specialist (CVS), as accredited by Society of American Value Engineers (SAVE) international or equivalent and must conduct VE studies using the formal five-step VE job plan. Consultant must be able to provide all required VE team members, either directly, or by providing sub-consultants. Consultant must have recent, successful experience in performing VE studies for the NYC Office of Management and Budget. Please contact to request a pre-qualified Questionnaire by April 21, 2009: Kadi-Anne McGlashan-Cole, 8th Floor, 75 Park Place, NY, NY 10007, (212) 788-5821 or via e-mail at contracts@omb.nyc.gov

a15-21

PARKS AND RECREATION

REVENUE AND CONCESSIONS

■ SOLICITATIONS

Services (Other Than Human Services)

CONSTRUCTION, OPERATION AND MAINTENANCE OF FIVE (5) BIKE RENTAL STATIONS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M10,37,72,144-BR – DUE 05-14-09 – At Central Park, Riverside Park, West Harlem Piers Park, East River Park, and Highbridge Park, Manhattan.

There will be four (4) recommended on-site proposer meetings and site tours. On Monday, April 20, 2009 at 12:00 P.M., we will be meeting at the Central Park - Merchants' Gate location, which is located by the Maine Monument on Columbus Circle. Later, on Monday, April 20, 2009 at 3:00 P.M., we will meet at Highbridge Park location, which is at the corner of Fort George Hill and Dyckman Street in the Inwood section of Manhattan. Proposers attending these meetings will be responsible for their own transportation between the two sites. On Tuesday, April 21, 2009 at 11:00 A.M., a proposer meeting will be held at the East River Park location, near the north end of the running track between the East 6th Street and East 10th Street pedestrian bridges that cross the FDR River. On Wednesday, April 22, 2009 at 11:00 A.M., we will meet at the Riverside Park location, which is at 70th, near Pier 1, in Riverside Park. The second half of this meeting will be held at the West Harlem Piers Park location, which is at the end of West 135th Street. Proposers attending this meeting will be responsible for their own transportation between the two sites. If you are considering responding to this RFP, please make every effort to attend these recommended meetings and site tours.

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

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

Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021. Evan George (212) 360-3495, evan.george@parks.nyc.gov

a10-23

DEVELOPMENT AND OPERATIONS OF A SPORTS FACILITY AND FOOD SERVICE FACILITY

Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# X344-SB-IS-IT – DUE 07-08-09 AT 3:00 P.M. – At Mill Pond Park in the Bronx. Parks will hold a proposer meeting on Thursday, May 21, 2009 at 11:00 A.M. on the 3rd Floor of the Arsenal in Central Park, which is located at 830 5th Ave. (at the intersections of 5th Ave. and E. 64th St.), New York, NY 10065.

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

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

Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021. Joel Metlen (212) 360-1397, joel.metlen@parks.nyc.gov

a8-21

SCHOOL CONSTRUCTION AUTHORITY

■ SOLICITATIONS

Construction / Construction Services

INSTALLATION OF SURVEILLANCE SERVICES – Competitive Sealed Bids – PIN# SCA09-12602D-1 –

DUE 05-05-09 AT 2:30 P.M. – Four (4) Schools (Manhattan). Project Range: \$1,560,000.00 to \$1,640,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Lily Persaud (718) 752-5852 lpersaud@nycsca.org

a20-24

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction / Construction Services

HVAC REFURBISHMENT – Competitive Sealed Bids – PIN# SCA09-12785D-1 – DUE 05-04-09 AT 11:00 A.M. – George Wingate HS (Brooklyn). Project Range: \$1,610,000.00 to \$1,694,000.00. Non-refundable bid documents charge: \$100.00.

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

School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Ricardo Forde (718) 752-5288 rforde@nycsca.org

a15-21

WINDOWS, PARAPETS – Competitive Sealed Bids – PIN# SCA09-12160D-1 – DUE 05-05-09 AT 10:00 A.M. – PS 163 (Bronx). Project Range: \$1,820,000.00 to \$1,915,000.00. NYC School Construction Authority, Plans Room Window, Room #1046, 30-30 Thomson Avenue, 1st Floor, Long Island City, New York 11101. Non-refundable bid documents charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Kevantae Idlett (718) 472-8360 kidlett@nycsca.org

a15-21

FLOORS – Competitive Sealed Bids – PIN# SCA09-12586D-1 – DUE 05-11-09 AT 10:00 A.M. – PS 157 (Brooklyn). Project Range: \$1,460,000.00 to \$1,540,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Stephanie Lyle (718) 752-5854 slyle@nycsca.org

a20-24

FLOOR RECONSTRUCTION – Competitive Sealed Bids – PIN# SCA09-12594D-1 – DUE 05-08-09 AT 11:00 A.M. – PS 127 (Queens). Project Range: \$1,480,000.00 to \$1,560,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue, Plans Room Window, Room #1046, Long Island City, NY 11101. Kevantae Idlett (718) 472-8360, kidlett@nycsca.org

a20-24

PROGRAM ACCESSIBILITY – Competitive Sealed Bids – PIN# SCA09-12208D-1 – DUE 05-05-09 AT 3:00 P.M. – Project Range: \$3,000,000.00 to \$3,160,000.00.

● **IP SURVEILLANCE CAMERA** – Competitive Sealed Bids – PIN# SCA09-12563D-1 – DUE 05-06-09 AT 10:00 A.M. – Project Range: \$990,000.00 to \$1,050,000.00.

Non-refundable bid documents charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue, Plans Room Window, Room #1046, Long Island City, NY 11101. Stacia Edwards (718) 752-5849, sedwards@nycsca.org

a16-22

WINDOWS, EXTERIOR MASONRY, FLOOD ELIMINATION

Competitive Sealed Bids – PIN# 09-12354D-1 – DUE 05-07-09 AT 11:30 A.M. – West Brooklyn Community High School (Brooklyn). Project Range: \$2,310,000.00 to \$2,440,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Stephanie Lyle (718) 752-5854 slyle@nycsca.org

a15-21

SCIENCE LAB UPGRADE – Competitive Sealed Bids – PIN# SCA09-12352D-1 – DUE 05-11-09 AT 10:30 A.M. – Project Range: \$1,620,000.00 to \$1,710,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue, Plans Room Window, Room #1046, Long Island City, NY 11101. Stacia Edwards (718) 752-5849, sedwards@nycsca.org

a21-27

ELECTRICAL SYSTEMS/ROOM CONVERSION – Competitive Sealed Bids – PIN# SCA09-004463-1 – DUE 05-07-09 AT 10:30 A.M. – Lehman HS (Bronx). Project Range: \$3,340,000.00 to \$3,520,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order only. Make checks payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Rookmin Singh (718) 752-5843 rsingh@nycsca.org

a17-23

STUDENT TOILETS – Competitive Sealed Bids – PIN# SCA09-12355D-1 – DUE 05-12-09 AT 10:00 A.M. – Metropolitan Corporate Academy HS (Brooklyn). Project Range: \$1,070,000.00 to \$1,125,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Stephanie Lyle (718) 752-5854 slyle@nycsca.org

a21-27

Construction Related Services

CONSTRUCTION MANAGEMENT SERVICES IN CONNECTION WITH MANAGEMENT AND COORDINATION OF EMERGENCY RESPONSE PROGRAM

Competitive Sealed Proposals – PIN# 09-00059R – DUE 05-06-09 AT 2:00 P.M. – Proposals will be accepted from the following firms: AECOM USA, Inc.; Bovis Lend Lease, LMB, Inc.; Epic Management, Inc.; F.J. Sciamè Construction Co., Inc.; H.J. Russell Construction Co., Inc.; Hunter Roberts Construction Group; Leon D DeMatta Construction Corp.; LiRo Program and Construction Management, P.C.; Parson Brinckerhoff Construction Services; S. Digiacoimo and Son, Inc.; Skanska USA Building, Inc.; TDX Construction Corporation; The Pike Company, Inc.; Tishman Construction Corp. of New York; URS Corporation - New York; 3D/International, Inc./Parsons Corporation; Hill International, Inc.

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

School Construction Authority, 30-30 Thomson Avenue, 1st floor, Long Island City, NY 11101. Seema Menon (718) 472-8284, smenon@nycsca.org

a20-24

TRANSPORTATION

DIVISION OF FRANCHISES, CONCESSIONS AND CONSENTS

■ SOLICITATIONS

Services (Other Than Human Services)

NON-PROFIT PUBLIC PLAZA OPPORTUNITIES – Other – PIN# 84109MBAD417 – DUE 06-30-09 AT 5:00 P.M. – NYC Plaza Program Opportunities

This is not a job application
The NYC Department of Transportation (DOT) is now accepting applications from eligible not-for-profit organizations to propose sites for new public plazas. Through this program, DOT will work with selected community partners to build new neighborhood plazas throughout the City. After the plazas are designed and built, the partnering organizations will be responsible for the maintenance, operation and management of the plazas, which may include the operation of a concession by the selected not-for-profit organization. Interested not-for-profit organizations should visit www.nyc.gov/plazas to learn more about the program and to download the program's guidelines and application. Interested not-for-profit organizations may also obtain a copy of the program's guidelines and application by contacting Mr. Vaidila Kungys, Senior President Manager at DOT: Planning and Sustainability, 40 Worth Street, Room 1029, NY, NY 10013, or calling: (212) 442-7154.

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

Department of Transportation, 40 Worth Street, Room 942 New York, NY 10013. Vaidila Kungys (212) 442-7154 plazas@dot.nyc.gov

a17-30

CANCELLATION: UNSUBSIDIZED BUS SERVICE IN BROOKLYN – Request for Proposals – PIN# 84109BKAD415 – DUE 05-20-09 AT 2:00 P.M. – CANCELLATION: This Request for Proposals (RFP) is being cancelled to allow the City to develop the RFP further, in order to ensure that the final solicitation is in the best interest of the City and its bus-riding patrons.

DOT's Office of Franchises, Concessions and Consents is soliciting proposals for a non-exclusive franchise for an unsubsidized bus line providing common carrier service to passengers along designated routes between Williamsburg and Borough Park in the Borough of Brooklyn. The initial term of the Franchise Contract will be ten (10) years, followed by an optional renewal period of ten (10) years and a second optional renewal period of five (5) years. The renewals shall be exercised at the sole option of the Department of Transportation.

The Request for Proposals will be available online starting on April 20, 2009, from: <http://www.nyc.gov/html/dot/html/about/rfpintro.shtml>.

Hard copies may be obtained:
From April 20 - April 30, 2009, 9:00 A.M. to 3:00 P.M.:
Department of Transportation, ACCO Contracts Unit, 40 Worth Street, Room 824A, New York, NY 10013.

From May 4 - May 19, 2009, 9:00 A.M. to 3:00 P.M.:
Department of Transportation, ACCO Contract Management Unit, 55 Water Street, Ground Floor, New York, NY 10041.

Proposals must be submitted to ACCO Contract Management Unit, Department of Transportation, 55 Water Street, Ground Floor, New York, NY 10041. There will be a pre-proposal conference on May 11, 2009 at 11:00 A.M. at 40 Worth St, NY, NY. Please contact the Authorized Department Contact for the room number. Attendees are asked to RSVP. Attendance by proposers is optional but strongly recommended.

All inquiries should be submitted in writing and will be answered in writing.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Transportation, ACCO Contract Management Unit, 55 Water Street, Ground Floor, New York, NY 10041. 40 Worth Street, Room 940, New York, NY 10013. Owiso Makuku (212) 442-8040, franchises@dot.nyc.gov

a14-24

DIVISION OF TRAFFIC

SOLICITATIONS

Construction Related Services

AMSTERDAM AVENUE DECORATIVE STREET LIGHTING – Competitive Sealed Bids – PIN# 84109MBTR347 – DUE 05-12-09 AT 11:00 A.M. – Contract documents available during the hours of 9:00 A.M. - 3:00 P.M. ONLY. Installing, removing or relocating equipment furnished by the City, or by the contractor, and for performing other electrical work in connection with decorative street lighting on Amsterdam Avenue, Manhattan. A deposit of \$50.00 in the form of a certified check or money order made payable to New York City Department of Transportation is required to obtain Contract Bid/Proposal Documents. NO CASH ACCEPTED. Refund will be made only for Contract Bid/Proposal Documents that are returned in its original condition within 10 days after bid opening. Any persons delivering bid documents must enter the building through 220 Church Street, New York, NY. Due to increased building security bidders should allow extra time and ensure that proper photo identification is available upon request. Please ensure that your company's address, telephone and fax numbers are submitted by your company (or messenger service) when picking up contract documents. For additional information please contact Frank Caiazza at (212) 786-4061. Vendor Source ID#: 59281.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Transportation, Contract Management Unit, Office of the Agency Chief Contracting Officer, 40 Worth Street, New York, NY 10013. Bid Window (212) 442-7565.

a21

AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

“These Hearings may be cablecast on NYC TV Channel 74 on Sundays, from 5:00 p.m. to 7:00 p.m. For more information, visit: www.nyc.gov/tv” NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.

CHIEF MEDICAL EXAMINER

PUBLIC HEARINGS

CANCELLATION OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, April 23, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Health and Mental Hygiene Office of Chief Medical Examiner (OCME) and Beckman Coulter Inc. located at 4300 N Harbor Blvd, Fullerton, CA 92834, to provide Maintenance and Support Services for Biomek Robots. The contract term shall be for five (5) years from July 1, 2009 To June 30, 2014 with one (1) year option to renew from 7/1/2014 to 6/30/2015. The proposed contract amount is \$413,666.60, PIN: 81609ME0028.

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

A draft copy of the proposed contract is available for public inspection at the Office of Chief Medical Examiner, 421 East 26th Street, 10th floor, – Contracts/Purchasing Division, New York, NY 10016, from April 10, 2009 through April 23, 2009, Monday through Friday, exclusive of holidays, from 10:00 A.M. to 3:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within five (5) business days after publication of this notice. Written request should be sent to, Barbara Markowitz, Agency Chief Contracting Officer at the Office of Chief Medical Examiner, 421 East 26th Street, 10th floor– Contracts/Purchasing Division, New York, NY 10016. If OCME receives no written requests to speak within the prescribed time, OCME reserves the right not to conduct the public hearing.

CANCELLATION OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, April 23, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Health and Mental Hygiene, Office of Chief Medical Examiner (OCME) and Ventana Medical Systems, Inc., 1910 E. Innovation Park Drive, Tucson, AZ 85755, to provide Support, Maintenance and Repair Services to the Ventana Benchmark LT Module and the Ventana Special Stainer, and Related Items. The contract amount shall be \$378,400.00. The contract term shall be from July 1, 2009 to June 30, 2014 with one (1) year option to renew from July 1, 2014 to June 30, 2015. PIN: 81610ME0005.

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

A draft copy of the proposed contract is available for public inspection at the Office of Chief Medical Examiner, 421 East 26th Street, 10th Floor, Contracts/Purchasing Division, New York, NY 10016, from April 10, 2009 to April 23, 2009, Monday through Friday, excluding Holidays, from 10:00 A.M. to 3:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written request should be sent to Barbara Markowitz, Agency Chief Contracting Officer at the Office of Chief Medical Examiner, 421 East 26th Street, 10th Floor, Contracts/Purchasing Division, New York, NY 10016. If OCME receives no written request to speak within the prescribed time, OCME reserves the right not to conduct the public hearing.

a21-23

HEALTH AND MENTAL HYGIENE

PUBLIC HEARINGS

CORRECTED NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, April 23, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Health and Mental Hygiene and the Contractor listed below, to provide maintenance for the MOVARIS Business process automation platform and related products on all licenses purchased from Movaris. **The contract term shall be from January 1, 2009 to December 31, 2011, including one three year option to renew for the period from January 1, 2012 to December 31, 2014.**

Contractor/Address

Movaris Inc.
15851 Dallas Parkway, Suite 900
Addison, TX 75001

PIN# 09MI029800R0X00 **Amount** \$106,814.00

The proposed contractor has been selected as a Sole Source Procurement, pursuant to Section 3-05 (b) (2) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, NY 10013, from April 10, 2009 to April 23, 2009, excluding Saturdays, Sundays and Holidays, from 10:00A.M. to 4:00 P.M.

Anyone who wishes to speak at this Public Hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written requests to speak should be sent to Shamecka Williams, Procurement Analyst at the Department of Health and Mental Hygiene, ACCO's Office, 93 Worth Street, Room 812, New York, NY 10013 or jpalm3@health.nyc.gov. If DOHMH receives no written requests to speak within the prescribed time, DOHMH reserves the right not to conduct the public hearing.

a21-23

AGENCY RULES

CAMPAIGN FINANCE BOARD

NOTICE

Notice of Opportunity to Comment on Proposed Amendments to Campaign Finance Board Rules

IN COMPLIANCE WITH SECTION 1043 OF THE NEW YORK CITY CHARTER, and exercising authority vested in the Campaign Finance Board (the "Board") under Chapter 46 of the New York City Charter (including, but not limited to, Sections 1052(a)(8) and 1052(a)(12) thereof) and under the New York City Campaign Finance Act (the "Act") (including, but not limited to, Section 3-708(8) of the New York City Administrative Code), the Board hereby proposes amendments to the Campaign Finance Board Rules. **Underscoring** denotes proposed additions; **strikeout** denotes proposed deletions.

I. Explanation, Basis, and Purpose

The Campaign Finance Board Rules are codified in Chapter 52 of the Rules Compilation of the City of New York. The subject matter of this rulemaking was described in the Board's regulatory agenda for fiscal year 2009, published in *The City Record* on April 14, 2008.

The proposed amendments would effect the following specific changes, and if adopted following the opportunity for public comment, would take effect thirty days after final publication in *The City Record*:

Application of expenditure limits for expenditures related to transfers (Rules 1-08(o))

The proposed amendments would clarify that in the case of transfers from a committee that was not another principal committee, participants must allocate to transferred contributions not only expenditures incurred by the transferor committee during the covered election cycle in connection with raising or administering transferred contributions, but also any expenditures incurred by the transferor committee prior to the covered election in connection with raising the transferred contributions. The proposed amendments would also clarify that such expenditures will be applied towards the expenditure limit in effect at the time of the transfer.

Reporting of expenditures related to transfers (Rule 3-03(c))

The proposed amendments would clarify that, in the case of a transfer from a committee that was not another principal committee, the participant must report not only all expenditures made by the transferor committee during the election cycle of the covered election, but also all expenditures made by the transferor committee prior to the election cycle of the covered election in connection with raising such contributions. The proposed amendments would also clarify that expenditures incurred during the election cycle of the covered election not made in connection with raising or administering the transferred contributions need not be disclosed in disclosure statements but rather may be disclosed to the Board by providing copies of disclosure statements filed by the transferor committee with the City or State Boards of Elections or the Federal Elections Commission.

Training (Rule 2-12)

The proposed amendments would clarify that campaigns are required to attend pre-election training covering Program requirements and the use of Program software in accordance with a schedule of trainings to be issued by the Board. The proposed amendments would also provide the deadlines by which campaigns must complete post-election audit training in order to receive their final audit reports within the shorter time frames provided pursuant to section 3-710(1) of the Code.

Written petitions for review of public funds determinations (Rule 5-02(a))

The proposed amendments would clarify that a petition for review of a post-election public funds determination must be submitted within 30 days of the issuance of the final audit report.

II. Opportunity to Comment

Written comments regarding the proposed rules must be submitted to the General Counsel of the Campaign Finance Board, 40 Rector Street, 7th Floor, New York, on or before May 21, 2009. A public hearing will be held on May 21, 2009 at the offices of the Board beginning at 10:00 A.M. Persons wishing to testify are requested to notify the General Counsel of the Board at the foregoing address. Written comments and a transcript of the hearing will be available for public inspection, within a reasonable time after receipt, at the offices of the Board on weekdays between the hours of 9:00 A.M. and 5:00 P.M.

III. Proposed Rules

Expenditures (Rule 1-08)

Campaign Finance Board Rule 1-08(o) would be amended as follows:

(o) **Expenditure limit compliance for transfers.** In the case of a transfer of funds from a committee not otherwise involved in the covered election, other than another principal committee of the same candidate, the participant must allocate to the transferred contributions any expenditures incurred by the transferor committee during the covered election cycle in connection with raising or administering transferred contributions, **and any expenditures incurred by the transferor committee prior to the covered election cycle in connection with raising the transferred contributions.** In such a case, the participant has the burden of demonstrating, for the purpose of compliance with the expenditure limits of the Act, what expenditures incurred by the transferor committee were not made in connection with raising or administering the transferred contributions. At the Board's request, the participant shall provide documentation related to any such

expenditures, including copies of Federal forms or disclosure statements filed with the New York State or City Board of Elections on behalf of the transferor committee. Expenditures will be applied towards the expenditure limit in effect at the time of the transfer.

Contents (Rule 3-03)

Campaign Finance Board Rule 3-03(c)(2) would be amended as follows:

(c) Contributions and other receipts.

(2) Transfers. The candidate shall report contemporaneously the aggregate amount of each transfer and each contribution to which it is attributed. In addition, the participant shall report, in the case of a transfer from a committee not otherwise involved in the covered election, other than another principal committee of the same candidate, (i) all expenditures made by the transferor committee during the election cycle of the covered election; and (ii) all expenditures made by the transferor committee prior to the covered election cycle in connection with raising or administering such contributions. Such reporting of expenditures shall be made in the same disclosure statement as in which the transfer is reported, except that expenditures incurred during the covered election cycle for purposes other than raising or administering the transferred contributions need not be reported in disclosure statements to be filed with the Board but rather may be disclosed to the Board by providing copies of the transferor committee's New York City or New York State Boards of Elections or Federal disclosure statements. Further, the candidate shall submit contemporaneously the records required to be maintained pursuant to Rule 4-01(b)(8).

Training (Rule 2-12)

Campaign Finance Board Rule 2-12 would be amended as follows:

Rule 2-12 Mandatory Training.

(a) Mandatory pre-election training. Participating candidates, their campaign managers, treasurers or persons with significant managerial control over a campaign shall be required to attend a training provided by the Board concerning compliance with the requirements of the Program and use of the Program software. Such training shall be completed in accordance with a schedule to be published by the Board.

(b) Optional Post-Election Training. In order to prepare campaigns to respond effectively to issues raised in the draft audit report, the Act encourages candidates and their staffs to attend post-election audit trainings. Pursuant to § 3-710(1) of the Code, where the candidate, the campaign manager, or the treasurer has attended a post-election audit training provided by the Board, the Board will issue final audit reports within fourteen months after the deadline for submission of the final disclosure report for the covered election, in the case of city council and borough-wide races, and within sixteen months after the deadline for submission of the final disclosure report for the covered election in the case of citywide races. The deadlines for attendance at such trainings shall be:

- (1) For city council and borough-wide races, the earlier of twenty days following issuance of the draft audit report or eight months after the deadline for submission of the final disclosure report for the covered election;
- (2) For citywide races, the earlier of twenty days following issuance of the draft audit report or ten months after the deadline for submission of the final disclosure report for the covered election.

Audits (Rule 4-05)

Campaign Finance Board Rule 4-05(b) would be amended as follows:

(b) The Board shall issue all draft and final audit reports in accordance with the deadlines provided in §3-710(1)(a) and (b) of the Code subject to any applicable exceptions to those deadlines provided in §3-710(1)(d), (e), and (f) of the Code; provided, however, that the Board shall not be required to provide the candidate a final audit report within fourteen months after the deadline for submission of the final disclosure report for the covered election for city council races and borough-wide races, or within sixteen months after the deadline for submission of the final disclosure report for the covered election for citywide races, unless the candidate or the candidate's treasurer or campaign manager completed an audit training provided by the Board prior to the candidate's applicable deadline for responding to the draft audit report provided in Rule 2-12(b).

Written Petitions for Review of Public Funds Eligibility (Rule 5-02(a))

Campaign Finance Board Rule 5-02(a)(3) would be amended as follows:

Rule 5-02 Review of Eligibility, Payment, and Repayment Determinations.

(a) Written petitions for review.

(1) After the Board provides a participant a written determination specifying the basis for payment or non-payment of public funds prior to the election, the participant may petition the Board in writing for reconsideration of such determination. Such petition must state the grounds for reconsideration and may include a request to appear before the Board concerning the subject of such petition. Before the election, the Board shall review the determination that is the subject of the petition for review within five business days of the filing of such petition. In the event the Board is unable to convene within five business days, the Board may delegate to the Chair of the Board or his or her designee authority to make a determination regarding the petition. The Board shall timely issue a written determination on the subject of the petition. If the petition is denied, the Board's notice shall inform the participant of the right to appeal the Board's determination pursuant to Article 78 of the Civil Practice Law and Rules.

(2) The participating candidate and his or her principal committee shall not include in any such petition any documentation or factual information not submitted to the Board prior to the determination under review unless the participating candidate can demonstrate good cause for the previous failure to submit such documentation or information and for any failures to communicate on a timely basis with the Board.

(3) The participating candidate may submit a petition for review of a payment or non-payment determination after the issuance of the participant's final audit report within thirty

days of issuance of the final audit report and only upon submission of information and/or documentation that was unavailable to the Board previously and is material to such determination, and a showing that the participant had good cause for the previous failure to provide such information and/or documentation.

☛ a21

CITYWIDE ADMINISTRATIVE SERVICES

■ NOTICE

**DIVISION OF CITYWIDE PERSONNEL SERVICES
PROPOSED AMENDMENT TO CLASSIFICATION**

PUBLIC NOTICE IS HEREBY GIVEN of a public hearing to amend the Classification of the Classified Service of the City of New York.

A public hearing will be held by the Commissioner of Citywide Administrative Services in accordance with Rule 2.6 of the Personnel Rules and Regulations of the City of New York at 1 Centre Street, Pre-Bid Room, 18th Floor North (18th floor public access only from South elevators), New York, NY 10007.

MONDAY, May 4, 2009 at 10:00 A.M.

Copies of the proposal memorandum, the proposed classification resolution and the proposed class specifications for the titles listed below can be viewed on the DCAS Website at: www.nyc.gov/dcas.

RESOLVED, That the Classification of the Classified Service of the City of New York is hereby amended by including the titles indicated below:

- I. By establishing in the Non-Competitive Class, under the heading ALL CITY AGENCIES (999), subject to Rule X, Part I, the following titles:

Title Code Number	No. of Positions	Class of Positions	Annual Salary
MXXXXX	unl.	Agency Security Director	These are Management Classes of positions paid in accordance with the Pay Plan for Management Employees. Salaries for these positions are set at a rate in accordance with duties and responsibilities.
MXXXXX	1 per agency	Director (Employee Assistance Program)	

Part I positions are excluded from Civil Service Law Section 75 disciplinary procedures, pursuant to Rule 3.2.3 (b) of the Personnel Rules and Regulations of the City of New York.

- II. By establishing in the Non-Competitive Class, under the heading ALL CITY AGENCIES (999), subject to Rule X, Part II, the following title:

Title Code Number	No. of Positions	Class of Positions	Hourly Salary Rate effective 1.01.07
XXXXX	unl.	High School Student Aide	\$7.15 per hour

Employees in this title may not work more than 20 hours per week when school is in session.

- III. By establishing in the Non-Competitive Class, under the heading ALL CITY AGENCIES (999), subject to Rule XI, Part II, the following title:

Title Code Number	No. of Positions	Class of Positions	Annual Salary Range eff. 2.01.07		
			#Hired After 2.01.07 Minimum	Incumbent Minimum	Maximum
XXXXX	unl.	Employee Assistance Program Specialist	\$42,779	\$46,133	\$76,813

Part II positions receive Civil Service Law Section 75 disciplinary procedures, pursuant to Rule 3.2.3 (b) of the Personnel Rules and Regulations of the City of New York, after 5 years of service.

- # Employees hired into City Service on or after 2.01.07 shall be paid at least the "Hired After 2.01.07 Minimum" rate. Upon completion of two years of active or qualified inactive service, such employees shall be paid no less than the indicated "Incumbent Minimum" for the applicable title that is in effect on the two year anniversary of their original appointments. In no case shall an employee receive less than the stated hiring minimum.

☛ a21-23



CITY PLANNING

■ NOTICE

Substantial Amendment to the 2008 Consolidated Plan 12-day Public Comment Period Addendum - Homelessness Prevention and Rapid Re-Housing Program

Pursuant to the Title XII of the American Recovery and Reinvestment Act of 2009 ("ARRA" or the "Recovery Act") the City of New York announces the 12-day public comment period for the substantial amendment to the 2008 Consolidated Plan: Addendum - Homelessness Prevention and Rapid Re-Housing Program (HPRP).

The Public Comment period will begin Thursday, April 30 and end Monday, May 11, 2009.

The HPRP was created by Congress to provide grants to States and localities to provide financial assistance and services to either prevent individuals and families from becoming homeless or help those are experiencing homelessness to be quickly re-housed and stabilized. The City of New York is expected to receive approximately \$73,929,700 in HPRP funds.

Under existing U.S. Department of Housing and Urban Development (HUD) Consolidated Plan citizen participation regulations, substantial amendments to an approved Plan are required to undergo a 30-day comment period. However, in order to expedite the localities receiving the funds, Congress has waived this regulation and requires the Program to undergo only a 12-day public review period instead.

All comments received at the end of the comment period (close of business) will be summarized and the City's responses incorporated into the 2008 Consolidated Plan amendment addendum for submission to HUD.

The City of New York must submit the amendment to HUD by May 18, 2009 in order to be eligible to receive its allocation.

Copies of the 2008 Consolidated Plan - Addendum: Homelessness Prevention and Rapid Re-Housing Program (HPRP) will be made available at: The City Planning Bookstore, 22 Reade Street, New York, NY (10:00 A.M. - 4:00 P.M., Mon. - Fri.).

In addition, on Thursday, April 30, 2009 at 10:00 A.M. an Adobe PDF version of the amendment will be available for free downloading from the internet via both the Department of Homeless Services' and the Department of City Planning's websites at: www.nyc.gov/dhs and www.nyc.gov/planning, respectively.

Question and comments may be directed to:
Bill Distefano
Director of Planning, Development and Grants
Division of Prevention, Policy and Planning
NYC Department of Homeless Services
33 Beaver Street, Room 2011, New York, NY 10007
Phone: 212-232-0563
Email: bdistefa@dhs.nyc.gov

The City of New York:
Amanda M. Burden, FAICP, Director, Department of City Planning
Robert V. Hess, Commissioner, Department of Homeless Services

a16-30

COMPTROLLER

■ NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on April 21, 2009, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
9	3544	25
10,10A	3544	43
12	3545	41
21,21A	3550	15
22,22A	3551	P/O 116
23,23A	3551	115
24,24A	3551	113
25,25A	3551	112
26	3551	14
37	3551	8
29	3551	56
30	3551	53

Acquired in the proceeding, entitled: New Creek Bluebelt, Phase 3 subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

William C. Thompson, Jr.
Comptroller

a7-21

LABOR RELATIONS

■ NOTICE

ASSISTANT DEPUTY WARDENS/DEPUTY WARDENS 2008 - 2012 Agreement

AGREEMENT made this 16th day of March, 2009, by and between the City of New York (hereinafter called the "City"), acting by the Commissioner of Labor Relations, and the Assistant Deputy Wardens / Deputy Wardens Association (hereinafter called the "Union"), for the fifty-two month period from March 1, 2008 to June 30, 2012.

WITNESSETH:

WHEREAS, the Assistant Deputy Wardens - Warden (Correction) Level I, Deputy Wardens and Deputy Wardens-in-Command, Warden (Correction) Level II, employed by the City have duly designated the Union as their exclusive bargaining representative for the purpose of collective bargaining with the City with respect to wages, hours and conditions of employment; and

WHEREAS, the Union and the City desire to cooperate in establishing conditions which will tend to secure standards and conditions of employment consistent with the dignity of Assistant Deputy Wardens, - Warden (Correction) Level I, Deputy Wardens, and Deputy Wardens-in-Command, Warden - Warden (Correction) Level II, and to provide

methods for fair and peaceful adjustment of disputes that may arise between the Union and the City; and

WHEREAS, as a result of collective bargaining the parties have reached an agreement which they desire to reduce to writing;

NOW, THEREFORE, it is mutually agreed as follows:

ARTICLE I - UNION RECOGNITION AND UNIT DESIGNATION

Section 1.

The City recognizes the Union as the sole and exclusive collective bargaining representative for the unit consisting of the employees of New York City in the titles of Assistant Deputy Warden; Warden (Correction) Level I; Warden (Correction) Level II detailed as Deputy Warden; and Warden (Correction) Level II detailed as "Deputy Warden-in-Command" (except for the position found to be confidential in Decision #21-95) hereinafter referred to under the general term of "Assistant Deputy Warden", "Deputy Warden", and "Deputy Warden-in-Command", respectively.

Section 2.

Except as otherwise provided herein, for purposes of this Agreement, the terms "employee", "employees", "Assistant Deputy Warden", "Deputy Warden" and "Deputy Warden-in-Command" shall be interchangeable and shall relate solely to employees in the unit described in Section 1 of this Article.

ARTICLE II - UNION SECURITY DUES CHECKOFF

Section 1.

All employees covered by this Agreement shall be free to become and remain members of the Union in good standing.

Section 2.

The Union shall have the exclusive right to the checkoff and transmittal of dues in behalf of each employee in the unit in accord with the Mayor's Executive Order No. 98, dated May 15, 1969 entitled "Regulations Regulating the Checkoff of Union Dues" and in accord with the Mayor's Executive Order No. 107, dated December 29, 1986 entitled "Regulations Governing Procedures for Orderly Payroll Checkoff of Union Dues" and any executive orders which amend or supersede said Executive Orders.

Section 3.

An employee may consent in writing to the authorization of the deduction of dues from his wages and to the designation of the Union as the recipient thereof. Such consent, if given, shall be in a proper form, acceptable to the City, which bears the signature of the employee.

Section 4.

The parties agree to an agency shop to the extent permitted by applicable law, as described in a supplemental agreement hereby incorporated by reference.

ARTICLE III - HOURS AND OVERTIME

Section 1.

Overtime performed by Deputy Wardens and Deputy Wardens-in-Command shall be compensated for in compensatory time off at the rate of time and one-half when such overtime is ordered by the Commissioner, or the Chief of Department, N.Y.C. Department of Correction, or their designee, or is performed during an emergency without prior approval and when requests for compensation therefor after performance of such overtime are forwarded through channels together with recommendations and are approved by the Chief of Department, or designee, for such purposes.

Section 2.

a. All ordered and/or authorized overtime in excess of forty (40) hours in any week or in excess of the hours required of an Assistant Deputy Warden by reason of his/her regular duty chart if a week's measurement is not appropriate, whether of an emergency nature or of a non-emergency nature, shall be compensated for either by cash payment or compensatory time off, at the rate of time and one half, at the sole option of the Assistant Deputy Warden. Such cash payments or compensatory time off shall be computed on the basis of fifteen (15) minute segments.

b. In order to preserve the intent and spirit of this Section on overtime compensation, there shall be no rescheduling of Assistant Deputy Wardens' days off and/or tours of duty except as provided below. This restriction shall apply both to the retrospective crediting of time off against hours already worked and to the anticipatory re-assignment of personnel to different days off and/or tours of duty. Notwithstanding anything to the contrary contained herein, the Department shall not have the right to reschedule Assistant Deputy Wardens' tours of duty, except that the Department shall have the right to reschedule Assistant Deputy Wardens' tours of duty on five occasions per year for training purposes without payment of pre or post-tour overtime provided that the Department gives at least 24 hours advance notice to the employee whose tours are to be rescheduled.

In addition, the Department shall have the right to reschedule Assistant Deputy Wardens' tours of duty on two (2) other occasions per calendar year without payment of pre-tour or post-tour overtime provided that the Department gives at least 24 hours advance notice to the employee whose tours are to be rescheduled.

Effective July 1, 2010, the Department's right "to reschedule Assistant Deputy Wardens' tours of duty on two (2) other occasions per calendar year without payment of pre-tour or post-tour overtime provided that the Department gives at least 24 hours advance notice to the employee whose tours are to be rescheduled" shall be discontinued.

c. Overtime shall be computed on a monthly basis and the Department shall make every reasonable effort to pay such overtime within six (6) weeks following the submission of the monthly report.

d. Effective July 1, 1990 the Department shall establish a 21 hour overtime bank for all Assistant Deputy Wardens whereby the first 21 hours of overtime actually worked each year by an Assistant Deputy Warden shall not be compensable.

In addition, the Department shall establish a 47.5 hour overtime bank for all Assistant Deputy Wardens promoted on or after November 1, 1992 whereby the first 47.5 hours of overtime actually worked each year by an Assistant Deputy Warden promoted on or after November 1, 1992 shall not be compensable.

Effective July 1, 1994, the overtime banks in this section will be reduced according to the following schedule:

1. After four (4) years in service as an Assistant Deputy Warden, the overtime bank will be reduced by 8-1/2 hours.
2. After five (5) years in service as an Assistant Deputy Warden, the overtime bank will be reduced by an additional 8-1/2 hours, for a total reduction of 17 hours.
3. After six (6) years in service as an Assistant Deputy Warden, the overtime bank will be reduced by an additional four hours for a total reduction of 21 hours.

Effective July 1, 2008, the "47.5 hour overtime bank" for Assistant Deputy Wardens will be reduced in accordance with the following schedule:

Schedule	Amount of Reduction	Hours Remaining In 47.5 Hour OT Bank
After 3 years * -	8.5 hours	39
After 4 years * -	17 hours (i.e., an additional 8.5 hours reduction)	30.5
After 5 years * -	25.5 hours (i.e., an additional 8.5 hours reduction)	22
After 6 years * -	47.5 hours (i.e., an additional 22 hours reduction)	-0-

* in service as an Assistant Deputy Warden

ARTICLE IV - RECALL AFTER TOUR

Any Assistant Deputy Warden who is recalled to duty after having completed the employee's regular tour of duty shall receive pay pursuant to the regular overtime provisions of this Agreement, that is, in cash or compensatory time off at the sole option of the employee at the rate of time and one-half for the time actually worked. The Department will issue a directive to the heads of all commands informing them that an Assistant Deputy Warden who is recalled shall be put to work.

ARTICLE V - COMPUTATION OF BENEFITS

Since the average basic forty-hour week has not been changed by this Agreement, the current standard practice for the computation of compensation for holidays, vacation days, personal leave days, annuity fund contributions and other relevant benefits, shall continue to be calculated on the basis of an eight-hour work day.

ARTICLE VI - SALARIES

Section 1. Salary Rates

a. The following base annual salary and increment rates shall prevail for employees during the term of this Agreement: (See: Note)

Class of Positions and Step

(i) Assistant Deputy Warden (Promoted prior to July 1, 2006):

	Effective 3/1/08	Effective 3/1/09	Effective 7/1/10	Effective 7/1/11
Entry Level	\$88,440	\$91,978	\$95,657	\$99,483
After 1 Year	\$88,606	\$92,150	\$95,836	\$99,669
After 2 Years	\$88,772	\$92,323	\$96,016	\$99,857
After 3 Years	\$100,078	\$104,081	\$108,244	\$112,574

(ii) Assistant Deputy Warden (Promoted between July 1, 2006 and July 31, 2008):

	Effective 3/1/08	Effective 3/1/09	Effective 12/31/09	Effective 7/1/10	Effective 7/1/11
Entry Level	\$87,909	\$91,425	\$91,425	\$95,082	\$98,885
After 1 Year	\$88,440	\$91,978	\$91,978	\$95,657	\$99,483
After 2 Years	\$88,606	\$92,150	\$92,150	\$95,836	\$99,669
After 3 Years	\$88,772	\$92,323	\$104,081	\$108,244	\$112,574
After 4 Years	\$100,078	\$104,081			

(iii) Assistant Deputy Warden (Promoted on or after August 1, 2008):

	Effective 8/1/08	Effective 3/1/09	Effective 7/1/10	Effective 7/1/11
Entry Level	\$87,909	\$91,425	\$95,082	\$98,885
After 1 Year	\$88,440	\$91,978	\$95,657	\$99,483
After 2 Years	\$88,606	\$92,150	\$95,836	\$99,669
After 3 Years	\$88,772	\$92,323	\$96,016	\$99,857
After 4 Years	\$100,078	\$104,081	\$108,244	\$112,574

(iv) Deputy Warden (Promoted prior to July 1, 2006):

	Effective 3/1/08	Effective 3/1/09	Effective 7/1/10	Effective 7/1/11
Entry Level	\$104,139	\$108,305	\$112,637	\$117,142
After 1 Year	\$111,531	\$115,992	\$120,632	\$125,457
After 2 Years	\$118,928	\$123,685	\$128,632	\$133,777
After 3 Years	\$130,463	\$135,682	\$141,109	\$146,753

(v) Deputy Warden (Promoted on or after July 1, 2006):

	Effective 3/1/08	Effective 3/1/09	Effective 4/1/09	Effective 7/1/10	Effective 7/1/11
Entry Level	\$101,323	\$105,376	\$105,376	\$109,591	\$113,975
After 1 Year	\$103,865	\$108,020	\$108,020	\$112,341	\$116,835
After 2 Years	\$107,179	\$111,466	\$111,466	\$115,925	\$120,562
After 3 Years	\$111,599	\$116,063	\$135,682	\$141,109	\$146,753
After 4 Years	\$130,463	\$135,682			

(vi) Deputy Warden in Command

	Effective 3/1/08	Effective 3/1/09	Effective 7/1/10	Effective 7/1/11
	\$137,495	\$142,995	\$148,715	\$154,664

b. Increments granted annually on anniversary date.

Note: Effective February 29, 2008, the basic maximum salary for an Assistant Deputy Warden shall be \$96,229, the basic maximum salary for a Deputy Warden shall be \$125,445, and the salary for a Deputy Warden-in-Command shall be \$132,207. These salaries shall be adjusted by the across-the-board increase effective March 1, 2008 and thereafter. Effective February 29, 2008, the steps below basic maximum salary for an Assistant Deputy Warden shall be increased by 2% across-the-board. These salaries shall be adjusted by the across-the-board increase effective March 1, 2008 and thereafter.

Section 2.

A laid off employee who is returned to service in the employee's former title or in a comparable title from a preferred list, shall receive the basic salary rate that would have been received by the employee had the employee never been laid off, up to a maximum of two (2) years of general salary increases.

Section 3. General Wage Increase

a. (i) Effective March 1, 2008, Employees shall receive a rate increase of four percent (4%).

(ii) Effective March 1, 2009, Employees shall receive an additional rate increase of four percent (4%).

(iii) Effective July 1, 2010, Employees shall receive an additional rate increase of four percent (4%).

(iv) Effective July 1, 2011, Employees shall receive an additional rate increase of four percent (4%).

b. The increases provided for in this Section 3a above shall be calculated as follows:

(i) The increase in Section 3a(i) shall be based upon the base rates (which shall include salary or incremental schedules) of the applicable titles in effect on February 29, 2008;

(ii) The rate increase in Section 3a (ii) shall be based upon the base rate (which shall include salary or incremental schedules) of the applicable titles in effect on February 28, 2009;

(iii) The rate increase in Section 3a (iii) shall be based upon the base rate (which shall include salary or incremental schedules) of the applicable titles in effect on June 30, 2010; and

(iv) The rate increase in Section 3a (iv) shall be based upon the base rate (which shall include salary or incremental schedules) of the applicable titles in effect on June 30, 2011.

c. The general increase provided in this Section 3 shall be applied to the base rates and salary grades fixed for the applicable titles, except to the extent that the base rates and salary grades are modified by Section 3d below.

d. Employees promoted to Assistant Deputy Warden between July 1, 2006 and July 31, 2008, promoted to Assistant Deputy Warden on or after August 1, 2008, or promoted to Deputy Warden on or after July 1, 2006 shall be subject to the salary schedules set forth in Section 1a(ii), 1(a)(iii) and 1a(v), respectively, above.

Section 4.

Paychecks shall be delivered to commands by 3:00 P.M. on the Thursday preceding payday for distribution after 3:00 P.M. on said Thursday.

Section 5. Salary Itemization

The Department shall make available in convenient places in each command the appropriate payroll work sheets for the purpose of enabling each employee to verify the salary components of the employee's paycheck. The parties will review further the feasibility of otherwise advising each employee of all payroll components along with the employee's paycheck.

Section 6. - "Acting Warden" Differential

Effective July 1, 2008, there will be a differential payable in the amount of \$100.00 per day for a Deputy Warden who is designated to serve as "Acting Warden" during the regular Warden's scheduled absence.

Effective June 1, 2010, there will be an increase of \$50.00, per day for a Deputy Warden who is designated to serve as Acting Warden during the regular Warden's scheduled absence, for a total of \$150.00 a day.

ARTICLE VII - UNIFORM ALLOWANCE

In Fiscal Years 2008 - 2012, the City shall pay to each employee a uniform allowance of \$700 in accord with the existing standard procedures.

ARTICLE VIII - LONGEVITY ADJUSTMENTS

Section 1.

a. Effective March 1, 2008, Longevity adjustments shall be paid as follows:

(i) Upon the completion of five years of service, employees shall receive a longevity adjustment of \$2,595.

(ii) Upon completion of ten years of service, employees shall receive a longevity adjustment of an additional \$1,000 for a total of \$3,595.

(iii) Upon completion of fifteen years of service, employees shall receive a longevity adjustment of an additional \$1,000 for a total of \$4,595.

(iv) Upon completion of twenty years of service, employees shall receive a longevity adjustment of an additional \$1,000 for a total of \$5,595.

Effective March 1, 2009, Longevity adjustments shall be paid as follows:

(i) Upon the completion of five years of service, employees shall receive a longevity adjustment of \$287.00 for a total of \$2,882.

(ii) Upon completion of ten years of service, employees shall receive a longevity adjustment of an additional \$1,000 for a total of \$3,882.

(iii) Upon completion of fifteen years of service, employees shall receive a longevity adjustment of an additional \$1,000 for a total of \$4,882.

(iv) Upon completion of twenty years of service, employees shall receive a longevity adjustment of an additional \$1,000 and an additional \$500 for a total of \$6,382.

Effective July 1, 2010, Longevity adjustments shall be paid as follows:

- (i) Upon the completion of five years of service, employees shall receive a longevity adjustment of \$618.00 for a total of **\$3,500**.
- (ii) Upon completion of ten years of service, employees shall receive a longevity adjustment of an additional \$1,000 for a total of **\$4,500**.
- (iii) Upon completion of fifteen years of service, employees shall receive a longevity adjustment of an additional \$1,000 for a total of **\$5,500**.
- (iv) Upon completion of twenty years of service, employees shall receive a longevity adjustment of an additional \$1,000 and an additional \$500 for a total of **\$7,000**.
- b. The adjustment after the 5th and 10th years shall not be computed as salary for pension purposes until after completing 20 years of service. The adjustment after the 15th and 20th years shall not be computed as salary for pension purposes until after completion of 25 years of service. In the event this provision is declared invalid under the law, the parties shall reopen negotiations to resolve the issue of the increased cost of changing the effective date of the pensionability of the above adjustments. Such negotiations will be commenced forthwith. If no agreement is reached, an impasse may be declared and subsequent mediation and the impasse proceeding, if any, shall in all respects be conducted on an expedited basis.
- c. The calculation of night shift differential payments shall be based upon the same factors, amounts and methodology as previously utilized.
- d. ITHP and pension benefit calculations shall only include the amount of the longevity payment that is pensionable.

ARTICLE IX - PAYMENT FOR HOLIDAY WORK

Each employee shall receive eleven (11) paid holidays annually, payments for which shall be made in accord with existing procedures.

ARTICLE X - LEAVES

Section 1. - Sick Leave

- a. Each employee shall be entitled to leave with pay for the full period of any incapacity due to illness, injury or mental or physical defect, whether or not service-connected in accordance with existing procedures.
- b. Effective January 1, 1990:
- (i) Each employee shall be entitled to leave with pay for the full period of any incapacity due to illness, injury or mental or physical defect which is service-connected pursuant to Section 14-122.1 of the Administrative Code.
- (ii) Each employee shall be entitled to leave with pay for the full period of any incapacity due to illness, injury or mental or physical defect, whether or not service connected.

Section 2. - Death in Family Leave

In the event of a death in an employee's immediate family and upon application to and approval of the employee's commanding officer or supervisory head, an employee shall receive leave with pay not exceeding four (4) consecutive regular tours of duty. For the purposes of this Section, the phrase, "Immediate Family", shall include any of the following: (a) a spouse; (b) a natural, foster or stepparent, child, brother or sister; (c) a father-in-law or mother-in-law or (d) any relative residing in the employee's household. The commanding officer or supervisory head granting such leave shall verify the death and relationship of the deceased. If the deceased was in the military service of the United States at the time of death, the employee requesting leave shall produce the official notice of death.

Section 3. - Military Leave

Military leave not exceeding a total of thirty (30) days in one calendar year and not exceeding thirty (30) days in any one continuous period of such absence shall be granted with pay to satisfy military obligations.

Section 4. - Special Excusals

Excused time accorded to other personnel employed by the City under circumstances such as excusals for the Dr. Martin Luther King, Jr. and the Senator Robert F. Kennedy funerals and the Moon Landing Observation Day shall be granted equally to employees covered by this Agreement. All compensating days off shall be subject to the exigencies of the Department.

Section 5. - Leave to Attend Hearings

Individual employee grievants shall be granted leave with pay for such time as is necessary to testify at arbitration hearings.

Leave with pay shall be granted to three (3) employees who are named grievants in a group arbitration proceeding, for such time as is necessary for them to testify at their group arbitration hearings.

Leave with pay for such time as is necessary to testify at their hearings shall be granted to employees who, after final adjudication of proceedings under Section 210 paragraph 2h of the Civil Service Law are determined not to have been in violation of Section 210.

ARTICLE XI - VACATIONS

Section 1.

- a. Effective July 1, 1994, the Department shall provide the authorized annual vacations of twenty-seven (27) workdays to Assistant Deputy Wardens promoted prior to November 1, 1992.
- b. Effective July 1, 1994, for Assistant Deputy Wardens promoted on or after November 1, 1992 and prior to January 1, 1995, the Department shall provide the authorized annual vacations as follows:
- | | |
|----------|---------|
| 1st year | 21 days |
| 2nd year | 22 days |
| 3rd year | 23 days |
| 4th year | 24 days |
| 5th year | 25 days |
| 6th year | 27 days |

- c. Effective July 1, 1994, for Assistant Deputy Wardens promoted on or after January 1, 1995 the Department shall provide the authorized annual vacations as follows:
- | | |
|----------|---------|
| 1st year | 20 days |
| 2nd year | 21 days |
| 3rd year | 22 days |
| 4th year | 23 days |
| 5th year | 24 days |
| 6th year | 26 days |
- d. Employees covered by Article XI, Section 1. b. and c. who are promoted to Deputy Warden and/or Deputy Warden-in-Command on or after June 18, 1996, shall continue on their respective reduced vacation schedule for the portion of time remaining as if they had remained in the title Assistant Deputy Warden.
- e. Effective July 1, 1998, the Department shall provide all employees the authorized annual vacations of twenty-six (26) workdays.
- f. Effective July 1, 1998, for employees promoted on or after November 1, 1992 and prior to January 1, 1995, the Department shall provide the authorized annual vacations as follows:
- | | |
|----------|---------|
| 1st year | 20 days |
| 2nd year | 21 days |
| 3rd year | 22 days |
| 4th year | 23 days |
| 5th year | 24 days |
| 6th year | 26 days |
- g. Effective July 1, 1998, for employees promoted on or after January 1, 1995, the Department shall provide the authorized annual vacations as follows:
- | | |
|----------|---------|
| 1st year | 19 days |
| 2nd year | 20 days |
| 3rd year | 21 days |
| 4th year | 22 days |
| 5th year | 23 days |
| 6th year | 25 days |

Section 2.

Vacations shall be scheduled in accordance with existing procedures.

Section 3.

The Department agrees to allow employees to use their accrued vacation days in the vacation year in which they are earned subject to the exigencies of the Department.

Section 4. - Accrual of Vacation

If the Department of Correction calls upon an employee in writing to forego the employee's vacation or any part thereof that portion up to a maximum of three (3) weeks of vacation shall be carried over until such time as it can be liquidated in the following calendar year subject to the following conditions:

- (1) the selection of such vacation days shall be in the discretion of and subject to the exigencies of the Department; and
- (2) the selection of such days in the following calendar year shall be made after the regular vacation picks; and
- (3) the utilization of this vacation time shall be restricted to the months of January through May and September through November.

It is the intention of the Department of Correction to allow an employee to request permission to accrue vacation consistent with this provision and to grant such requests which are reasonable.

ARTICLE XII - HEALTH AND HOSPITALIZATION BENEFITS

Section 1.

The City shall continue to provide a fully paid choice of health and hospitalization insurance plans for each employee, not to exceed 100% of the full cost of HIP-HMO on a category basis. There will be an annual reopening period during the term of this Agreement for active employees to exercise their choice among medical plans.

Section 2.

Retirees shall have the option of changing their previous choice of Health Plans. This option shall be:

- (a) a one time choice;
- (b) exercised only after one (1) year of retirement; and
- (c) can be exercised at any time without regard to contract periods.

The effective date of change to a new plan shall be the first day of the month three (3) months after the month in which the application has been received by the New York City Health Insurance Program.

Effective with the reopener period for Health Insurance subsequent to July 1, 1980 and every two years thereafter, retirees shall have the option of changing their previous choice of health plans. This option shall be exercised in accordance with procedures established by the Employer. The Union will assume the responsibility of informing retirees of this option.

Section 3.

- a. Effective July 1, 1983 and thereafter, the City's cost for each employee and for each retiree under age 65 shall be equalized at the community rated basic HIP/HMO plan payment rate as approved by the State Department of Insurance on a category basis of individual or family, e.g. the GHI-CHP/Blue Cross payment for family coverage shall be equal to the HIP/HMO payment for family coverage.
- b. If a replacement plan is offered to employees and retirees under age 65 which exceeds the cost of the HIP/HMO equalization provided in Section 3a, the City shall not bear the additional costs.
- c. The City (and other related Employers) shall continue to contribute on a City employee benefits program-wide basis the additional annual amount of \$30 million to maintain the health insurance stabilization reserve fund which shall be used to continue equalization and protect the integrity of health insurance benefits. The health insurance stabilization reserve fund shall be used: to provide

a sufficient reserve; to maintain to the extent possible the current level of health insurance benefits provided under the GHI-CBP/Blue Cross plan; and, if sufficient funds are available, to fund new benefits.

The health insurance stabilization reserve fund shall be credited with the divisions or reduced by the losses attributable to the GHI-CBP/Blue Cross plan.

- d. Pursuant to paragraph 7 of MLC Health Benefits Agreement, notwithstanding the above, in each of the fiscal years 2001 and 2002, the City shall not make the annual \$35 million contributions to the health insurance stabilization fund.
- e. In the event that there is a Citywide or program-wide health insurance package which exceeds the cost of the equalization and stabilization fund described above, the parties may negotiate reconfiguration of this package which in no event will provide for costs in excess of the total costs of this Agreement as set forth herein. However, it is understood that the ADWDWA will not be treated any better or any worse than any other Union Participating in the Citywide or Program-wide Health Program with regard to increased health insurance costs.

Section 4.

Where an employee is suspended without pay prior to disciplinary trial for disciplinary reasons for more than 30 days, the employee shall receive full health and hospitalization benefit coverage during the period of the suspension following the first 30 days. Where an employee is subsequently restored to full pay status, as of the date of suspension, the employee shall be restored to full health and hospitalization coverage for the first 30 days of the suspension.

Section 5. - Health Care Flexible Spending Account.

- a. A flexible health care spending account shall be established after July 1993 pursuant to Section 125 of the IRS Code. Those employees eligible for New York City health plan coverage as defined on page 32, section 4(B) of the 1992 New York City Health Summary Program Description shall be eligible to participate in the account. Participating employees shall contribute at least \$260 per year up to a maximum of \$5,000 per year. Said contribution minimum and maximum levels may be modified by the MLC Health Advisory Committee based on experience of the plan. Any unfunded balance may be deducted from final salary payments due an employee.

- b. Expenses of the account shall include but not be limited to deductibles, co-insurance, co-payments, excess expenses beyond plan limits, physical exams and health related transportation costs for vision, dental, medical and prescription drug plans where the employee and dependents are covered. In no case will any of the above expenses include those non-deductible expenses defined as non-deductible in IRS Publication 502.

- c. An administrative fee of \$1.00 per week for the first year shall be charged for participation in the program. An employee's participation in the account is irrevocable during a plan year. At the close of the plan year any excess balance in an employee's account will not be refunded.

ARTICLE XIII - SECURITY BENEFITS FUND

Section 1.

- a. Effective March 1, 2008, the City shall contribute the pro-rata annual amount of \$1,225 for each Assistant Deputy Warden, Deputy Warden and Deputy Warden-in-Command for remittance to the Security Benefits Fund of the Assistant Deputy Wardens Association of the City of New York ("Welfare Fund") pursuant to the terms of a supplemental agreement to be reached by the parties subject to the approval of the Corporation Counsel.
- b. Effective February 1, 2009, the City's contribution to the Security Benefits Fund on behalf of each active and retiree shall be reduced by \$87.00 to \$1,138.
- c. Effective April 1, 2009, the City's contribution to the Security Benefits Fund on behalf of each retiree shall be increased by \$200.00 to \$1,338.
- d. Effective July 1, 2010, the City's contribution to the Security Benefits Fund on behalf of each active employee shall be increased by \$87.00 to \$1,225. Retired employees shall be increased by \$87.00 to \$1,425.
- e. To the extent permitted by law, part of the amounts so contributed may be applied to maintain an appropriate legal services plan, pursuant to the terms of a supplemental agreement between the parties as approved by the Corporation Counsel.
- f. Effective August 1, 1995, employees who have been separated from service subsequent to December 31, 1970, and who were covered by the Security Benefits Fund of the Assistant Deputy Wardens Association at the time of such separation pursuant to a supplementary agreement between the City and the ADWA shall continue to be so covered, subject to the provisions of Section 1(a) hereof, on the same contributory basis as incumbent employees. Contributions shall be made only for such time as said individuals remain primary beneficiaries of the New York City Health Insurance Program and are entitled to benefits paid for by the City through such Program.
- g. Deputy Wardens and Deputy Wardens-in-Command who have retired and have been covered by the Management Benefits Fund shall remain in the Management Benefits Fund for as long as they are otherwise entitled.
- h. The Union agrees to provide Welfare Fund benefits to domestic partners of covered employees in the same manner as those benefits are provided to spouses of married covered employees.
- i. Civil Legal Representation Fund
Effective March 1, 2008, the City shall continue to contribute \$189 per annum for each active Assistant Deputy Warden, Deputy Warden and

Deputy Warden-in-Command to the Welfare Fund to establish a civil legal representation fund pursuant to the terms of a supplemental agreement between the City and the Union as approved by the Corporation Counsel. While these funds shall be administered by the applicable Welfare Fund, they are to be maintained in a separate account and shall not be commingled with the other monies received by the Welfare Fund. Only the \$189 provided above may be used for civil legal representation. No additional monies from the Welfare Fund may be used for civil legal representation.

Such payments shall be made pro-rata by the City every twenty-eight (28) days.

j. Legal Support/Representation Fund

Effective April 1, 2009, the City shall remit a one-time lump sum payment of \$500 per active member to the Legal Support/Representation Fund established pursuant to the terms of a supplemental agreement between the City and the Union as approved by the Corporation Counsel.

Effective June 1, 2010, the City shall remit a one-time lump sum payment of \$500 per active member to the Legal Support/Representation Fund established pursuant to the terms of a supplemental agreement between the City and the Union as approved by the Corporation Counsel.

Section 2.

Where an employee is suspended without pay for disciplinary reasons and is subsequently restored to full pay status as of the date of the suspension, the employee shall receive full Security Benefits Fund coverage for the period of the suspension.

ARTICLE XIV - ANNUITY FUND

Section 1.

a. Effective December 1, 2000, the City shall continue to contribute for each Assistant Deputy Warden promoted to Assistant Deputy Warden after July 1, 1990, on a twenty-eight (28) day cycle basis, a pro-rata daily contribution for each working day for which such employee is paid by the City which amount shall not exceed \$728.19 per annum per employee. Contributions hereunder shall be remitted by the City each twenty-eight (28) days to a mutually agreed upon annuity fund pursuant to the terms of a supplemental agreement to be reached by the parties subject to the approval of the Corporation Counsel.

b. Effective December 1, 2000, the City shall contribute for all employees promoted to Assistant Deputy Warden prior to July 1, 1990, and for all Deputy Wardens and Deputy Wardens-in-Command, on a twenty-eight (28) day cycle basis, a pro-rata daily contribution for each working day for which such employee is paid by the City which amount shall not exceed \$1,119.69 per annum per employee. Contributions hereunder shall be remitted by the City each twenty-eight (28) days to a mutually agreed upon annuity fund pursuant to the terms of a supplemental agreement to be reached by the parties subject to the approval of the Corporation Counsel.

c. Effective March 1, 2003, for Assistant Deputy Wardens who were promoted after July 1, 1990, the City shall contribute for each employee, on a twenty-eight (28) day cycle basis, a pro-rata daily contribution for each working day for which such employee is paid by the City which amount shall not exceed \$780.39. Contributions hereunder shall be remitted by the City each twenty-eight (28) days to a mutually agreed upon annuity fund pursuant to the terms of a supplemental agreement to be reached by the parties subject to the approval of the Corporation Counsel.

c. Effective March 1, 2003, for Assistant Deputy Wardens who were promoted prior to July 1, 1990, and for all Deputy Wardens and Deputy Wardens-in-Command, the City shall contribute for each employee, on a twenty-eight (28) day cycle basis, a pro-rata daily contribution for each working day for which such employee is paid by the City which amount shall not exceed \$1,302.39. Contributions hereunder shall be remitted by the City each twenty-eight (28) days to a mutually agreed upon annuity fund pursuant to the terms of a supplemental agreement to be reached by the parties subject to the approval of the Corporation Counsel.

e. Effective April 1, 2009, the City shall remit to the Annuity Fund a one-time lump sum payment in the amount of \$5,000 on behalf of each member of the bargaining unit in active pay status as of January 3, 2008, the date of ratification of the 2008 - 2012 Memorandum of Agreement, regardless of their actual status on April 1, 2009.

f. Effective July 1, 2010, the City shall remit to the Annuity Fund a one-time lump sum payment in the amount of \$3,000 on behalf of each member of the bargaining unit in active pay status as of September 1, 2008, regardless of their actual status on July 1, 2010.

g. In addition, to f., above, effective July 1, 2010, those Deputy Wardens who: 1. are in active pay status as of September 1, 2008, and 2. who are not at basic maximum salary as of September 1, 2008, regardless of their actual status on July 1, 2010, shall receive an additional one-time lump sum payment of \$2,690.00, for a total of \$5,690.00.

Section 2.

Where an employee is suspended without pay for disciplinary reasons and is subsequently restored to full pay status as of the effective date of the suspension, the employee shall receive full annuity fund coverage for the period of the suspension.

ARTICLE XV - GENERAL

Section 1. - Safety Helmets

The City agrees to furnish a safety helmet and equipment when required.

Section 2. - Maintenance of Facilities

All commands and other Departmental places of assignment shall have adequate heating, hot water and sanitary

facilities. The Union shall give notice to the Department of any failure to maintain these conditions. If not corrected by the Department within a reasonable time, the Union may commence a grievance at Step 2 of the grievance procedure concerning that failure.

Section 3. - SemiPrivate Hospital Accommodations for Line-of-Duty Injuries

The City shall prepare, submit and support legislation to provide semi-private hospital accommodations for employees injured in the lineof duty.

Section 4. - Meal Scheduling

Employees shall not be assigned meals as a matter of practice during either the first hour and one-half or last hour and on half of their tours. In cases of emergency this practice may be altered.

Section 5. - Lump Sum Payments

Where an employee has an entitlement to accrued annual leave and/or compensatory time, and the City's fiscal condition requires employees who are terminated, laid off or who choose to retire in lieu of layoff to be removed from the payroll on or before a specific date, or where an employee reaches the mandatory retirement age, the Employer shall provide a monetary value of accumulated and unused annual leave and/or compensatory time allowances standing to this credit in a lump sum. Such payments shall be in accordance with the provisions of Executive Order 30, dated June 24, 1975.

Where an employee has an entitlement to terminal leave and the City's fiscal situation requires that employees who are terminated, laid off or retired be removed from the payroll on or before a specific date, or where an employee reached the mandatory retirement age, the Employer shall provide a monetary lump sum payment for terminal leave in accordance with the provisions of Executive Order 31, dated June 24, 1975.

Section 6. - Interest Payments

Interest on wage increases shall accrue at the rate of three percent (3%) per annum from one hundred-twenty (120) days after execution of this Agreement or one hundred-twenty (120) days after the effective date of the increase, whichever is later, to the date of actual payment. Interest on longevity and step-up increments, differentials and holiday pay shall accrue at the rate of three percent (3%) per annum from one hundred-twenty (120) days after the execution of this Agreement, or one hundred-twenty (120) days following its earning, whichever is later, to the date of actual payment. Interest on overtime pay shall accrue at the rate of three percent (3%) per annum from one hundred-twenty (120) days following its earning or one hundred-twenty (120) days following the employee's submission of an overtime report, whichever is later. Interest accrued pursuant to this paragraph shall be payable only if the amount of interest due to an individual employee exceeds five dollars (\$5.00).

Section 7. - Layoffs

Where layoffs are scheduled the following procedure shall be used:

1. Notice shall be provided to the Union not less than thirty (30) days before the effective dates of such projected layoffs.
2. Within such 30-day period designated representatives of the Employer will meet and confer with the designated representatives of the Union with the objective of considering feasible alternatives to all or part of such scheduled layoffs, including but not limited to (a) the transfer of employees to agencies with re-training, if necessary, consistent with the Civil Service Law but without regard to Civil Service title, (b) the use of Federal and State funds whenever possible to retain or re-employ employees scheduled for layoff, (c) the elimination or reduction of the amount of work contracted out to independent contractors and (d) encouragement of early retirement and the expediting of the processing of retirement applications.

When a layoff occurs, the Department will provide the Union with a list of employees who are on a preferred list with the original date of appointment utilized for the purpose of such layoff.

Section 8. - Public Transportation

The City and the Union will use their best efforts to effect free transportation on buses and subways for employees covered by this Agreement.

Section 9. - Personnel Folder

The Department will upon written request to the Chief of Administration by the individual employee, remove from the Personnel folder, investigative reports which upon completion of the investigation are classified exonerated and/or unfounded.

Section 10. - Performance Compensation

The City acknowledges that each of the uniformed forces performs an important service that reflects the diverse missions of the City's uniformed agencies. In order to reward service of an outstanding, exceptional nature, each of the uniformed agencies will establish a performance compensation program to recognize and reward such service, tailored to the unique missions of the individual uniformed agency.

The parties agree that additional compensation may be paid to employees performing outstanding, exemplary, difficult and/or unique assignments. The City will notify and discuss with each affected union of its intent to pay such additional compensation and the individuals to be compensated.

The criteria for the granting of performance-based compensation shall be based upon outstanding performance in the work assigned, and/or performance of unique and difficult work.

The performance-based compensation payments provided for in this section shall be one-time, non-recurring cash payments subject to applicable pension law. An employee can receive no more than one payment annually.

This provision shall not affect any existing productivity programs covered in any existing collective bargaining agreements. Nor shall this provision be construed to waive any obligation of the City to negotiate over future productivity programs as required by applicable law.

ARTICLE XVI - UNION ACTIVITY

Section 1.

Time spent by Union officials and representatives in the conduct of labor relations shall be governed by the provisions of Mayor's Executive Order No. 75, as amended, dated March

22, 1973, or any other applicable Executive Order or local law, or as otherwise provided in this Agreement. No employee shall otherwise engage in Union activities during the time the employee is assigned to the employee's regular duties.

Section 2.

Union officers and delegates shall be recognized as representatives of the Union within their respective commands. For the purpose of attending the regularly scheduled monthly meeting, Union delegates shall be excused from duty if the meeting coincides with the delegate's scheduled tour, provided that the command has received at least seventy-two (72) hours advance notice of such request for excusal.

Section 3.

The Department of Correction will issue a memorandum to all heads of institutions instructing them to discuss labor/management problems with alternate Union delegates when a regular delegate is not available, and such alternate will be released for the regularly scheduled monthly meeting when the regular delegate is unable to attend said monthly delegate meeting because of illness which requires remaining at home or hospitalization, or absence from the New York metropolitan area on leave or by assignment, or required court appearance.

ARTICLE XVII - NO DISCRIMINATION

In accord with applicable law, there shall be no discrimination by the City against any employee because of Union activity.

ARTICLE XVIII - BILL OF RIGHTS

The Guidelines for Interrogation of members of the Department in force at the execution date of this Agreement will not be altered during the term of this Agreement, except to reflect subsequent changes in the law or final decisions of the Supreme Court of the United States and the Court of Appeals of the State of New York regarding the procedures and conditions to be followed in the interrogation of a member of the Department. No less than two (2) weeks' written notice of such proposed alteration of the said Guidelines shall be given to the Union.

ARTICLE XIX - NIGHT SHIFT DIFFERENTIAL

a. Effective July 1, 1980 a 10% night shift differential shall continue to be paid to all employees assigned to rotating tours of duty for all work actually performed between the hours of 4:00 P.M. and 8:00 A.M. Effective July 1, 1980 a 10% night shift differential shall continue to be paid to all other employees for work actually performed between the hours of 4:00 P.M. and 8:00 A.M., provided that more than one (1) hour is actually worked after 4:00 P.M. and before 8:00 A.M.

b. Where overtime compensation is to be calculated for tours in the regular duty chart, the overtime calculation shall be based on the rate paid for the tour to which the overtime is attached; for tours not in the regular duty chart, the overtime calculation shall be based on that rate paid for half or more the hours of the tour to which the overtime is attached.

c. For all employees promoted to Assistant Deputy Warden on or after November 1, 1992:

Effective February 1, 1993, 75% of the night shift differential as described in paragraph 'a' above earned by a similarly situated Assistant Deputy Warden promoted prior to November 1, 1992 shall be paid until the employee has completed five (5) years of service as an Assistant Deputy Warden.

d. Employees covered by paragraph c. who are promoted to Deputy Warden and/or Deputy Warden-in-Command on or after June 17, 1996, shall continue to receive the reduced night shift differential set forth in paragraph c. for the portion of time remaining as if they had remained in the title Assistant Deputy Warden.

This paragraph d. shall not apply to employees promoted to Deputy Warden and/or Deputy Warden-in-Command prior to June 17, 1996.

e. Night-shift differential for Deputy Wardens and Deputy Wardens-in-Command shall be applicable to paid tours only.

ARTICLE XX - GRIEVANCE AND ARBITRATION PROCEDURE

Section 1. Definition

For the purpose of this Agreement the term "grievance" shall mean:

- a. a claimed violation, misinterpretation or inequitable application of the provisions of this Agreement;
- b. a claimed violation, misinterpretation or misapplication of the rules, regulations, or procedures of the agency affecting terms and conditions of employment, provided that, except as otherwise provided in this Section 1a, the term "grievance" shall not include disciplinary matters;
- c. a claimed violation, misinterpretation or misapplication of the Guidelines for Interrogation of Members of the Department referred to in Article XVIII of this Agreement;
- d. a claimed improper holding of an open-competitive rather than a promotional examination;
- e. a claimed assignment of the grievant to duties substantially different from those stated in the employee's job title specification.

Section 2.

The grievance procedure, except for paragraph d. of Section 1 above, shall be as follows:

Step I The employee and/or the Union shall present the grievance or in the form of a memorandum to the "Head of the Facility" not later than ninety (90) days after the date on which the grievance arose. The employee may also request an appointment to discuss the grievance. The Head of the Facility shall take any steps necessary to a proper disposition of the grievance and shall reply in writing by the end of the third work day following the date of submission.

Step II An appeal from an unsatisfactory decision at Step I shall be presented in writing to the agency head or the designated representative. The appeal must be made within five (5) working days of the receipt of the Step I decision. The agency head or the designated representative, if any, shall meet with the employee and/or the Union for review of the grievance and shall issue a decision by the end of the tenth work day following the date on which the appeal was filed.

Step III An appeal from an unsatisfactory decision at Step II shall be presented by the employee and/or the Union to the Commissioner of Labor Relations, in writing, within ten (10) working days of the receipt of the Step II decision. Copies of such appeals shall be sent to the agency head. The Commissioner of Labor Relations, or designee, shall review all appeals from Step II decision and shall answer such appeals within fifteen (15) working days.

Step IV An appeal from an unsatisfactory decision at Step III may be brought solely by the Union to the Office of Collective Bargaining for impartial arbitration within fifteen (15) working days of receipt of the Step III decision. In addition, the City shall have the right to bring directly to arbitration any dispute between the parties concerning any matter defined herein as a "grievance." The City shall commence such arbitration by submitting a written request therefor to the Office of Collective Bargaining. A copy of the notice requesting impartial arbitration shall be forwarded to the opposing party. The arbitration shall be conducted in accord with the Consolidated Rules of the Office of Collective Bargaining. The costs and fees of such arbitration shall be borne equally by the Union and the City. The decision or award of the arbitrator shall be final and binding in accord with applicable law and shall not add to, subtract from or modify any contract, rule, regulation, existing policy or order mentioned in Section 1 of this Article.

Section 3. As a condition to the right of a Union to invoke impartial arbitration set forth in this Article, including the arbitration of a grievance involving a claimed improper holding of an open-competitive rather than a promotional examination, the employee or employees and the Union shall be required to file with the Director of the Office of Collective Bargaining a written waiver of the right, if any, of the employee or employees and the Union to submit the underlying dispute to any other administration or judicial tribunal except for the purpose of enforcing the arbitrator's award.

Section 4. Any grievance of a general nature affecting a large group of employees and which concerns the claimed misinterpretation, inequitable application, violation or failure to comply with the provisions of this Agreement shall be filed at the option of the Union at Step III of the grievance procedure, without resort to previous steps.

Section 5. If a decision satisfactory to the Union at any level of the grievance procedure is not implemented within a reasonable time, the Union may re-institute the original grievance at Step III of the grievance procedure; or if a satisfactory Step III decision has not been so implemented, the Union may institute a grievance concerning such failure to implement at Step IV of the grievance procedure.

Section 6. If the City exceeds any time limit prescribed at any step in the grievance procedure, the grievant and/or the Union may invoke the next step of the procedure, except, however, that only the Union may invoke impartial arbitration under Step IV.

Section 7. The City shall notify the Union in writing of all grievances filed by employees, all grievance hearings, and all determinations. The Union shall have the right to have a representative present at any grievance hearing and shall be given forty-eight (48) hours' notice of all grievance hearings.

Section 8. Each of the steps in the grievance procedure, as well as time limits prescribed at each step of this grievance procedure, may be waived by mutual agreement of the parties.

Section 9.
a. Any grievance relating to a claimed improper holding of an open-competitive rather than a promotional examination shall be presented in writing by the employee or the Union representative to the Commissioner of Labor Relations not later than thirty (30) days after the notice of intention to conduct such open-competitive examination, or copy of the appointing officer's request for such open-competitive examination, as the case may be has been posted in accordance with Section 51 of the Civil Service Law. The grievance shall be considered and passed upon within ten (10) days after its presentation. The decision shall be in writing, copies of which shall be transmitted to both parties to the grievance upon issuance.

b. A grievance relating to the use of an open-competitive rather than a promotional examination which is unresolved by the Commissioner of Labor Relations may be brought to impartial arbitration as provided in Sections 2 and 3 above. Such a grievance shall be presented by the Union, in writing, for arbitration within fifteen (15) days of the presentation of such grievance to the Commissioner of Labor Relations, and the arbitrator shall decide such grievance within seventy-five (75) days of its presentation to him. The party requesting such arbitration shall send a copy of such request to the other party. The costs and fees of such arbitration shall be borne equally by the Union and the City.

Section 10. The availability of the grievance or arbitration procedure shall not justify a failure to follow orders.

Section 11. The grievance and arbitration procedures contained in this Agreement shall be the exclusive remedy for the resolution of disputes defined as "grievance" herein. This Section shall not be construed in any manner to limit the statutory rights and obligations of the City under Article XIV of the Civil Service Law.

ARTICLE XXI - LINE-OF-DUTY DEATH BENEFIT
 In the event an employee dies because of line-of-duty injury received during the actual and proper performance of Assistant Deputy Warden, Deputy Warden, and/or Deputy Warden-in-Command service relating to the alleged or actual commission of an unlawful act, or directly resulting from a characteristic hazard of Assistant Deputy Warden, Deputy Warden, and/or Deputy Warden-in-Command duty, through no fault of the employee's, a payment of \$25,000 shall be made from funds other than those of the Retirement System in addition to any other payment which may be made as a result of such death. Such payment shall be made to the beneficiary designated under the Retirement System or, if no

beneficiary is so designated to the estate of the deceased.

ARTICLE XXII - DEATH BENEFIT/UNUSED LEAVE AND COMPENSATORY TIME

If an employee dies while employed by the City, the employee's beneficiary designated under the Retirement System or, if no beneficiary is so designated, the deceased's estate shall receive payment in cash for the following as a death benefit:

- a. All unused accrued leave up to a maximum of fifty four (54) days' credit;
- b. All unused accrued compensatory time earned subsequent to January 1, 1971 which is verifiable by official Department records up to a maximum of two hundred (200) hours.

ARTICLE XXIII - NO STRIKES

In accord with applicable law, neither the Union nor any employee shall induce or engage in any strikes, slowdowns, work stoppages, or mass absenteeism, or induce any mass resignation during the term of this Agreement.

ARTICLE XXIV - BULLETIN BOARDS

The Union may post notices on bulletin boards in places and locations where notices usually are posted by the Employer for employees to read. All notices shall be on Union stationery, shall be used only to notify employees of matters pertaining to Union affairs, and shall not contain any derogatory or inflammatory statements concerning the City, the Department, or personnel employed by either entity.

ARTICLE XXV - NO WAIVER

Except as otherwise provided in this Agreement, the failure to enforce any provision of this Agreement shall not be deemed a waiver thereof. This Agreement is not intended and shall not be construed as a waiver of any right or benefit to which Assistant Deputy Wardens, Deputy Wardens, and/or Deputy Wardens-in-Command are entitled by law.

ARTICLE XXVI - SAVINGS CLAUSE

If any provision of this Agreement is found to be invalid, such invalidity shall not impair the validity and enforceability of the remaining provisions of this Agreement.

ARTICLE XXVII - LABOR-MANAGEMENT COMMITTEE

Section 1. The City and the Union, having recognized that cooperation between management and employees is indispensable to the accomplishment of sound and harmonious labor relations, shall jointly maintain and support a labor-management committee in each of the agencies having at least fifty (50) employees covered by this Agreement.

Section 2. Each labor-management committee shall consider and recommend to the agency head changes in the working conditions of the employees within the agency who are covered by this Agreement. Matters subject to the grievance procedure shall not be appropriate items for consideration by the labor-management committees.

Section 3. Each labor-management committee shall consist of six (6) members who shall serve for the term of this Agreement. The Union shall designate three (3) members and the agency head shall designate three (3) members. Vacancies shall be filled by the appointing party for the balance of the term to be served. Each member may designate one (1) alternate. Each committee shall select a chairman from among its members at each meeting. The chairmanship of each committee shall alternate between the members designated by the agency head and the members designated by the Union. A quorum shall consist of a majority of the total membership of a committee. A committee shall make its recommendations to the agency head in writing.

At the request of either the Department of Correction or the Assistant Deputy Wardens/Deputy Wardens Association, a representative of the Office of Labor Relations will sit in on the Labor Management Committee.

Section 4. The labor-management committee shall meet at the call of either the Union members or the City members at times mutually agreeable to both parties. At least one (1) week in advance of a meeting the party calling the meeting shall provide, to the other party, a written agenda of matters to be discussed. Minutes shall be kept and copies supplied to all members of a committee.

ARTICLE XXVIII - FINANCIAL EMERGENCY ACT
 The provisions of this Agreement are subject to applicable provisions of law including the New York State Financial Emergency Act for the City of New York, as amended.

WHEREFORE, we have hereunto set our hands and seals this 16th day of March, 2009.

CITY OF NEW YORK ASSISTANT DEPUTY WARDENS/
 DEPUTY WARDENS ASSOCIATION

BY: /s/ JAMES F. HANLEY BY: /s/ SIDNEY SCHWARTZBAUM
 Commissioner of Labor Relations President

APPROVED AS TO FORM: Date submitted to the FINANCIAL CONTROL BOARD

BY: /s/ PAUL T. REPHEN
 ACTING CORPORATION COUNSEL

UNIT: ASSISTANT DEPUTY WARDENS/DEPUTY WARDENS

TERM: March 1, 2008 to June 30, 2012

NEW YORK CITY DEPARTMENT OF CORRECTION
Martin F. Horn, Commissioner

Office of the Commissioner

33 Beaver Street, 23rd fl.
 New York, NY 10004
 Office 212-266-1212
 Fax 212-266-1219

Appendix A

Sidney Schwartzbaum, President
 Assistant Deputy Wardens/Deputy Wardens Association
 P.O. Box 166
 East Elmhurst, New York 11369

Re: ADW/DWA Agreement for the period March 1, 2008 to June 30, 2012.

Dear Mr. Schwartzbaum:

When the Departmental Doctor determines that an Assistant Deputy Warden is injured in the line of duty and is incapacitated and unable to return to work for a finite period of time, then the Department will not confine such officer to his residence for that period. If the administrative determination by the Commissioner or his designee is different from that of the Departmental Doctor, then the change will be communicated to the officer by telephone or in writing.

It is expressly understood that the determination by the Commissioner or his designee is final and not subject to the grievance procedure. This procedure does not affect any other rule or regulation of the Department.

Very truly yours,

/s/

Martin T. Horn
 Commissioner

NEW YORK CITY DEPARTMENT OF CORRECTION
Martin F. Horn, Commissioner

Office of the Commissioner

33 Beaver Street, 23rd fl.
 New York, NY 10004
 Office 212-266-1212
 Fax 212-266-1219

Appendix B

Sidney Schwartzbaum, President
 Assistant Deputy Wardens/Deputy Wardens Association
 P.O. Box 166
 East Elmhurst, New York 11369

Re: ADW/DWA Agreement for the period March 1, 2008 to June 30, 2012.

Dear Mr. Schwartzbaum:

This is to confirm our understanding that the issue of the usage of compensatory time for Assistant Deputy Wardens in the Department of Correction has been referred to the Labor Management Committee provided for in this collective bargaining Agreement.

In addition, the parties agree to establish a Committee to discuss the issue of parking for Assistant Deputy Wardens' private cars.

Very truly yours,

/s/

Martin T. Horn
 Commissioner

NEW YORK CITY DEPARTMENT OF CORRECTION
Martin F. Horn, Commissioner

Office of the Commissioner

33 Beaver Street, 23rd fl.
 New York, NY 10004
 Office 212-266-1212
 Fax 212-266-1219

Appendix C

Sidney Schwartzbaum, President
 Assistant Deputy Wardens/Deputy Wardens Association
 P.O. Box 166
 East Elmhurst, New York 11369

Re: ADW/DWA Agreement for the period March 1, 2008 to June 30, 2012.

Dear Mr. Schwartzbaum:

This is to confirm our understanding that when an Assistant Deputy Warden is required to report to a location other than his/her assigned location, he/she shall be allowed travel time within the tour of duty.

This shall not pertain to staff who normally have field assignments.

Very truly yours,

/s/

Martin T. Horn
 Commissioner

THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
 40 Rector Street, New York, NY 10006-1705
<http://nyc.gov/olr>

JAMES F. HANLEY
 Commissioner
MARGARET M. CONNOR
 First Deputy Commissioner

Appendix D

Sidney Schwartzbaum, President
 Assistant Deputy Wardens/Deputy Wardens Association
 P.O. Box 166
 East Elmhurst, New York 11369

Re: ADW/DWA Agreement for the period March 1, 2008 to June 30, 2012.

Dear Mr. Schwartzbaum:

This is to confirm our mutual understanding and agreement regarding the increased number of appearances required by certain Assistant Deputy Wardens as follows:

Each employee promoted to Assistant Deputy Warden on or after July 1, 1990 shall be required to work six (6) additional tours per year beyond the number required for a similarly situated incumbent Assistant Deputy Warden.

Effective July 1, 1998, upon completion of six (6) years of service as an Assistant Deputy Warden, employees promoted to Assistant Deputy Warden on or after July 1, 1990 shall be required to make the same number of appearances as a similarly situated Assistant Deputy Warden who had been promoted before July 1, 1990.

Effective March 1, 2003, immediately upon completion of four (4) years of service as an Assistant Deputy Warden, employees promoted to Assistant Deputy Warden on or after July 1, 1990 shall be required to make the same number of appearances as a similarly situated incumbent Assistant Deputy Warden who had been promoted before July 1, 1990.

Effective April 1, 2009, the current requirement to work six (6) additional tours will be eliminated upon completion of the third year of service instead of the fourth year.

The parties agree that the increased number of appearances required by certain employees who are promoted to Assistant Deputy Warden on or after July 1, 1990, whereby they shall be required to work six (6) additional tours per year beyond the number required for a similarly situated incumbent Assistant Deputy Warden, shall cease to apply upon such employees' promotion to Deputy Warden and/or Deputy Warden-in-Command.

Very truly yours,

/s/

James F. Hanley

AGREED AND ACCEPTED ON BEHALF OF THE
ADW/DWA

BY: _____/s/_____
Sidney Schwartzbaum

THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
40 Rector Street, New York, NY 10006-1705
http://nyc.gov/olr

JAMES F. HANLEY
Commissioner
MARGARET M. CONNOR
First Deputy Commissioner

Appendix E

Sidney Schwartzbaum, President
Assistant Deputy Wardens/Deputy Wardens Association
P.O. Box 166
East Elmhurst, New York 11369

Re: ADW/DWA Agreement for the period March 1, 2008 to June 30, 2012.

Dear Mr. Schwartzbaum:

This is to confirm our mutual understanding and agreement regarding Article XII of the above Agreement. If the stabilization fund referred to in Article XII does not have sufficient monies to maintain the then current level of health insurance benefits provided under GHI-CBP/Blue Cross plan, payroll deductions in the appropriate amounts shall be taken from employees and retirees enrolled in such plan unless agreement is reached on a program wide basis to take the needed monies from the contributions to the welfare fund provided in Article XIII of the above Agreement.

Very truly yours,

/s/

James F. Hanley
Commissioner

AGREED AND ACCEPTED ON BEHALF OF THE
ADW/DWA

BY: _____/s/_____
Sidney Schwartzbaum

THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
40 Rector Street, New York, NY 10006-1705
http://nyc.gov/olr

JAMES F. HANLEY
Commissioner
MARGARET M. CONNOR
First Deputy Commissioner

Appendix F

Sidney Schwartzbaum, President
Assistant Deputy Wardens/Deputy Wardens Association
P.O. Box 166
East Elmhurst, New York 11369

Re: ADW/DWA Agreement for the period March 1, 2008 to June 30, 2012.

Dear Mr. Schwartzbaum:

The City and the ADW/DWA recognize that, pursuant to Administrative Code Section 12-127, the City is obligated to pay for the cost of line of duty injury prescription drugs for ADW/DWA members. The parties further recognize that a significant number of ADW/DWA members have utilized the ADW/DWA Security Benefits Fund to pay for these prescription drugs without reimbursement by the City. The ADW/DWA agrees to waive any and all claims retroactively and prospectively against the City for the reimbursement of the cost of line of duty injury prescription drugs.

If the above conforms to your understanding, please execute the signature line below.

Very truly yours,

/s/

James F. Hanley

AGREED AND ACCEPTED ON BEHALF OF THE
ADW/DWA

BY: _____/s/_____
Sidney Schwartzbaum

THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
40 Rector Street, New York, NY 10006-1705
http://nyc.gov/olr

JAMES F. HANLEY
Commissioner
MARGARET M. CONNOR
First Deputy Commissioner

Appendix G

Sidney Schwartzbaum, President
Assistant Deputy Wardens/Deputy Wardens Association
P.O. Box 166
East Elmhurst, New York 11369

Re: ADW/DWA Agreement for the period March 1, 2008 to June 30, 2012.

Dear Mr. Schwartzbaum:

This is to confirm that during negotiations for the successor agreement to this 2008 - 2012 agreement the parties shall negotiate the issue of increasing the City's contribution to the ADW/DWA Security Benefits Fund as the first issue to be addressed. The issues to be negotiated shall include the intent of the parties to equalize the City's total contribution to the ADW/DWA Security Benefits Fund with the total contributions made by the City to other health and welfare funds on behalf of other employees and that the ADW/DWA shall be responsible for the cost of such increased contributions.

If the above conforms to your understanding, please execute the signature line below.

Very truly yours,

/s/

James F. Hanley

AGREED AND ACCEPTED ON BEHALF OF THE
ADW/DWA

BY: _____/s/_____
Sidney Schwartzbaum

THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
40 Rector Street, New York, NY 10006-1705
http://nyc.gov/olr

JAMES F. HANLEY
Commissioner
MARGARET M. CONNOR
First Deputy Commissioner

Appendix H

Sidney Schwartzbaum, President
Assistant Deputy Wardens/Deputy Wardens Association
P.O. Box 166
East Elmhurst, New York 11369

Re: ADW/DWA Agreement for the period March 1, 2008 to June 30, 2012.

Dear Mr. Schwartzbaum:

Subject to the exigencies of the Department, Deputy Wardens and Deputy Wardens-in-Command who are scheduled to work on a holiday may request to be granted time-off provided they charge their absence to their annual leave or compensatory time balances.

Very truly yours,

/s/

James F. Hanley

THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
40 Rector Street, New York, NY 10006-1705
http://nyc.gov/olr

JAMES F. HANLEY
Commissioner
MARGARET M. CONNOR
First Deputy Commissioner

Appendix I

Sidney Schwartzbaum, President
Assistant Deputy Wardens/Deputy Wardens Association
P.O. Box 166
East Elmhurst, New York 11369

Re: ADW/DWA Agreement for the period March 1, 2008 to June 30, 2012.

Dear Mr. Schwartzbaum:

This is to confirm our mutual understanding and agreement regarding Article XVI of the above Agreement.

In consideration of the fact that the ADW/DWA agrees to forego seven (7) of the regularly scheduled monthly meetings, release time with pay shall continue to be permitted for one (1) day per week for each of the following positions: President; Vice President; and, one (1) other individual designated by the ADW/DWA, for a total of three (3) days per week. The ADW/DWA will give advance notice to the Department of Correction of its request for such release time.

Effective July 1, 2008 through July 31, 2011, the ADW/DWA will have an additional one (1) day per week with pay and benefits for one (1) position pursuant to Executive Order No. 75.

For the purpose of attending the five (5) remaining regularly scheduled meetings (to be held in January, March, May, September, and November), Union delegates shall be excused from duty if the meeting coincides with the delegate's scheduled tour, provided that the command has received at

least seventy-two (72) hours advance notice of such request for excusal.

Very truly yours,
/s/
James F. Hanley

THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
40 Rector Street, New York, NY 10006-1705
http://nyc.gov/olr

JAMES F. HANLEY
Commissioner
MARGARET M. CONNOR
First Deputy Commissioner

Appendix J

Sidney Schwartzbaum, President
Assistant Deputy Wardens/Deputy Wardens Association
P.O. Box 166
East Elmhurst, New York 11369

Re: ADW/DWA Agreement for the period March 1, 2008 to June 30, 2012.

Dear Mr. Schwartzbaum:

This is to confirm our agreement to establish a labor management committee to discuss the impact of increased productivity. The committee will explore proposals for increased productivity by Assistant Deputy Wardens, Deputy Wardens and Deputy Wardens-in-Command. Mutually agreed upon proposals may be discussed for implementation. After implementation of any agreed upon proposal, the parties may discuss application of the results of implementation.

If this accords with your understanding, please execute at the line below.

Very truly yours,

/s/

James F. Hanley

AGREED AND ACCEPTED ON BEHALF OF THE
ADW/DWA

BY: _____/s/_____
Sidney Schwartzbaum

THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
40 Rector Street, New York, NY 10006-1705
http://nyc.gov/olr

JAMES F. HANLEY
Commissioner
MARGARET M. CONNOR
First Deputy Commissioner

Appendix K

Sidney Schwartzbaum
President
Assistant Deputy Wardens/Deputy Wardens Association
P.O. Box 166
East Elmhurst, New York 11369

Re: ADW/DWA Agreement for the period March 1, 2008 to June 30, 2012

"Legal Support/Representation Fund"

Dear Mr. Schwartzbaum:

This is to confirm our mutual understanding and agreement regarding the "Legal Support/Representation Fund" established pursuant to the terms of a supplemental agreement between the City and the Union as approved by the Corporation Counsel. While these funds shall be administered by the Welfare Fund administrator, they are to be maintained in a separate account and shall not be commingled with any other monies received by the Welfare Fund and/or the Civil Legal Representation Fund. No monies from the Welfare Fund and/or the Civil Legal Representation Fund may be used for such legal support/representation.

The ADW/DWA expressly understands and agrees that the monies from the legal support/representation fund cannot and shall not be used in any action directly or indirectly adverse to the interests of the City.

The ADW/DWA further agrees that the legal support/representation fund cannot and shall not be used in any manner that would otherwise conflict with the terms of the side letter dated July 17, 1985 that sets forth the limitations placed on the authorized use of the civil legal representation fund found in Article XIII, Section 1. c. of the parties' collective bargaining agreement except that the legal support/representation fund may be used for legal support/representation in matters excluding civil actions.

If the above conforms to your understanding, please execute the signature line below.

Very truly yours,

/s/

James F. Hanley

AGREED AND ACCEPTED ON BEHALF OF THE
ADW/DWA

BY: _____/s/_____
Sidney Schwartzbaum

THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
40 Rector Street, New York, NY 10006-1705
http://nyc.gov/olr

JAMES F. HANLEY
Commissioner
MARGARET M. CONNOR
First Deputy Commissioner

Appendix L

Sidney Schwartzbaum, President
 Assistant Deputy Wardens/Deputy Wardens Association
 P.O. Box 166
 East Elmhurst, New York 11369

Re: ADW/DWA Agreement for the period March 1, 2008 to June 30, 2012

Dear Mr. Schwartzbaum:

This is to confirm the parties' agreement that the following topics shall be referred for discussion to the labor management committee in the Department of Correction:

- compensatory time for Deputy Wardens and Deputy Wardens-in-Command
- vacation picks for Deputy Wardens
- "Acting Warden differential" for Deputy Wardens

Very truly yours,

/s/

James F. Hanley

AGREED AND ACCEPTED ON BEHALF OF THE ADW/DWA

BY: _____
 Sidney Schwartzbaum

THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
 40 Rector Street, New York, NY 10006-1705
<http://nyc.gov/olr>

JAMES F. HANLEY
Commissioner
MARGARET M. CONNOR
First Deputy Commissioner

Appendix M

Sidney Schwartzbaum, President
 Assistant Deputy Wardens/Deputy Wardens Association
 P.O. Box 166
 East Elmhurst, New York 11369

Re: ADW/DWA Agreement for the period March 1, 2008 to June 30, 2012.

Dear Mr. Schwartzbaum:

Assistant Deputy Wardens shall use a pass day, or one (1) annual leave day, and all Deputy Wardens and Deputy Wardens-in-Command shall use one (1) annual leave day to qualify at the range.

If the above accords with your understanding, please execute the signature line below.

Very truly yours,

/s/

James F. Hanley

AGREED AND ACCEPTED ON BEHALF OF THE ADW/DWA

BY: _____
 Sidney Schwartzbaum

THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
 40 Rector Street, New York, NY 10006-1705
<http://nyc.gov/olr>

JAMES F. HANLEY
Commissioner
MARGARET M. CONNOR
First Deputy Commissioner

Appendix N

Sidney Schwartzbaum, President
 Assistant Deputy Wardens/Deputy Wardens Association
 P.O. Box 166
 East Elmhurst, New York 11369

Re: ADW/DWA Agreement for the period March 1, 2008 to June 30, 2012.

Dear Mr. Schwartzbaum:

If another uniformed collective bargaining unit has an adjustment made to their salary schedule through the collective bargaining or arbitration process or otherwise during the time period covering March 1, 2008 through June 30, 2012, which results in a greater percentage wage increase, then, at the Assistant Deputy Wardens/Deputy Wardens Association's request, this agreement will be reopened for the purposes of negotiating the effect of that adjustment – through the final steps of the bargaining process.

If the above conforms to your understanding, please execute the signature line below.

Very truly yours,

/s/

James F. Hanley

THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
 40 Rector Street, New York, NY 10006-1705
<http://nyc.gov/olr>

JAMES F. HANLEY
Commissioner
MARGARET M. CONNOR
First Deputy Commissioner

Appendix O

Sidney Schwartzbaum, President
 Assistant Deputy Wardens/Deputy Wardens Association
 P.O. Box 166

East Elmhurst, New York 11369

Re: ADW/DWA Agreement for the period March 1, 2008 through June 30, 2012

Dear Mr. Schwartzbaum:

Effective as soon as practicable after ratification, the Department of Correction will establish a category of employees in this bargaining unit designated on "special assignment."

The designation of certain employees detailed on "special assignment" in the Department of Correction shall be in the sole discretion of the Commissioner.

The number of employees eligible for such designation shall not exceed 4.92% of the budgeted positions in the bargaining unit.

"Special Assignment"

4th Year Step	12% (an additional 3%)
3rd Year Step	9% (an additional 3%)
2nd Year Step	6% (an additional 3%)
1st Year Step	3%

The affected employee's initial receipt of special assignment pay shall commence upon completion of six (6) months of satisfactory performance in the special assignment designation.

Very truly yours,

/s/

James F. Hanley

AGREED AND ACCEPTED ON BEHALF OF THE ADW/DWA

BY: _____
 Sidney Schwartzbaum

THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
 40 Rector Street, New York, NY 10006-1705
<http://nyc.gov/olr>

JAMES F. HANLEY
Commissioner
MARGARET M. CONNOR
First Deputy Commissioner

Appendix P

Sidney Schwartzbaum, President
 Assistant Deputy Wardens/Deputy Wardens Association
 P.O. Box 166
 East Elmhurst, New York 11369

Re: ADW/DWA Agreement for the period March 1, 2008 through June 30, 2012

Dear Mr. Schwartzbaum:

This is to confirm the understanding and agreement of the parties with respect to Martin Luther King, Jr.'s Birthday.

In the event that the ADW/DWA elects to increase the number of paid holidays by including Martin Luther King, Jr.'s Birthday as a twelfth paid holiday, the cost of the additional paid holiday will be borne by the ADW/DWA.

Very truly yours,

/s/

James F. Hanley

AGREED AND ACCEPTED ON BEHALF OF THE ADW/DWA

BY: _____
 Sidney Schwartzbaum

☛ a21

POLICE

■ NOTICE

The New York City Police Department (NYPD) is currently accepting applications for permits for the 2009 Arterial Tow Program selection process. Applications are available and may be picked up from May 4, 2009 to May 18, 2009 between the hours of 9:00 A.M. and 5:00 P.M., Monday through Friday, at 315 Hudson Street, 3rd Floor, New York, NY 10013. Or you may download applications by visiting the City Record Website <http://a856-internet.nyc.gov/nycvendoronline/VendorShort/asp/VendorMenu.asp> and follow the links to NYPD solicitations. Note: The applications will not be available for download until May 4, 2009. Completed applications will be accepted from July 6, 2009 to July 10, 2009 between the hours of 9:00 A.M. and 5:00 P.M. at 315 Hudson Street, 3rd Floor, New York, NY 10013. Completed applications are due no later than July 10, 2009 at 5:00 P.M. Any inquiries regarding this solicitation must be directed to Mr. Frank Bello, Agency Chief Contracting Officer, NYPD Contract Administration Unit, **via email at frank.bello@nypd.org or via fax at (646) 610-5129** on or before May 18, 2009.

a1-m18

TRANSPORTATION

DIVISION OF FRANCHISES, CONCESSIONS AND CONSENTS

■ NOTICE

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF PEDESTRIAN PLAZAS LOCATED

ON BROADWAY AND 6th AVENUE, BETWEEN 33rd AND 36TH STREETS, BOROUGH OF MANHATTAN

Pursuant to the Concession Rules of the City of New York, the Department of Transportation ("DOT") intends to enter into a concession for the operation, management, and maintenance of pedestrian plazas located on Broadway and 6th Avenue between 33rd and 36th Streets, Borough of Manhattan, including through DOT-approved events, sponsorships, and subconcessions providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise that promotes the neighborhood or the concessionaire, or other similar merchandise. The concessionaire shall issue solicitations in the basic form of a Request for Proposals to select entities to operate and manage such subconcessions. The selection of the entities to operate and manage the subconcessions will be subject to DOT's approval.

The concession agreement will provide for one (1) nine-month term, followed by one (1) five-year and four (4) one-year renewal options. The renewal options shall be exercisable at DOT's discretion. Any revenue received by the concessionaire in excess of both the amount attributable to maintenance of the pedestrian plazas and reasonable administrative costs shall be paid to DOT for the City's General Fund.

DOT has identified the 34th Street Partnership as a potential concessionaire, but DOT will consider additional expressions of interest from other potential not for profit concessionaires for the operation, management, and maintenance of pedestrian plazas located on Broadway and 6th Avenue between 33rd and 36th Streets, Borough of Manhattan. In order to qualify, interested organizations should have demonstrated experience in the management, operation and maintenance of publicly-accessible facilities, including but not limited to programming/events management and concession or retail operation/management.

Not for profit organizations may express interest in the proposed concession by contacting Andrew Wiley-Schwartz, Assistant Commissioner for Public Spaces by email at awileyschwartz@dot.nyc.gov or in writing at 40 Worth Street, 10th Floor, New York, NY 10013 by May 12, 2009. Mr. Wiley-Schwartz may also be contacted with any questions relating to the proposed concession by email or by telephone at (212) 442-7462.

Please note that the New York City Comptroller is charged with the audit of concession agreements in New York City. Any person or entity that believes that there has been unfairness, favoritism or impropriety in the concession process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, New York, New York 10007, telephone number (212) 669-2323.

a10-23

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF PEDESTRIAN PLAZAS LOCATED ON BROADWAY AND 7TH AVENUE BETWEEN 41st AND 47TH STREETS, BOROUGH OF MANHATTAN

Pursuant to the Concession Rules of the City of New York, the Department of Transportation ("DOT") intends to enter into a concession for the operation, management, and maintenance of pedestrian plazas located on Broadway and 7th Avenue between 41st and 47th Streets, Borough of Manhattan, including through DOT-approved events, sponsorships, and subconcessions providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise that promotes the neighborhood or the concessionaire, or other similar merchandise. The concessionaire shall issue solicitations in the basic form of a Request for Proposals to select entities to operate and manage such subconcessions. The selection of the entities to operate and manage the subconcessions will be subject to DOT's approval.

The concession agreement will provide for one (1) nine-month term, followed by one (1) five-year and four (4) one-year renewal options. The renewal options shall be exercisable at DOT's discretion. Any revenue received by the concessionaire in excess of both the amount attributable to maintenance of the pedestrian plazas and reasonable administrative costs shall be paid to DOT for the City's General Fund.

DOT has identified the Times Square Alliance as a potential concessionaire, but DOT will consider additional expressions of interest from other potential not for profit concessionaires for the operation, management, and maintenance of pedestrian plazas located on Broadway and 7th Avenue between 41st and 47th Streets, Borough of Manhattan. In order to qualify, interested organizations should have demonstrated experience in the management, operation and maintenance of publicly-accessible facilities, including but not limited to programming/events management and concession or retail operation/management. Not for profit organizations may express interest in the proposed concession by contacting Andrew Wiley-Schwartz, Assistant Commissioner for Public Spaces by email at awileyschwartz@dot.nyc.gov or in writing at 40 Worth Street, 10th Floor, New York, NY 10013 by May 12, 2009. Mr. Wiley-Schwartz may also be contacted with any questions relating to the proposed concession by email or by telephone at (212) 442-7462.

Please note that the New York City Comptroller is charged with the audit of concession agreements in New York City. Any person or entity that believes that there has been unfairness, favoritism or impropriety in the concession process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, New York, New York 10007, telephone number (212) 669-2323.

a10-23

CHANGES IN PERSONNEL

COMMUNITY COLLEGE (MANHATTAN) FOR PERIOD ENDING 03/20/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Community College (Manhattan).

COMMUNITY COLLEGE (HOSTOS) FOR PERIOD ENDING 03/20/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Community College (Hostos).

COMMUNITY COLLEGE (LAGUARDIA) FOR PERIOD ENDING 03/20/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Community College (Laguardia).

HUNTER COLLEGE HIGH SCHOOL FOR PERIOD ENDING 03/20/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Hunter College High School.

DEPARTMENT OF EDUCATION ADMIN FOR PERIOD ENDING 03/20/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Department of Education Admin.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for various departments.

OFFICE OF PROBATION FOR PERIOD ENDING 03/20/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Office of Probation.

a21

LATE NOTICES

CITY COUNCIL

ADMINISTRATION SOLICITATIONS

Construction/Construction Services

LEGISTAR SOFTWARE SERVICES - Sole Source - Available only from a single source - PIN# 102200800003 - DUE 05-01-09 AT 2:00 P.M. - NYCC/Administrative Services Division...

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.

a21-27

CITY UNIVERSITY

SOLICITATIONS

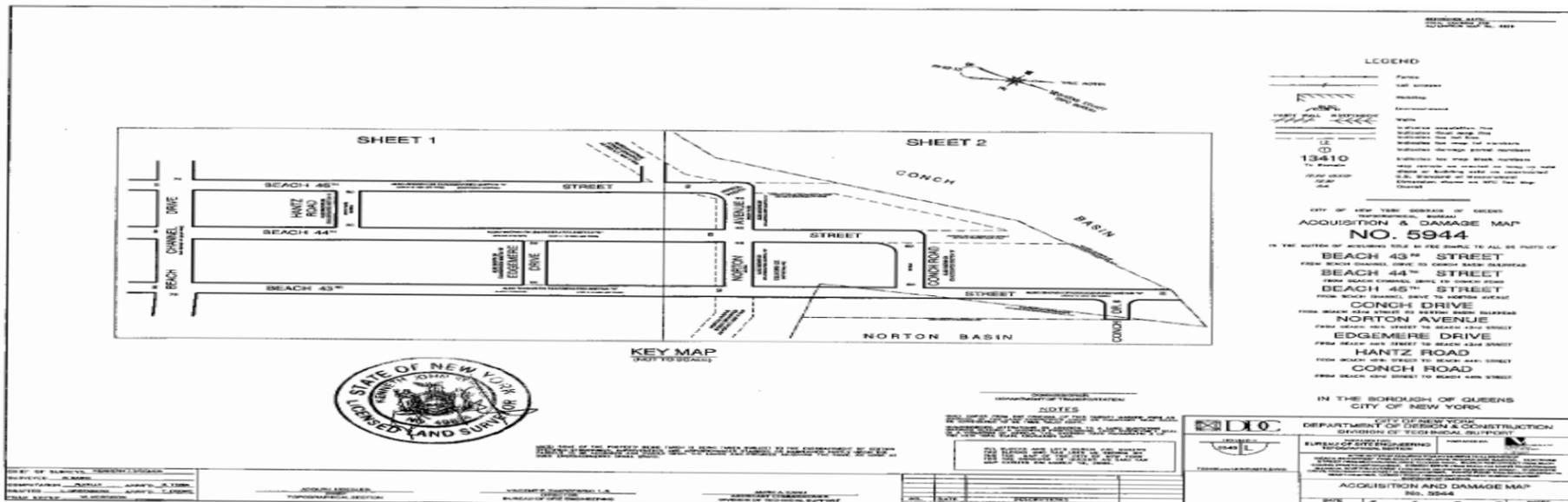
Goods

KITCHEN APPLIANCES AND MOBILE EQUIPMENT - Competitive Sealed Bids - PIN# 0094919032 - DUE 05-11-09 AT 2:30 P.M.

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

a21

COURT NOTICE MAPS FOR BEACH 43RD STREET ET AL.



READER'S GUIDE

The City Record (CR) is, published each business day and includes notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Solicitation notices for most procurements valued at or above \$100,000 for information technology and for construction and construction related services, above \$50,000 for other services, and above \$25,000 for other goods are published for at least one day. Other types of procurements, such as sole source, require notice in the City Record for five consecutive days. Unless otherwise specified, the agencies and offices listed are open for business Mondays thru Fridays from 9:00 A.M. to 5:00 P.M. except legal holidays.

NOTICE TO ALL NEW YORK CITY CONTRACTORS

The New York State Constitution ensures that all laborers, workers or mechanics employed by a contractor or subcontractor doing public work are to be paid the same wage rate that prevails in the trade where the public work is being done. Additionally, New York State Labor Law §§ 220 and 230 provide that a contractor or subcontractor doing public work in construction or building service must pay its employees no less than the prevailing wage. Section 6-109 (the Living Wage Law) of the New York City Administrative Code also provides for a "living wage", as well as prevailing wage, to be paid to workers employed by City contractors in certain occupations. The Comptroller of the City of New York is mandated to enforce prevailing wage. Contact the NYC Comptrollers Office at www.comptroller.nyc.gov, click on Labor Law Schedules to view rates.

New York City's "Burma Law" (Local Law No. 33 of 1997) No Longer to be Enforced. In light of the United States Supreme Court's decision in **Crosby v. National Foreign Trade Council**, 530 U.S. 363 (2000), the City has determined that New York City's Local Law No. 33 of 1997 (codified in Administrative Code Section 6-115 and Charter Section 1524), which restricts City business with banks and companies doing business in Burma, is unconstitutional. This is to advise, therefore, that the language relating to Burma contained in existing New York City contracts may not be enforced.

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

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.

VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$7 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. To register for these lists-free of charge-, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application.

- Online at <http://nyc.gov/selltonyc>

- To request a hardcopy application, call the Vendor Enrollment Center at (212) 857-1680.

Attention Existing Suppliers:

Even if you already do business with NYC agencies, be sure to fill out an application. We are switching over to citywide, centralized Bidders Lists instead of the agency-specific lists previously used to issue notices about upcoming contract opportunities. To continue receiving notices of New York City contract opportunities, you must fill out and submit a NYC-FMS Vendor Enrollment application.

If you are uncertain whether you have already submitted an application, call us at (212) 857-1680.

SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services, 110 William Street, New York, NY 10038. Morning and afternoon sessions are convened on the first Tuesday of each month. For more information, and to register, call (212) 618-8845.

PRE-QUALIFIED LIST

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstance. When it is decided by an agency to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR.

Information and qualification questionnaires for inclusion on such list may be obtained directly from the Agency Chief Contracting Officer at each agency, (see Vendor Information Manual). A completed qualification Questionnaire may be submitted to the Chief Contracting Officer at any time, unless otherwise indicated and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings, (OATH), Section 3-11 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists.

NON-MAYORAL ENTITIES

The following agencies are not subject to Procurement Policy Board rules and do not follow all of the above procedures: City University, Department of Education, Metropolitan Transportation Authority, Health & Hospitals Corporation, Housing Authority. Suppliers interested in applying for inclusion on bidders list should contact these entities directly (see Vendor Information Manual) at the addresses given.

PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 10:00 A.M to 3:00 P.M. For information, contact the Mayor's Office of Contract Services at (212) 788-0010.

ATTENTION: NEW YORK CITY MINORITY AND WOMEN OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about the program, contact the New York City Department of Small Business Services, 110 William Street, 2nd Floor, New York, New York 10038 (212) 513-6311.

PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City now pays interest on all late invoices. The grace period that formerly existed was eliminated on July 1, 2000. However, there are certain types of payments that are not eligible for interest. These are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year, in January and in July.

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City Website, <http://nyc.gov/selltonyc>

COMMON ABBREVIATIONS USED IN THE CR

The CR contains many abbreviations. Listed below are simple explanations of some of the most common ones appearing in the CR:

- AB Acceptable Brands List
- AC Accelerated Procurement
- AMT Amount of Contract
- BL Bidders List
- CSB Competitive Sealed Bidding (including multi-step)
- CB/PQ CB from Pre-qualified Vendor List
- CP Competitive Sealed Proposal (including multi-step)
- CP/PQ CP from Pre-qualified Vendor List
- CR The City Record newspaper
- DA Date bid/proposal documents available
- DUE Bid/Proposal due date; bid opening date
- EM Emergency Procurement
- IG Intergovernmental Purchasing
- LBE Locally Based Business Enterprise
- M/WBE Minority/Women's Business Enterprise
- NA Negotiated Acquisition
- NOTICE....Date Intent to Negotiate Notice was published in CR
- OLB.....Award to Other Than Lowest Responsible & Responsive Bidder/Proposer
- PIN.....Procurement Identification Number
- PPB Procurement Policy Board
- PQ Pre-qualified Vendors List
- RS.....Source required by state/federal law or grant
- SCE.....Service Contract Short-Term Extension
- DP Demonstration Project
- SS Sole Source Procurement
- ST/FED.....Subject to State &/or Federal requirements

KEY TO METHODS OF SOURCE SELECTION

The Procurement Policy Board (PPB) of the City of New York has by rule defined the appropriate methods of source selection for City procurement and reasons justifying their use. The CR procurement notices of many agencies include an abbreviated reference to the source selection method utilized. The following is a list of those methods and the abbreviations used:

- CSB **Competitive Sealed Bidding** (including multi-step)
Special Case Solicitations / Summary of Circumstances:
- CP **Competitive Sealed Proposal** (including multi-step)
- CP/1 Specifications not sufficiently definite
- CP/2 Judgement required in best interest of City
- CP/3 Testing required to evaluate
- CB/PQ/4
- CP/PQ/4 **CB or CP from Pre-qualified Vendor List/** Advance qualification screening needed
- DP Demonstration Project
- SS **Sole Source Procurement/only one source**
- RS.....Procurement from a Required Source/ST/FED
- NA.....Negotiated Acquisition
For ongoing construction project only:
- NA/8 Compelling programmatic needs

- NA/9New contractor needed for changed/additional work
- NA/10.....Change in scope, essential to solicit one or limited number of contractors
- NA/11.....Immediate successor contractor required due to termination/default
For Legal services only:
- NA/12.....Specialized legal devices needed; CP not advantageous
- WA **Solicitation Based on Waiver/Summary of Circumstances** (Client Services/BSB or CP only)
- WA1Prevent loss of sudden outside funding
- WA2Existing contractor unavailable/immediate need
- WA3Unsuccessful efforts to contract/need continues
- IG **Intergovernmental Purchasing** (award only)
- IG/F.....Federal
- IG/S.....State
- IG/OOther
- EM **Emergency Procurement** (award only) An unforeseen danger to:
- EM/A.....Life
- EM/B.....Safety
- EM/C.....Property
- EM/D.....A necessary service
- AC **Accelerated Procurement/markets with** significant short-term price fluctuations
- SCE..... **Service Contract Extension/insufficient time;** necessary service; fair price
Award to Other Than Lowest Responsible & Responsive Bidder or Proposer / Reason (award only)
- OLB/a.....anti-apartheid preference
- OLB/b.....local vendor preference
- OLB/crecycled preference
- OLB/d.....other: (specify)

HOW TO READ CR PROCUREMENT NOTICES

Procurement Notices in the CR are arranged by alphabetically listed Agencies, and within Agency, by Division if any. The notices for each Agency (or Division) are further divided into three subsections: Solicitations, Awards; and Lists & Miscellaneous notices. Each of these subsections separately lists notices pertaining to Goods, Services, or Construction.

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section. At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified UNLESS a different one is given in the individual notice. In that event, the directions in the individual notice should be followed. The following is a SAMPLE notice and an explanation of the notice format used by the CR.

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

BUS SERVICES FOR CITY YOUTH PROGRAM – Competitive Sealed Bids – PIN# 056020000293 – DUE 04-21-03 AT 11:00 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.

☛ m27-30

ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN # 056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 am	Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.
<i>Use the following address unless otherwise specified in notice, to secure, examine-submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing giving contact information, or submit bid/information and Agency Contact address
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.
☛	Indicates New Ad
m27-30	Date that notice appears in City Record

NUMBERED NOTES

Numbered Notes are Footnotes. If a Numbered Note is referenced in a notice, the note so referenced must be read as part of the notice. **1.** All bid deposits must be by company certified check or money order made payable to Agency or Company.