



# THE CITY RECORD

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## THE CITY RECORD

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## PUBLIC HEARINGS AND MEETINGS

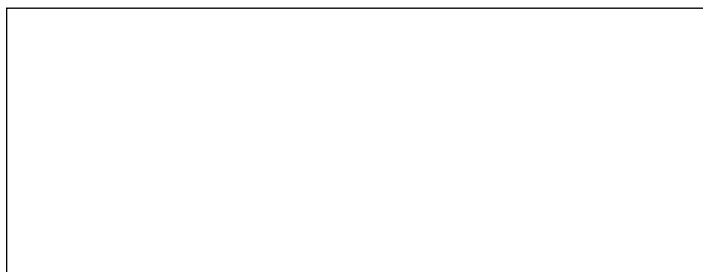
See Also: Procurement; Agency Rules

## BOARD MEETINGS

### MEETING

#### City Planning Commission

Meets in NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY 10271, twice monthly on Wednesday, at 10:00 A.M., unless otherwise ordered by the Commission.



#### City Council

Meets by Charter twice a month in Councilman's Chamber, City Hall, Manhattan, NY 10007, at 1:30 P.M.

#### Contract Awards Public Hearing

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, weekly, on Thursday, commencing 10:00 A.M., and other days, times and location as warranted.

#### Civilian Complaint Review Board

Generally meets at 10:00 A.M. on the second Wednesday of each month at 40 Rector Street, 2nd Floor, New York, NY 10006. Visit <http://www.nyc.gov/html/ccrb/html/meeting.html> for additional information and scheduling changes.

#### Design Commission

Meets at City Hall, Third Floor, New York, NY 10007. For meeting schedule, please visit [nyc.gov/designcommission](http://nyc.gov/designcommission) or call (212) 788-3071.

#### Department of Education

Meets in the Hall of the Board for a monthly business meeting on the Third Wednesday, of each month at 6:00 P.M. The Annual Meeting is held on the first Tuesday of July at 10:00 A.M.

#### Board of Elections

32 Broadway, 7th Floor, New York, NY 10004, on Tuesday, at 1:30 P.M. and at the call of the Commissioner.

#### Environmental Control Board

Meets at 100 Church Street, 12th Floor, Training Room #143, New York, NY 10007 at 9:15 A.M. once a month at the call of the Chairman.

#### Board of Health

Meets at Gotham Center, 42-09 28th Street, Long Island City, NY 11101, at 10:00 A.M., quarterly or at the call of the Chairman.

#### Health Insurance Board

Meets in Room 530, Municipal Building, Manhattan, NY 10007, at the call of the Chairman.

#### Board of Higher Education

Meets at 535 East 80th Street, Manhattan, NY 10021, at 5:30 P.M., on fourth Monday in January, February, March, April, June, September, October, November and December. Annual meeting held on fourth Monday in May.

#### Citywide Administrative Services

Division of Citywide Personnel Services will hold hearings as needed in Room 2203, 2 Washington Street, New York, NY 10004.

**Commission on Human Rights**

Meets on 10th Floor in the Commission's Central Office, 40 Rector Street, New York, NY 10006, on the fourth Wednesday of each month, at 8:00 A.M.

**In Rem Foreclosure Release Board**

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Tuesdays, commencing 10:00 A.M., and other days, times and location as warranted.

**Franchise and Concession Review Committee**

Meets in Spector Hall, 22 Reade Street, Main Floor, and other days, times and location as warranted.

**Real Property Acquisition and Disposition**

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, bi-weekly, on Wednesdays, commencing 10:00 A.M., and other days, times and location as warranted.

**Landmarks Preservation Commission**

Meets in the Hearing Room, Municipal Building, 9th Floor North, 1 Centre Street in Manhattan on approximately three Tuesday's each month, commencing at 9:30 A.M. unless otherwise noticed by the Commission. For current meeting dates, times and agendas, please visit our website at [www.nyc.gov/landmarks](http://www.nyc.gov/landmarks).

**Employees' Retirement System**

Meets in the Boardroom, 22nd Floor, 335 Adams Street, Brooklyn, NY 11201, at 9:30 A.M., on the third Thursday of each month, at the call of the Chairman.

**Housing Authority**

Board Meetings of the New York City Housing Authority are scheduled for the last Wednesday of each month (except August) at 10:00 A.M. in the Board Room on the 5th Floor of 90 Church Street, New York, NY 10007 (unless otherwise noted). Any changes to the schedule will be posted here and on NYCHA's website at <https://www1.nyc.gov/site/nycha/about/board-meetings.page> to the extent practicable at a reasonable time before the meeting. For additional information, please visit NYCHA's website or contact (212) 306-6088.

**Parole Commission**

Meets at its office, 100 Centre Street, Manhattan, NY 10013, on Thursday, at 10:30 A.M.

**Board of Revision of Awards**

Meets in Room 603, Municipal Building, Manhattan, NY 10007, at the call of the Chairman.

**Board of Standards and Appeals**

Meets at 22 Reade Street, 1st Floor, in Manhattan on Mondays and Tuesdays at 10:00 A.M. Review sessions are customarily held immediately before the public hearing. For changes in the schedule or additional information, please call the Board's office at (212) 386-0009 or consult the Board's website at [www.nyc.gov/bsa](http://www.nyc.gov/bsa).

**Tax Commission**

Meets in Room 936, Municipal Building, Manhattan, NY 10007, each month at the call of the President. Manhattan, monthly on Wednesdays, commencing 2:30 P.M.

**CITY PLANNING**

■ MEETING

**PUBLIC NOTICE OF A SCOPING MEETING  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
(CEQR No. 21DCP199K)**

NOTICE IS HEREBY GIVEN that, pursuant to Section 5-07 of the Rules of Procedure for Environmental Review (CEQR) AND 6 NYCRR 617.8 (State Environmental Quality Review), that the New York City Department of City Planning, acting on behalf of the City Planning Commission as CEQR lead agency, has determined, based on the Environmental Assessment Statement, that a draft environmental impact statement (DEIS) is to be prepared for the **1160 Flushing Avenue** project (CEQR Number 21DCP199K). The CEQR lead agency hereby requests, that the applicant prepare a DEIS in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

**A public scoping meeting has been scheduled, for Thursday, June 23, 2022, at 2:00 P.M.** In support of the City's efforts to contain the spread of COVID-19, DCP will hold the public scoping meeting remotely. To join the meeting and comment, please visit NYC Engage, (<https://www1.nyc.gov/site/nycengage/events/index.page>).

**To dial into the meeting** to listen by phone you may call

- 877-853-5247 (Toll-free)
- 888-788-0099 (Toll-free)
- 213-338-8477
- 253-215-8782

Enter the following meeting ID and password when prompted:

- Meeting ID: 840 9647 0613

- Password: 1

**For technical support** during the meeting, you may call any of the phone numbers listed above. Then enter the following meeting ID and password when prompted:

- Meeting ID: 618 237 7396
- Password: 1

Instructions on how to participate, as well as materials relating to the meeting, will be posted on the site in advance of the meeting, at least one hour prior to the start time. To help the meeting host effectively manage members of the public who sign up to comment, those who do not intend to actively participate, are invited to watch the livestream or the recording that will be posted after the meeting. The livestream can be found in the above NYC Engage link and will be made available on the day of the scoping meeting.

Written comments will be accepted through 5:00 P.M., Tuesday, July 5, 2022. They can be submitted through the above webpage or mailed, to Stephanie Shellooe, AICP, Director, Environmental Assessment and Review Division, New York City Department of City Planning, 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271.

Copies of the Draft Scope of Work and the Environmental Assessment Statement may also be obtained by contacting the Environmental Assessment and Review Division, New York City Department of City Planning, 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271, Stephanie Shellooe, Director, by calling (212) 720-3328, or by emailing, [sshellooe@planning.nyc.gov](mailto:sshellooe@planning.nyc.gov). In addition, to view the 1160 Flushing Draft Scope of Work and the Environmental Assessment Statement, navigate to the project page in ZAP and select Public Documents, then "Draft Scope of Work\_21DCP199K" and "EAS\_21DCP199K." To view the Scoping Protocol, select the Public Documents, then "Scoping Protocol."

Please inform the Department of City Planning if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. Requests for a reasonable accommodation or foreign language assistance during the meeting should be emailed, to [AccessibilityInfo@planning.nyc.gov](mailto:AccessibilityInfo@planning.nyc.gov), or made by calling (212) 720-3508. Requests must be submitted, at least ten business days before the meeting, by Wednesday, June 8, 2022.

The Applicant, 1160 Flushing Avenue LLC, is seeking the approval of one discretionary action, a zoning map amendment that would rezone Block 3167, Lots 12 (p/o), 18, 24, 26, 29, and 40 from a M1-1 district to a M1-5 district (the "Proposed Action"). The Proposed Action would facilitate the construction of a new, mixed-use commercial and light industrial development comprising approximately 238,104 gross square feet (gsf) in total (the "Proposed Project"). The Proposed Project would be constructed, at 1160 Flushing Avenue (Block 3167, Lots 18 and 24), a 37,928-sf, rectangular-shaped site with frontages on Flushing Avenue and Jefferson Street, in the Bushwick neighborhood of Brooklyn Community District 4. The Proposed Action would also facilitate development on two non-Applicant owned sites, located at Block 3167, Lots 29 and 40 ("Projected Development Site 2" and "Projected Development Site 3" respectively).

Specifically, the Proposed Action is:

- A zoning map amendment approval by the CPC to change the zoning in the Proposed Rezoning Area from the existing M1-1 to an M1-5 light manufacturing zoning district.

The Analysis Year for the Proposed Action is 2027.

◀ m23

**CITY PLANNING COMMISSION**

■ PUBLIC HEARINGS

In support of the City's efforts to contain the spread of COVID-19, the City Planning Commission will hold a remote public hearing, via the teleconferencing application Zoom, at 10:00 A.M. Eastern Daylight Time, on Wednesday, May 25, 2022, regarding the calendar items listed below.

The meeting will be live streamed through Department of City Planning's (DCP's) website, and accessible from the following webpage, which contains specific instructions on how to observe and participate, as well as materials relating to the meeting: <https://www1.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/360399/1>.

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

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

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

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

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

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

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

**BOROUGH OF MANHATTAN**

**No. 1**

**THEATER SUBDISTRICT FUND CONTRIBUTION**

**(Proposed modification of Title 62 of the Rules of the City of New York pursuant to Sections 1043 and 191(b)(2) of the City Charter to facilitate the increase in the price per square foot of the amount to be contributed when development rights are transferred from theaters, pursuant to Zoning Resolution Section 81-744.**

**PLEASE TAKE NOTICE** that in accordance with Sections 1043 and 191(b)(2) of the New York City Charter, the New York City Department of City Planning (“City Planning”), proposes to amend rules within Section 3-10 of Subchapter C of Chapter 3 of Title 62 of the Rules of the City of New York:

This proposed rule was not included in the Department of City Planning’s regulatory agenda for this Fiscal Year because it was not contemplated when the Department of City Planning published the agenda.

The time and place of the hearing have been scheduled as follows:

DATE: May 25, 2022  
TIME: 10:00 A.M.

In support of the City’s efforts to contain the spread of COVID-19, the City Planning Commission will hold this public hearing remotely. To join the meeting and comment, please visit NYC Engage, at <https://www1.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/360399/1> or dial 877-853-5247 (US Toll-free), 888-788-0099 (US Toll-free), (253) 215-8782 (Toll number) or (213) 338-8477 (Toll number). If calling into the meeting, please use the following Meeting ID 618 237 7396, and when prompted for a participation code, please enter “#” followed by the password “1” when prompted. Instructions on how to participate, as well as materials relating to the meeting, will be posted on NYC Engage in advance of the meeting. To help the meeting host effectively manage the meeting, those who do not intend to actively participate are invited to watch the meeting through the livestream/LINK provided on NYC Engage or the recording that will be posted after the meeting on DCP’s website.

Any person in attendance at this hearing shall be given a reasonable opportunity to present oral or written statements and to submit other documents concerning the proposed changes. Each speaker shall be allotted a maximum of three (3) minutes.

Persons who require that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are asked to notify Dominick Answini, at the address set forth below, or by telephone at (212) 720-3676, by May 11, 2022. In addition, written statements may be submitted to City Planning at the address stated below, provided the comments are received by 5:00 P.M., on May 25, 2022:

New York City Department of City Planning  
Office of the Counsel  
120 Broadway, 31<sup>st</sup> Floor  
New York, NY 10271  
Attention: Dominick Answini

Written comments received and a tape recording of oral comments received at the hearing will be available for public inspection within a reasonable time after receipt between the hours of 9:00 A.M. and 5:00 P.M., at the Freedom of Information Law Desk, 120 Broadway, 31<sup>st</sup> Floor, telephone number (212) 720-3454.

**The purpose of the hearing is to provide the public with an opportunity to comment on the proposed rule set forth herein.**

Title 62 of the Rules of the City of New York is amended to read as follows:

**Chapter 3: Fees and Contributions**

\* \* \*

**Subchapter C: Contributions**

**§ 3-10 Contributions to Theater Subdistrict Fund, Pursuant to § 81-744 of the New York City Zoning Resolution.**

Contributions to Theater Subdistrict Fund Pursuant to Section 81-744 of the New York City Zoning Resolution. Contributions to the Theater Subdistrict Fund pursuant to Section 81-744 of the New York City Zoning Resolution shall be made in an amount equal to ~~[\$17.60]~~ **\$24.65** per square foot of floor area transferred.

**BOROUGH OF BROOKLYN**

**No. 2**

**CB17 OFFICE SPACE – 350 CLARKSON AVENUE**

**CD 17 N 220298 PXK**

**IN THE MATTER OF** a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services and Brooklyn Community Board 17, pursuant to Section 195 of the New York City Charter for use of property located at 350 Clarkson Avenue (Block 4837, p/o Lot 27) (Brooklyn CB 17 Offices).

**CITYWIDE**

**No. 3**

**PROPOSED COMMISSION RESOLUTION CONCERNING USE OF VIDEOCONFERENCING TO CONDUCT COMMISSION MEETINGS**

**IN THE MATTER OF** a resolution to authorize the use of videoconferencing to conduct City Planning Commission meetings, as authorized by and in conformance with amendments to the New York State Open Meetings Law, Part WW of Chapter 56 of the Laws of 2022.

Proposed Resolution:

**RESOLVED**, by the City Planning Commission, that the use of videoconferencing to conduct Commission meetings is hereby authorized in conformance with the requirements of the New York State Open Meetings Law, including the following:

1. For all Commission meetings, a minimum of seven Commissioners, sufficient to constitute a quorum of the Commission, shall be present in a physical location or locations where the public can attend in person; and
2. If a quorum of Commissioners is physically present at a Commission meeting where the public can attend in person, a Commissioner may attend and participate in a Commission meeting by videoconference from any location and without providing access to members of the public to such location if such Commissioner is unable to attend the meeting in person due to extraordinary circumstances, which include but are not limited to, disability, illness, caregiving responsibilities, or any other significant or unexpected event which precludes the Commissioner’s physical attendance at the meeting; and
3. Members of the public may view Commission meetings by video and may attend and, where public comment is authorized, participate in Commission meetings in person, by videoconference, or by any other remote means established by the Commission; and
4. The procedures for remote participation and attendance by the Commission and members of the public shall be posted on the Commission’s website;

**RESOLVED**, that this Resolution shall take effect on June 9, 2022.

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

Accessibility questions: 212-720-3508, [AccessibilityInfo@planning.nyc.gov](mailto:AccessibilityInfo@planning.nyc.gov), by: Friday, May 20, 2022, 5:00 P.M.



m11-25

**COMMUNITY BOARDS**

**■ PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN** that the following matters have been scheduled for Public Hearing by Community Board:

**BOROUGH OF BRONX**

COMMUNITY BOARD NO. 05 - Wednesday, May 25, 2022, 5:30 P.M., via WebEx

Open Meetings Resolution for the General Board, Public Hearings and Committee meetings.

m19-25

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

BOROUGH OF BRONX

COMMUNITY BOARD NO. 05 - Wednesday, May 25, 2022, 5:00 P.M., via WebEx

ULURP

The application seeks for 2017 Grand Concourse to be transferred from public to private ownership for affordable housing development.

ULURP

The application seeks for 1687 Popham Road to be transferred from public to private ownership for affordable housing development.

m19-25

COMPTROLLER

MEETING

The City of New York Audit Committee Meeting, is scheduled for Wednesday, May 25, 2022, at 9:30 A.M., via video conference call. The meeting will be open to the general public.

m18-25

BOARD OF EDUCATION RETIREMENT SYSTEM

MEETING

The Board of Education Retirement System Board of Trustees Meeting will be held on Tuesday, May 26, 2022 from 4:00 PM - 6:00 PM via Webex. If you would like to attend this meeting, please contact BERS Executive Director, Sanford Rich, at Srich4@bers.nyc.gov.

m18-26

EMERGENCY MANAGEMENT

MEETING

The Annual Meeting of the Local Emergency Planning Committee (LEPC), will be held, on Tuesday, June 7, 2022, at 10:30 A.M. to 12:00 P.M., at New York City Emergency Management, 165 Cadman Plaza East, Brooklyn, NY 11201.

Due to limited space, you must RSVP to attend this event. To RSVP and request an accommodation, please email nycoemlegal@oem.nyc.gov, or call (718) 422-4600.

All requests for Communication Access Realtime Translation (CART) services must be submitted at least two (2) weeks prior to the event to ensure availability. All other accommodation requests must be submitted no later than June 1, 2022.

Accessibility questions: nycoemlegal@oem.nyc.gov, (718) 422-4600, by: Wednesday, June 1, 2022, 12:00 P.M.



m17-j6

FRANCHISE AND CONCESSION REVIEW COMMITTEE

PUBLIC HEARINGS

Notice of a Franchise and Concession Review Committee (FCRC) Public Hearing on Agency Annual Concession Plans for Fiscal Year 2023, pursuant to Section 1-10 of the Concession Rules of the City of New York (Concession Rules), to be held remotely on Monday, June 6, 2022, commencing, at 2:30 P.M., via Microsoft Teams dial in.

At this hearing, the FCRC will further solicit comments about the provisions of the Concession Rules from the vendor community, civic groups and the public, at large. The FCRC shall consider the issues raised,

at the Public Hearing in accordance with the procedures set forth in the New York City Charter under the City Administrative Procedure Act.

The following agencies submitted an Annual Concession Plan for Fiscal Year 2023: the Department of Parks and Recreation; the Department of Citywide Administration Services; the Department of Environmental Protection; the Department of Corrections; the Department of Health and Mental Hygiene; the Department of Transportation; the New York City Fire Department; the Department of Housing Preservation and Development; the NYC & Company on behalf of the Department of Small Business Services; the New York City Economic Development Corporation on behalf of the Department of Small Business Services; the New York City Administration for Children's Services; the New York City Department of Records and Information Services and the New York City Police Department.

The portfolio of Agency Annual Concession Plans covers significant and non-significant concessions expiring, continuing and anticipated for solicitation or initiation in Fiscal Year 2023. Furthermore, the portfolio covers, inter alia:

- Department of Parks and Recreation: mobile food units, food service facilities, golf courses, driving ranges, marinas, tennis professionals, athletic facilities, Christmas trees, parking lots, markets, fairs, restaurants, concerts, newsstands, stables, gas stations, amusement venues, ice skating rinks, carousels, ferry services, bike rentals, sailboat rentals, souvenirs and gifts, beach equipment, and event programming.
Department of Citywide Administrative Services: maritime/non-maritime occupancy permits, merchandise and marketing, vending machines and restaurants.
Department of Environmental Protection: gas purification.
Department of Corrections: commissary services and vending machines.
Department of Health and Mental Hygiene: drug discount card program.
Department of Transportation: vending machines, pedestrian plazas, food courts, cafe, markets.
New York City Fire Department: fire museum.
Department of Housing Preservation and Development: cafe.
NYC & Company on behalf of the Department of Small Business Services: marketing, advertising, intellectual property and trademark merchandising.
New York City Economic Development Corporation on behalf of the Department of Small Business Service: events/installations, parking lots, maritime and non-maritime occupancy permits.
New York City Administration for Children's Services: vending machines.
New York City Department of Records and Information Services: licensing representation.
New York City Police Department: vending machines and cafeteria.

The public may participate in the public hearing by calling the dial-in number below.

Dial-in #: +1-646-893-7101
Access Code: 307 259 070
Press # on further prompts

Written testimony may be submitted in advance of the hearing electronically, to frcr@mocs.nyc.gov. All written testimony must be received by June 3rd, 2022.

In addition, the public may also testify during the hearing by calling the dial-in number.

Interested parties may obtain a copy of the Agency Annual Concession Plans by contacting Gregg Alleyne via email, at frcr@mocs.nyc.gov. Upon request, a PDF version of the Agency Annual Concession Plans is available free of cost.

A transcript of the hearing will be posted on the FCRC website, at https://www1.nyc.gov/site/mocs/reporting/agendas.page.

m20-j3

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee, will hold a remote public meeting, on Wednesday, June 8, 2022, at 2:30 P.M., via Microsoft Teams dial-in. The dial-in information is below:

Dial-in #: +1 646-893-7101
Access Code: 110 682 231
Press # on further prompts

For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact the Mayor's Office of Contract Services (MOCS) via email, at DisabilityAffairs@mocs.nyc.gov, or via phone, at (646) 872-0231. Any person requiring reasonable accommodation for the public meeting should contact MOCS, at least five (5) business days in advance of the meeting, to ensure availability.

m20-j3

## HOUSING AUTHORITY

### ■ MEETING

**Because of the on-going COVID-19 health crisis and in relation to Chapter 1 of the Laws of 2022 of New York State, the Board Meeting of the New York City Housing Authority, scheduled for Wednesday, May 25, 2022 at 10:00 A.M., will be limited to viewing the live stream or listening via phone instead of attendance in person.**

For public access, the meeting will be streamed live on NYCHA's YouTube Channel <https://nyc.gov/nycha> and NYCHA's website <https://on.nyc.gov/boardmeetings> or can be accessed via Zoom by calling (646) 558-8656 using Webinar ID: 851 3288 9726 and Passcode:9929603770.

For those wishing, to provide public comment, pre-registration is required via email, to [corporate.secretary@nycha.nyc.gov](mailto:corporate.secretary@nycha.nyc.gov), or by contacting (212) 306-6088, no later than 5:00 P.M. on the day prior, to the Board Meeting. When pre-registering, please provide your name, development, or organization name, contact information and item you wish to comment on. You will then be contacted with instructions for providing comment. Comments are limited to the items on the Calendar.

Speaking time will be limited to three (3) minutes. Speakers will provide comment in the order in which the requests to comment are received. The public comment period will conclude upon all speakers being heard or at the expiration of thirty (30) minutes allotted for public comment, whichever occurs first.

Copies of the Calendar are available on NYCHA's website at <https://www1.nyc.gov/site/nycha/about/board-calendar.page>, to the extent practicable, no earlier than 24 hours before the upcoming Board Meeting. Copies of the draft Minutes are available on NYCHA's Website at <https://www1.nyc.gov/site/nycha/about/board-calendar.page>, no earlier than 3:00 P.M. on the Thursday following the Board Meeting.

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

Any person requiring a reasonable accommodation in order to participate in the Board Meeting, should contact the Office of the Corporate Secretary by phone at (212) 306-6088 or by email at [corporate.secretary@nycha.nyc.gov](mailto:corporate.secretary@nycha.nyc.gov), no later than Wednesday, May 4, 2022, at 5:00 P.M.

For additional information regarding the Board Meeting, please contact the Office of the Corporate Secretary by phone, at (212) 306-6088 or by email at [corporate.secretary@nycha.nyc.gov](mailto:corporate.secretary@nycha.nyc.gov).

m4-25

The next Board Meeting of the New York City Housing Authority, is scheduled, for Wednesday, June 15, 2022, at 10:00 A.M., in the Ceremonial Room, on the 5th Floor of 90 Church Street, New York, NY (unless otherwise noted). Copies of the Calendar will be available on NYCHA's Website, or may be picked up, at the Office of the Corporate Secretary, at 90 Church Street, 5th Floor, New York, NY, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes will also be available on NYCHA's Website, or may be picked up, at the Office of the Corporate Secretary, no earlier than 3:00 P.M., on the Thursday following the Board Meeting.

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

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

The meeting will be streamed live on NYCHA's YouTube Channel, at <https://www.youtube.com/c/nycha>, and NYCHA's Website, at <https://www1.nyc.gov/site/nycha/about/board-meetings.page>.

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

m13-j15

## LANDMARKS PRESERVATION COMMISSION

### ■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN** that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, May 24, 2022, the Landmarks Preservation Commission (LPC or agency) will hold a public hearing by teleconference with respect to the properties list below, and then followed by a public meeting.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. The teleconference will be by the Zoom app and will be live streamed on the LPC's YouTube channel, [www.youtube.com/nyclpc](http://www.youtube.com/nyclpc). Members of the public should observe the meeting on the YouTube channel and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, under the "Hearings" tab, <https://www1.nyc.gov/site/lpc/hearings/hearings.page>, on the Monday before the public hearing. Any person requiring language assistance services or other reasonable accommodation in order to participate in the hearing or attend the meeting should contact the LPC by contacting Sasha Sealey, Community and Intergovernmental Affairs, at [ssealey@lpc.nyc.gov](mailto:ssealey@lpc.nyc.gov), at least five (5) business days before the hearing or meeting.

Please note: Due to the City's response to COVID-19, this public hearing and meeting is subject to change and/or cancellation.

#### **7 Fillmore Place - Fillmore Place Historic District LPC-21-10217 - Block 2367 - Lot 43 - Zoning: M1-2/R6B CERTIFICATE OF APPROPRIATENESS**

An altered Colonial Revival style garage building, built in 1912. Application is to replace windows, doors and ironwork, and construct a rooftop addition and other rooftop elements.

#### **1 Water Street - Fulton Ferry Historic District LPC-22-09733 - Block 25 - Lot 1 - Zoning: M2-1 BINDING REPORT**

A shingled fire boat station, built in 1926. Application is to install signage.

#### **279 Lafayette Avenue, aka 279-291 Lafayette Avenue and 36-50 St. James Place - Individual Landmark LPC-20-08205 - Block 1932 - Lot 42 - Zoning: CERTIFICATE OF APPROPRIATENESS**

A Neo-French Gothic style church building and chapel, designed by Francis Hatch Kimball and built in 1887, with an attached school building built in 1927. Application is to install LED video screens.

#### **1 Willow Place, aka 54 Joralemon Street - Brooklyn Heights Historic District LPC-22-07520 - Block 260 - Lot 23 - Zoning: R6 CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style house built in 1849. Application is to construct a stair bulkhead and install other rooftop elements, alter the parapet, modify and create window openings, and legalize the installation of a porch without Landmarks Preservation Commission permit(s).

#### **418A Lewis Avenue - Bedford-Stuyvesant/Expanded Stuyvesant Heights Historic District LPC-21-00794 - Block 1679 - Lot 37 - Zoning: R6B MISCELLANEOUS - AMENDMENT**

An altered rowhouse built c. 1870-71. Application is to legalize the installation of a lift and other alterations at the front facade and areaway and the construction of a rear yard addition completed in non-compliance with Certificate of Appropriateness 19-17191.

#### **193-195 Congress Street - Cobble Hill Historic District LPC-22-09688 - Block 297 - Lot 47, 48 - Zoning: R6 CERTIFICATE OF APPROPRIATENESS**

An Italianate style rowhouse with Neo-Grec details, built in 1872, and an adjacent yard. Application is to construct a new building.

#### **113 Jane Street - Individual Landmark LPC-22-09815 - Block 642 - Lot 1 - Zoning: C6-2A CERTIFICATE OF APPROPRIATENESS**

A Neo-Classical style lodging house, designed by William A. Boring and built in 1907-08. Application is to alter the areaway, install a lift and replace infill, construct rooftop and rear yard additions, and install other rooftop elements.

**244 West 11th Street - Greenwich Village Historic District**

**LPC-22-09178** - Block 613 - Lot 13 - **Zoning:** R6

**CERTIFICATE OF APPROPRIATENESS**

A rowhouse, built in 1842 and altered in the 1920s. Application is to alter the front and rear façades, excavate the areaway and rear yard, alter the roof, and construct a rear yard addition.

**118 West 13th Street - Greenwich Village Historic District**

**LPC-22-05535** - Block 608 - Lot 29 - **Zoning:** R6

**CERTIFICATE OF APPROPRIATENESS**

A residential building, designed by Benjamin W. Morris and built in 1930-31. Application is to construct rooftop additions, alter the facades and areaway, replace windows and install a sidewalk canopy.

**105-107 Bank Street - Greenwich Village Historic District**

**LPC-22-04647** - Block 635 - Lot 34 - **Zoning:** R6

**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style rowhouse, built in 1846; and a Greek Revival Style rowhouse, built in 1846 and later altered. Application is to combine the buildings, construct rooftop and rear yard additions, alter facades and areaways and the party wall, and excavate the cellars and rear yards.

**1002 Madison Avenue - Upper East Side Historic District**

**LPC-22-07982** - Block 1392 - Lot 57 - **Zoning:** C5-1

**CERTIFICATE OF APPROPRIATENESS**

A Neo-Federal style bank building, built in 1930. Application is to replace entrance infill and block windows internally.

**472 West 145th Street - Hamilton Heights Historic District Extension**

**LPC-22-05225** - Block 2059 - Lot 158 - **Zoning:** R6A

**CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style rowhouse, designed by G.A. Shellenger and built in 1896. Application is to alter the areaway and install ironwork.

m10-23

**TRANSPORTATION**

■ PUBLIC HEARINGS

**NOTICE OF A FRANCHISE AND CONCESSION REVIEW COMMITTEE (“FCRC”) PUBLIC HEARING**

to be held remotely via a Microsoft Teams dial-in on Monday, June 6, 2022, commencing at 2:30 P.M., relating to: a proposed amendment to a common carrier bus service franchise agreement (the “Agreement”), between the City of New York and Private Transportation Corporation, (“franchisee”) that will, among other things, raise the franchisee’s uniform maximum fare.

The public may participate in the public hearing by calling the dial-in number below. Written testimony may be submitted in advance of the hearing electronically, to [fcrc@mocs.nyc.gov](mailto:fcrc@mocs.nyc.gov). All written testimony must be received by June 3, 2022. In addition, the public, may also testify during the hearing, by calling the dial-in number. The dial-in information is below:

Dial-in #: +1 646-893-7101

Access Code: 307 259 070#

Press # on further prompts

A draft copy of the amendment may be obtained at no cost by any of the following ways:

- 1) Send a written request, by email, to DOT, at [franchises@dot.nyc.gov](mailto:franchises@dot.nyc.gov), from May 27, 2022 through June 6th, 2022.
- 2) Download from May 27, 2022 through June 6th, 2022, on DOT’s website. To download a draft copy of the amendment, visit <https://www1.nyc.gov/html/dot/html/about/doing-business.shtml#franchises>.
- 3) Send a written request, by mail, to Helen Morales, NYC Department of Transportation, 55 Water Street, 9th Floor, New York, NY 10041. Written requests must be received by May 27, 2022. For mail-in request, please include your name, return address, and reference the “Private Transportation Corporation Franchise Amendment”.

A transcript of the hearing will be posted on the FCRC website at <https://www1.nyc.gov/site/mocs/reporting/agendas.page>.

For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact the Mayor’s Office of Contract Services (MOCS), via email, at [DisabilityAffairs@mocs.nyc.gov](mailto:DisabilityAffairs@mocs.nyc.gov), or via phone, at (646) 872-0231. Any person requiring reasonable accommodation for the public hearing should contact MOCS, at least five (5) business days in advance of the hearing to ensure availability.

Accessibility questions: [DisabilityAffairs@mocs.nyc.gov](mailto:DisabilityAffairs@mocs.nyc.gov), (646) 872-0231, by: Friday, May 27, 2022, 5:00 P.M.



m13-j3

**PROPERTY DISPOSITION**

**CITYWIDE ADMINISTRATIVE SERVICES**

■ SALE

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

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

Vehicles can be viewed in person, at: Kenben Industries Ltd., 1908 Shore Parkway, Brooklyn, NY 11214 Phone: (718) 802-0022

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

f23-a4

**HOUSING PRESERVATION AND DEVELOPMENT**

■ PUBLIC HEARINGS

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

j5-d30

**PROCUREMENT**

*“Compete To Win” More Contracts!*

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

- *Win More Contracts, at [nyc.gov/competetowin](https://nyc.gov/competetowin)*

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

**HHS ACCELERATOR PREQUALIFICATION**

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York (“PPB Rules”), vendors must first complete and submit an electronic HHS Accelerator Prequalification Application using the City’s PASSPort system. The PASSPort system is

a web-based system maintained by the City of New York for use by its Mayoral Agencies to manage procurement. Important business information collected in the Prequalification Application is required every three years. Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete. Prequalification applications will be reviewed to validate compliance with corporate filings and organizational capacity. Approved organizations will be eligible to compete and would submit electronic proposals through the PASSPort system. The PASSPort Public Portal, which lists all RFPs, including HHS RFPs that require HHS Accelerator Prequalification, may be viewed, at [https://passport.cityofnewyork.us/page.aspx/en/rfp/request\\_browse\\_public](https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public). All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding. For additional information about HHS Accelerator Prequalification and PASSPort, including background materials, user guides and video tutorials, please visit <https://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page>.

**CITYWIDE ADMINISTRATIVE SERVICES**

■ AWARD

*Construction Related Services*

**ELECTRICAL WORK AT VARIOUS DCAS FACILITIES, CITYWIDE** - Competitive Sealed Bids - PIN# 85621B0013001 - AMT: \$5,868,000.00 - TO: P & M Electrical Contracting Corp, 381 Sunrise Highway, Suite 507, Lynbrook, NY 11563.

☛ m23

*Goods*

**TRAY SEALING MACHINES, COMPARTMENTED MEAL TRAYS, AND SEALING FILM - DOC** - Competitive Sealed Bids - PIN# 85722B0013001 - AMT: \$9,871,359.88 - TO: The Platinum Packaging Group Inc, 7627 Somerset Boulevard, Paramount, CA 90723.

☛ m23

**ADMINISTRATION**

■ INTENT TO AWARD

*Services (other than human services)*

**CORRECTION: THREE YEAR X-RAY MACHINE XIS SYSTEMS MAINTENANCE AGREEMENT ASTROPHYSICS INC** - Sole Source - Available only from a single source - PIN# 85622S0003 - Due 5-31-22 at 12:00 A.M.

Any and all solicitations are done through PASSPort. The proposed contractor has been selected by Sole Source Method, pursuant to Section 3-05 of the Procurement Policy Board Rules.

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

*Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007. Shade James (212) 386-0467; shajames@dcas.nyc.gov*

m17-23

**DESIGN AND CONSTRUCTION**

■ AWARD

*Construction / Construction Services*

**BUSHWICK DISTRICT HEALTH CENTER** - Competitive Sealed Bids/Pre-Qualified List - PIN# 85022B0019001 - AMT: \$13,729,170.00 - TO: Sea Breeze General Construction, Inc., 24 - 30 47th Street, 2nd Floor, Astoria, NY 11103.

Project includes rehabilitation of the Bushwick District Health Center building. Envelope to address water infiltration & deterioration, upgrades the building exterior, thermal performance & restore its connection to the neighborhood. The scope includes: Main entrance window & façade restoration, roof replacement, MEP & site work upgrades required redesign to meet safety, code, & ADA requirements. New ramp, stair, two new seating areas, at sidewalk level. Improvements of the existing canopy structure, main entrance & overhead door replacement. Façade includes window & curtain wall replacement to maximize natural light to the building interior, facilitate maintenance and improve building thermal performance. masonry, stone restoration and application of anti-graffiti coatings to preserve the building exterior. Roof replacement is required water tightness &

improve the thermal performance of the building, & comply with the NYC Energy Code. MEP HVAC upgrades with installation new chillers, piping & platform with new sound barrier. Existing roof drains & selected area drains will be replaced and reconnected. Storm mains & RPZ will be replaced, at the basement. Upgrades around the building includes new exterior lighting, sidewalk & chain-link fence & curb replacement & additional signage. Drainage system within the plot line will be remediated to improve drainage. New plantings are included in scope of work to add seasonal color.

Not Applicable-Construction.

☛ m23

**EMPLOYEES' RETIREMENT SYSTEM**

**EXECUTIVE**

■ INTENT TO AWARD

*Goods and Services*

**SECURITY OPERATIONS CENTER AS A SERVICE (SOCAAS)** - Negotiated Acquisition - Other - PIN# NA #07012022-SOCAAS

NYCERS Information security, intends to award a vendor to help establish a Security Operations Center (SOC), to centralize security event monitoring, threat detection, and incident response capabilities, with government and online fraud experience with pension systems.

NYCERS, does not believe it is practicable or advantageous to award a contract for SOC services through competitive bidding process and instead proceed under the Negotiated Acquisition procurement Process.

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

*Employees' Retirement System, 335 Adams Street, Suite 2300, Brooklyn, NY 11201. Tarves Lord (347) 643-3277; BidResponse@nycers.org*

m18-24

**ENVIRONMENTAL PROTECTION**

■ AWARD

*Construction / Construction Services*

**RESILIENCY PROGRAM JOB ORDER CONTRACT, GENERAL, OWLS HEAD WPCP** - Renewal - PIN# 82620B8294KXLR001 - AMT: \$650,000.00 - TO: Delphi Plumbing & Heating Inc, 242 43rd Street, Brooklyn, NY 11232.

General Construction Work, under a series of small to medium size construction projects, at the following Bureau of Wastewater Treatment (BWT) facilities: Owls Head WWTP. In addition to large capital construction projects, BEDC has an ongoing need to accomplish smaller, straightforward construction projects, at its facilities. Without Job Order Contracts, for each such project, BEDC must prepare complete contract documents and execute the required steps through the competitive bid process. Procuring the construction through this traditional design-bid-build process takes considerable time. Many of the projects are essential to maintain the operation of BWT facilities. The work will incorporate adaptation strategies aimed at making the sites more resilient in extreme weather conditions.

CP # 66949; WP-0112; Expense portion to be obligated in the outyears Owls Head WWRF.

☛ m23

**BWS - CRO-603 - DEMOLITION, REMOVAL, DISPOSAL AND RESTORATION OF FOUR (4) BWS FACILITIES** - Competitive Sealed Bids - PIN# 82621B0118001 - AMT: \$563,000.00 - TO: AAA Windows and Doors Corp., 27 East 33rd Street, Paterson, NJ 07514-1350.

☛ m23

**FINANCIAL INFORMATION SERVICES AGENCY**

**PROCUREMENT SERVICES**

■ INTENT TO AWARD

*Services (other than human services)*

**ASG PROPRIETARY SOFTWARE MAINTENANCE** - Renewal - PIN# 127FY2300001 - Due 5-27-22 at 5:00 P.M.



Pursuant to Section 4-04(a) of the PPB Rules, the Financial Information Services Agency/Office of Payroll Administration (FISA-OPA), intends to enter into a renewal agreement with ASG Technologies, Inc., for proprietary mainframe software maintenance. The support of these software licenses will run on FISA-OPA's mainframe, which processes the city's critical applications.

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. Financial Information Services Agency, 5 Manhattan West, 4th Floor, New York, NY 10001. Kerry Vega (212) 857-1178; kvega@fisa-opa.nyc.gov

m17-23

HOUSING AUTHORITY

PROCUREMENT

SOLICITATION

Services (other than human services)

ANNUAL INSPECTION OF PORTABLE FIRE EXTINGUISHERS (QNS/SI FOCUS) - Request for Quote - PIN# 376898 - Due 6-17-22 at 2:00 P.M.

Indefinite Delivery Indefinite Quantity (IDIQ) Contract for Annual Inspections of Portable Fire Extinguishers Citywide, with Borough of Queens and Staten Island Focus. No Bid Security Required.

The Term of this Contract is three (3) years, with the option to extend, at NYCHA's sole discretion, for two (2) one-year periods. A non-mandatory Proposers' conference ("Proposers' Conference"), will be hosted online, via Microsoft Teams, on June 1, 2022, at 12:00 P.M. Proposer's Conference Meeting Information: (646) 838-1534, Conference ID: 669595626#. Although attendance is not mandatory at the Proposers' Conference, it is strongly recommended that all interested Proposers attend. Proposers who wish to attend, must RSVP by email, to NYCHA's Coordinator, by no later than May 31, 2022, at 4:00 P.M. NYCHA, additionally recommends that Proposers email questions in advance of the Proposers' Conference to NYCHA's Coordinator, by no later than 12:00 P.M., on May 31, 2022. Questions submitted in writing must include the firm name and the name, title, address, telephone number and email address of the individual to whom responses to the Proposer's questions should be given. Proposers will be permitted to ask additional questions at the Proposers' Conference. All questions and answers will be provided to all firms that received a copy of this RFQ.

In addition to the documents attached below, bidders are directed to review the Special Notices and Conditions, Instructions to Bidders, and General Conditions prior to submitting a bid. To access these documents, click on the "Contract Terms" tab above, and then "Preview Contract Terms," to download a PDF version.

Please note that in the event NYCHA receives no responses in connection with this RFQ by the original bid submission deadline, the bid submission deadline shall be extended automatically for seven (7) calendar days. The foregoing extension does not in any way limit NYCHA's right to extend the bid submission deadline for any other reason.

Prior to submitting a bid, please confirm that your bid response includes all required forms and documentation and that all required forms and documentation are properly completed, signed, and notarized, where applicable.

Note: In response to the COVID-19 outbreak, we are accepting only electronic bids submitted online via iSupplier. Paper bids will not be accepted or considered. Please contact NYCHA Procurement, at procurement@nycha.nyc.gov, for assistance.

Please note: An Up-to-Date Prevailing Wages Links are posted on iSupplier under Quick Links Section of Sourcing Supplier. The vendors are responsible for being informed of any updates to the Prevailing Wage Schedule.

Interested firms are invited to obtain a copy of the RFP on NYCHA's website. To conduct a search for the RFP number; vendors are instructed to open the link: http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page.

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

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. Karen Gill (212) 306-4505; Karen.Gill@nycha.nyc.gov

m23

Goods

SMD\_MATERIALS\_PAINT SUPPLIES AT VARIOUS DEVELOPMENTS LOCATED IN ALL FIVE (5) BOROUGHES OF NEW YORK CITY - Competitive Sealed Bids - PIN# 372904 - Due 6-6-22 at 11:59 P.M.

The materials to be provided by the successful vendor are described in greater detail in the RFQ Number: 372904. Interested vendors are invited to obtain a copy of the opportunity, at NYCHA's website, by going to, the http://www.nyc.gov/nychabusiness. On the left side, click on "iSupplier Vendor Registration/Login" link. (1) If you have an iSupplier account, then click on the "Login for registered vendors" link and sign into your iSupplier account. (2) If you do not have an iSupplier account you can Request an account by clicking on "New suppliers register in iSupplier" to apply for log-in credentials. Once you have accessed your iSupplier account, log into your account, then choose under the Oracle Financials home page, the menu option "Sourcing Supplier", then choose "Sourcing", then choose "Sourcing Homepage"; and conduct a search in the "Search Open Negotiations" box for RFQ Number 372904.

This is a solicitation and not an order. This solicitation does not represent a commitment by NYCHA to purchase any materials from a vendor. NYCHA reserves the right to postpone, or cancel this solicitation, to alter the requirements at any time, to reject any and all proposals, and to request new proposals and/or refrain from awarding any contract, pursuant to this solicitation, if NYCHA deems it in its best interest to do so. In addition, NYCHA, in its sole discretion, may waive what it considers to be non-material, non-conformance by a proposer, with the requirements of this solicitation.

Note: In response to the COVID-19 outbreak, we are accepting only electronic bids submitted online via iSupplier. Paper bids will not be accepted or considered. Please contact NYCHA Procurement, at procurement@nycha.nyc.gov, for assistance. ALL HUD FORMS MUST BE SUBMITTED

Pre Bid Conference/Q&A session: Please send an email if you wish to attend our Q&A session to discuss specifications, and the process of evaluation samples. This will take place May 30, 2022 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.

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. Miguel Lamarche (212) 306-3904; miguel.lamarche@nycha.nyc.gov



m23

RISK MANAGEMENT

SOLICITATION

Goods and Services

PUBLIC OFFICIALS & EMPLOYMENT PRACTICES LIABILITY INSURANCE - Negotiated Acquisition - Specifications cannot be made sufficiently definite - PIN#POLEPL8-22-23 - Due 6-3-22 at 3:00 P.M.

Request for bid for Public Officials Liability & Employment Practices Liability Insurance effective August 1, 2022.

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, Edgewood Partners Insurance Center, One American Lane, 1st Floor, Greenwich, CT 06831-2551. Melissa Shore (484) 214-6591; melissa.shore@epicbrokers.com; jp.kennedy@epicbrokers.com

m20-j3

HUMAN RESOURCES ADMINISTRATION

INTENT TO AWARD

Human Services/Client Services

EXTEND EMERGENCY SHELTER SERVICES PROVIDED BY HELP-HAVEN - Negotiated Acquisition - Other - PIN#06922N0150 - Due 5-27-22 at 6:00 P.M.

The office of Emergency Intervention Services (EIS) in HRA, intends to enter into a NAE contract with Womankind to extend their emergency shelter services for 12 months until the release of a new RFP.



This is a negotiated acquisition extension with incumbent provider to maintain continuity of services for the minimum amount of time until a new RFP is processed.

m20-26

**EXTEND DV SHELTER SERVICES PROVIDED BY JBFCS HORIZONS** - Negotiated Acquisition - Other - PIN# 06922N0147 - Due 5-31-22 at 6:00 P.M.

HRA Emergency and Intervention Services (EIS), intends to enter into a Negotiated Acquisition Extension (NAE), to extend the Jewish Board of Family & Children's Services - Horizon Emergency Shelter Contract for Survivors of Domestic Violence by 21 months. 10/1/2021 - 6/30/2023.

This is a negotiated acquisition extension, with incumbent provider to maintain continuity of services, for the minimum amount of time, until a new RFP is processed.

m23-27

**PARKS AND RECREATION**

■ AWARD

*Goods and Services*

**NYC PARKS AWARDS OF MOBILE CONCESSIONS** - Competitive Sealed Bids - PIN# CWB-2021-A - AMT: \$1.00 - TO: Wave Nuts, Inc., 43-07 101st Avenue, Jamaica, NY 11435.

1. NYC Parks has awarded a concession to Wave Nuts, Inc., of 143-07 101st Avenue, Jamaica, NY 11435, for the operation of one (1) non-processing mobile food concession Upper Bethesda Terrace, along the 72nd Transverse, Central Park, Manhattan. The concession, which was solicited by a Request for Bids, will operate, pursuant to one (1) five-year term. Compensation to the City is as follows: Year 2022: \$111,232.88; Year 2023: \$177,000; Year 2024: \$180,000; Year 2025: \$182,000, and Year 2026: \$184,000.
2. NYC Parks has awarded a concession to Shawon Trade, Inc., of 34-27 74th Street, Jackson Heights, NY 11372, for the operation of two (2) non-processing mobile food concessions at The Battery, Manhattan, designated vending locations #1 and #2. The concession, which was solicited by a Request for Bids, will operate, pursuant to one (1) five-year term. Compensation to the City is as follows: Year 2022: \$50,849.32; Year 2023: \$82,000; Year 2024: \$84,000; Year 2025: \$86,000, and Year 2026: \$88,000.
3. NYC Parks has awarded a concession to Nandita, Inc., of 34-27 74th Street, Jackson Heights, NY 11372, for the operation of one (1) non-processing mobile food concession, at the west side of East Drive and East 79th Street, Central Park, Manhattan. The concession, which was solicited by a Request for Bids, will operate, pursuant to one (1) five-year term. Compensation to the City is as follows: Year 2022: \$57,205.48; Year 2023: \$95,500; Year 2024: \$100,000; Year 2025: \$105,000, and Year 2026: \$110,000.
4. NYC Parks has awarded a concession to NYC Parks has awarded a concession to Nandita, Inc., of 34-27 74th Street, Jackson Heights, NY 11372, for the operation of one (1) non-processing mobile food, at the north end of the Great Lawn, approximately West 85th Street, Central Park, Manhattan. The concession, which was solicited by a Request for Bids, will operate, pursuant to one (1) five-year term. Compensation to the City is as follows: Year 2022: \$31,780.82; Year 2023: \$51,000; Year 2024: \$52,000; Year 2025: \$53,000, and Year 2026: \$54,000.
5. NYC Parks has awarded a concession to NYC Parks has awarded a concession to Nandita, Inc., of 34-27 74th Street, Jackson Heights, NY 11372, for the operation of one (1) non-processing mobile food, at the north end of the Great Lawn, approximately West 85th Street, Central Park, Manhattan. The concession, which was solicited by a Request for Bids, will operate, pursuant to one (1) five-year term. Compensation to the City is as follows: Year 2022: \$31,780.82; Year 2023: \$51,000; Year 2024: \$52,000; Year 2025: \$53,000, and Year 2026: \$54,000.
6. NYC Parks has awarded a concession to Carlos Polonia of 1702 Amsterdam Avenue, New York, NY 10031, for the operation of one (1) mobile food processing cart, at the Seaman Avenue and Isham Street entrance, to Inwood Hill Park, Manhattan. The concession, which was solicited by a Request for Bids, will operate pursuant, to one (1) five-year term. Compensation to the City is as follows: Year 2022: \$1,175.69; Year 2023: \$1,490; Year 2024: \$1,950; Year 2025: \$2,360, and Year 2026: \$2,880.

m23

**POLICE DEPARTMENT**

■ AWARD

*Services (other than human services)*

**EXECUTIVE TRAINING** - Other - PIN# 05622U0002001 - AMT: \$96,750.00 - TO: Police Executive Research Forum, PO Box 418044, Boston, MA 02241.

Senior Management Institute for Police - Police Executive Research Forum (SMIP PERF), is a three (3) week course, that provides senior police executives, with an intensive training program, involving the latest management concepts and practices, used in business and government.

m23

**SCHOOL CONSTRUCTION AUTHORITY**

**CONTRACT SERVICES**

■ SOLICITATION

*Construction/Construction Services*

**RTU/HVAC REPLACEMENT - PS 219 (QUEENS)** - Competitive Sealed Bids - PIN#SCA22-19327D-2 - Due 6-3-22 at 10:00 A.M.

PS 219 (Queens)

Pre-Bid Walk through Date: May 24, 2022, at 10:00 A.M., at: 144-39 Gravett Road, Flushing, NY 11367.

Potential bidders are encouraged to attend, but this walkthrough is not mandatory. Meet at the Custodian's Office.

*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*

m23

**ROOFS/EXTERIOR MASONRY - PS 15 (BRONX)** - Competitive Sealed Bids - PIN#SCA22-20681D-1 - Due 6-6-22 at 10:00 A.M.

Pre-Bid Walkthrough None Scheduled, at 2195 Andrews Avenue, Bronx, NY 10453.

“Visual inspection from outside the building only, at the Contractors convenience.

Please do not attempt to interact with the Principal/Custodian, or enter the building in any way.

Traditional RFIs will be accepted through the bid process and Addenda will be issued, as needed, in response to any questions received.”

*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. Edison Aguilar (718) 472-8641; eaguilar@nycsca.org*

m23

**YOUTH AND COMMUNITY DEVELOPMENT**

■ AWARD

*Human Services/Client Services*

**COMPASS PROGRAMMING AT KIPP INFINITY CHARTER SCHOOL** - Negotiated Acquisition - Other - PIN# 26022N0051001 - AMT: \$839,150.00 - TO: KIPP NYC Public Charter Schools II, 1501 Broadway, Suite 1000, New York, NY 10036.

SONYC Middle School Expansion NAE.

m23

**COMPASS PROGRAMMING AT KIPP ACADEMY CHARTER SCHOOL** - Negotiated Acquisition - Other - PIN# 26022N0045001 -

AMT: \$600,186.00 - TO: KIPP Academy Charter School, 250 East 156th Street, Room 413, Bronx, NY 10451.

SONYC Middle School Expansion NAE.

m23

PROCUREMENT

INTENT TO AWARD

Services (other than human services)

CAPACITY BUILDING FOR DYCD ONLINE - Negotiated Acquisition - Other - PIN#26022N0415 - Due 5-27-22 at 3:45 A.M.

In accordance with Section 3-04(b)(2)(iii) of the Procurement Policy Board Rules, the Department of Youth and Community Development (DYCD), wishes to extend the following Capacity Building for DYCD Online contract services through a Negotiated Acquisition Extension. The contractor outlined below will provide our CBO communities the appropriate assistance to help them acquire the necessary proficiency to utilize DYCD online, so they can accurately report data on their programs to DYCD. Further, this provider trains CBOs on the effectiveness of DYCD Online as a management tool and helps them comply with diverse data reporting requirements.

The term of the contract shall be from July 1, 2022 through June 30, 2023.

Below is the contractor number, contractor name, contractor address and contract amount.

CONTRACT NUMBER: 26023088478E
CONTRACTOR: Expanded Schools Inc.
CONTRACTOR ADDRESS: 11 West 42nd Street, 3rd Floor, New York, NY 10036
CONTRACT AMOUNT: \$200,000.00

Please be advised, this is for information purposes only. If you wish to contact DYCD for further information, please send an email to ACCO@dycd.nyc.gov

It is not advantageous to release an RFP right now because DYCD needs a vendor with experience/expertise, to provide services for 7/1/22.

m20-26



BUILDINGS

NOTICE

NOTICE OF ADOPTION OF RULE

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of Buildings by Section 643 of the New York City Charter and Title 28 of the Administrative Code of the City of New York, and in accordance with Section 1043 of the Charter, that the Department of Buildings (DOB) hereby adopts amendments to its rules regarding fees for filing parking structure compliance reports and adding requirements for qualified parking structure inspectors. DOB also adopts new section 103-13 regarding periodic inspections of parking structures. This rule was first published on January 26, 2022, and a public hearing thereon was held on February 25, 2022.

Dated: 5/11/22 /s/ Eric Ulrich Commissioner

Statement of Basis and Purpose of Rule

Local Law 126 of 2021 added a new Article 323 regarding periodic inspections of parking structures to Title 28 of the Administrative Code. Article 323 sets out requirements for a condition assessment of a parking structure that is to be conducted at periodic intervals as set forth by rule of the commissioner. This rule sets out the timing and specific requirements for these inspections, as well as civil penalties for failure to file and late filing of reports, and for failing to correct conditions found during the inspections.

Section 101-03 of Subchapter A of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding fees for initial and

amended/subsequent filings of the parking structure compliance reports, as well as for applications for extensions of time to complete any necessary repairs.

In addition, Section 101-07 of Subchapter A of Chapter 100 of Title 1 of the Rules of the City of New York is amended to add language regarding qualified parking structure inspectors and inspections.

The Department of Buildings' authority for these rules is found in sections 643 and 1043 of the New York City Charter and Article 323 of Title 28 of the New York City Administrative Code.

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

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

Section 1. Section 101-03 of Subchapter A of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding the following entry at the end of the table set forth in that section:

Table with 2 columns: Parking structure compliance reports and amounts. Rows include Initial filing (\$305), Amended/subsequent filing (\$85), and Application for extension of time to complete repairs (\$65).

§2. Paragraphs (14) through (18) of subdivision (a) of section 101-07 of Subchapter A of Chapter 100 of Title 1 of the Rules of the City of New York are renumbered (15) through (19), respectively, and a new paragraph (14) is added to read as follows:

(14) Qualified parking structure inspector. An engineer as defined in section 28-101.5 of the administrative code with three years of relevant experience with parking structures.

§3. Subdivision (c) of section 101-07 of Subchapter A of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding a new paragraph (11) to read as follows:

- (11) Parking structure inspections. (i) Inspection of a parking structure and appurtenances pursuant to section 28-323 of the Administrative Code must be performed by or under the direct supervision of a qualified parking structure inspector. (ii) The qualified parking structure inspector applicant must provide a detailed resume indicating relevant work experience obtained in any US city or jurisdiction. When relevant experience is obtained while employed by another registered design professional who was signing and sealing such relevant work, a letter must be provided indicating length of the qualified parking structure inspector applicant's employment and his or her responsibilities. (iii) A qualified parking structure inspector applicant must demonstrate to the commissioner's satisfaction, including performance on any written or oral tests the commissioner may require, that he or she is sufficiently familiar with the Construction Codes, laws and rules pertaining to parking structures and engineering concepts related to parking structures.

§4. Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding a new section 103-13 to read as follows:

§ 103-13 Periodic Inspection of Parking Structures.

(a) Definitions. For the purposes of this section, the following terms have the following meanings.

Acceptable report. A compliance report filed by a qualified parking structure inspector, as defined in section 101-07 of the rules of the Department, that meets the requirements of Article 323 of Title 28 of the Administrative Code and this rule as determined by the Department.

Amended report. A compliance report filed by a qualified parking structure inspector (1) certifying that the unsafe conditions identified in the most recent report have been repaired and that no unsafe conditions exist at the parking structure or (2) attesting, within three years of the most recent safe with repair and/or engineering

monitoring (SREM) filing, to the current status of the building based on a condition assessment.

**Appurtenance.** An element including, but not limited to, rolldown gates, attendant booths, lighting fixtures, gates, staircases, fire protection, column protection, signs, parapets, railings, guard rails, enclosures, antennae, bollards, vehicle barriers, vehicle impact protection, electric vehicle charging stations, and any other equipment attached to the parking structure. Appurtenance does not include mechanical devices for vehicles moving from and to street levels or within the structure such as parking machines, lifts, mechanical stackers, automated parking systems, and elevators in which public occupancy is prohibited.

**Compliance Report.** A report prepared by a qualified parking structure inspector summarizing the condition assessment of the subject parking structure and attesting to its accompanying classification.

**Condition assessment.** An examination conducted to review a parking structure and all parts thereof, as defined in Article 323 of title 28 of the Administrative Code, to determine whether the parking structure and all parts thereof are either safe, unsafe, or safe with repairs and/or engineering monitoring and whether, in the judgment of a qualified parking structure inspector, remedial work is required.

**Filed report.** A compliance report shall be deemed filed with the Department when it has been received by the Department. The filed report must be completed in accordance with the provisions of paragraph (3) of subdivision (c) of this section.

**Filing window.** The two-year period during which a compliance report for a particular parking structure may be filed without penalty.

**Parking structure.** A building or portion of a building used for the parking or storage of motor vehicles and an open or enclosed parking garage as defined in the New York City Building Code. A parking structure does not include an autobody repair shop, an automotive showroom, a garage with occupancy of fewer than three cars, unenclosed and unattached lots, an automotive service station, an automotive repair shop, or a private garage as such term is defined in the building code.

**Physical Examination.** Hands-on engineering inspection of parking structure systems and elements applying various methods of examination other than visual, including, but not limited to, sounding, probing or testing.

**Qualified Parking Structure Inspector (hereinafter "QPSI").** A qualified parking structure inspector as defined in section 101-07 of the rules of the Department.

**Report filing cycle.** The six-year time interval established by the Commissioner for the filing of each successive compliance report for every parking structure subject to the requirements of Article 323 of Title 28 of the Administrative Code.

**Safe condition.** A condition of a parking structure, any appurtenances thereto or any part thereof not requiring repair or maintenance to sustain the structural integrity of the parking structure and that is to remain safe during the next six years.

**Safe with repairs and/or engineering monitoring (hereinafter "SREM").** A condition of a parking structure, any appurtenances thereto or any part thereof that is safe at the time of inspection but requires repairs or maintenance during the next one to six years in order to prevent its deterioration into an unsafe condition during that six-year period.

**Staggered filing cycle.** The separate time intervals for filing compliance reports as determined by borough beginning January 1, 2022 and continuing thereafter for each subsequent report filing cycle.

**Subsequent report.** A compliance report that is filed by a QPSI after an acceptable report in order to change the status of the parking structure for that report filing cycle to reflect changed conditions or the recommended time frame for repairs of SREM or unsafe conditions.

**Unsafe condition.** A condition of a parking structure, any appurtenances thereto, or any part thereof that is hazardous to persons or property and requires repair within one year of completion of condition assessments. In addition, any condition that was reported as SREM in a previous compliance report and that is not corrected at the time of the current inspection must be reported as an unsafe condition.

(b) *Responsibilities of qualified parking structure inspectors.*

- (1) A QPSI must conduct condition assessments and file compliance reports in accordance with this section and Article 323 of Title 28 of the Administrative Code.
- (2) A QPSI must maintain records of inspections and tests for at least six years and must make such records available to the Department upon request.
- (3) A QPSI must maintain insurance coverage as set forth in paragraph (7) of subdivision (b) of section 101-07 of these

rules. Copies of such insurance policies must be made available to the Department upon request.

(c) *Condition Assessments.*

- (1) *Periodic inspection requirements.* In order to maintain a parking structure and its appurtenances in a safe condition, and in accordance with Article 323 of Title 28 of the Administrative Code, a condition assessment of all components of a parking structure must be conducted at periodic intervals specified herein.

Exceptions: The façade of the structure does not need to be included in the parking structure compliance report if:

1. the building is subject to the Façade Inspection Safety Program (FISP) ; or
2. the parking structure occupies less than 50% of the total square footage of the building.

(2) *Inspection procedures.*

- (i) Before any parking structure is inspected, the QPSI retained by or on behalf of the owner of the building in which the parking structure is located must carefully review the most recent compliance report and any available previous reports, all annual observation checklists, as defined in section 28-323.2 of the Administrative Code, for the prior cycle, any available structural design or repair drawings, violations, and FISP reports where applicable.
- (ii) A condition assessment of a parking structure and appurtenances thereof pursuant to section 28-323.3 of the Administrative Code must be performed by or under the direct supervision of a QPSI retained by the owner of the building in which the parking structure is located or his or her representative.
- (iii) The QPSI must design a condition assessment program for the specific structure to be inspected, which must include, but not be limited to, inspection methods to be employed in the assessment. The program must be based on the considerations of the type of construction of the parking structure, age of the material components, the parking structure's specific exposure to environmental conditions and the presence of specific details and appurtenances. Consideration must be given to the structure's history of maintenance and repairs. Professional Engineers, individuals with a bachelor's degree in engineering and three years of relevant experience, or individuals with five years of relevant building experience, working under the QPSI's direct supervision, may be delegated to perform selected inspection tasks other than the final inspection.
- (iv) The methods used to evaluate the parking structure in question must permit a complete physical examination of the structure, including, but not limited to, sounding, load tests, optical survey, non-invasive scanning, and cores. The QPSI must identify the most deleterious locations and perform physical examinations at those locations. Physical examinations as described in this rule must be performed on a minimum of 10% of each structural element including, but not limited to, beams, columns, and slabs.
- (v) The known history of the parking structure, the nature of the materials used, and the conditions observed will dictate the extent of the condition assessment. The QPSI must apply a professional standard of care to assess the structure's condition and the individual building systems that comprise the structure including, but not limited to, the building's structural components, waterproofing systems, fire proofing and fire stopping systems, and wearing surfaces. When the QPSI finds any deficiencies, he/she must ascertain the cause of these and any other possible building defects detected. The QPSI must order any special or additional inspections, probes, and/or tests, including sounding procedures, that may be required to support the condition assessment and to determine the causes of any defects.
- (vi) The QPSI must develop a unique annual observation checklist, as defined in 28-323.2 of the Administrative Code, during each condition assessment.
- (vii) Photographs must be taken, sketches made and/or any other methods of documentation utilized to properly document the location of all conditions observed during the course of the condition assessment, that are either unsafe or SREM.

(viii) Upon discovery of any unsafe condition, the QPSI must immediately notify the Department and the owner of the building in which the parking structure is located. The QPSI must identify the location of any unsafe condition, advise the owner on the appropriate protective measures to be taken, and include the recommended type and location of public protection in the notification to the Department.

(ix) Completion of a condition assessment means that the QPSI has conducted a final inspection to determine that the parking structure conditions as described in the compliance report are consistent with the actual conditions. Such final inspection must, at a minimum, include an actual visual assessment and a complete walkthrough of each level dedicated to parking with inspectorial equipment. A drive-by inspection is not acceptable.

(3) Report requirements.

(i) The QPSI must file with the Department a written compliance report describing the result of the condition assessment, clearly documenting all conditions noted during the inspection, including the physical examination, and stating that the inspection was performed and completed in accordance with Article 323 of Title 28 of the Administrative Code and this rule. The QPSI must also submit a copy of the report to the owner of the building in which the parking structure is located.

(ii) Technical information in the report must adhere to and follow the sequence and the labeling of the report requirements as listed in subparagraph (iii) of this paragraph and must be provided on such forms and in such format as the Department requires. Additional information may be provided. If a requirement is not applicable, this must be indicated on the report.

(iii) The report must include an executive overview that consists of a summary of findings and recommendations, a concise statement of the scope of the inspection and findings, the conclusions and recommendations and a determination as to whether the parking structure is categorized as "safe," "SREM," or "unsafe." The report must also include, but not be limited to:

(A) The address, any a.k.a. addresses, Block and Lot number, the Building Identification Number ("BIN"), the landmark status of the building in which the parking structure is located, and the location from the nearest cross street;

(B) The name, mailing address and telephone number of the owner of the building in which the parking structure is located, or, if the owner is not an individual, the name, mailing address, telephone number, position/title of a principal of the owner;

(C) A description of the building, including the total number of stories, the number of stories and/or locations occupied by the parking structure, plan dimensions, Certificate of Occupancy number if available, usage, and age and type of construction, specifying all materials present in the parking structure;

(D) A description of the all components of the parking structure's gravity and lateral load carrying systems specific to the area being used as a parking structure or the entirety of the building if its sole use is as a parking structure. Where applicable, areas to be included are:

1. Ramps and other spaces used to access parking areas;
2. In the case of a parking structure located at a floor or floors above floors of other occupancies, the slab and columns immediately below the lowest level of the parking structure;
3. In the case of a parking structure located at a floor or floors below floors of other occupancies, the slab and beams/joists forming the ceiling of the topmost level of the parking structure;
4. Any area outside of that described in 1, 2 and 3 that may exhibit deterioration extending from or caused by the structure comprising the parking area.

(E) A detailed description of any distress, settlements, repairs, or revisions to the structure since the previous compliance report, including, but not

limited to, deteriorated framing members, deteriorated joint material, displacement, cracking, spalling of parking structure components, or other defects or changes;

(F) A detailed description of the procedures used in making the condition assessment;

(G) The following information:

1. The extent and location of all physical examinations performed;
2. The names, addresses, telephone numbers, and license or registration numbers for contractors and consultants involved in the condition assessment;
3. A location diagram of a discernable scale and with a north arrow, indicating the main entrance, locations of other entrances, and nearest cross street and locations and dates of physical examinations; and
4. Dates of the start and completion of the condition assessment.

(H) A description, classification, and mapping of each significant condition observed including deterioration and any movement detected and the apparent integrity of the joints and wearing surfaces. The description must also include a list of all appurtenances and their condition. Each condition must be classified as safe, unsafe or SREM. If the parking structure is classified as unsafe or SREM, the compliance report must include the locations and descriptions of all unsafe or SREM conditions. If unsafe conditions are noted, the report must recommend the type and location of public protection or clearly delineate the extent of areas that have been cordoned off and the methods used. Photographs must be labelled and the report must include key plans and locator drawings documenting these conditions. Guards and railings must be inspected to ensure that their components (balusters, intermediate railings and panel fillers) are positively secured against movement (e.g. by welds, bolts or screws). If any guard or railing is found not to be positively secured, the condition is classified as unsafe and must be made safe pursuant to the requirements of paragraph (5) of subdivision (c) of this section;

(I) An analysis of the causes of the conditions reported as unsafe or SREM;

(J) A detailed status report of maintenance work performed up to the date of submission of the report and the maintenance plan implemented for the parking structure;

(K) A blank annual observation checklist as described in section 28-323.2 of the Administrative Code prepared by the QPSI specifically for the parking structure in question

(L) Where a parking structure is categorized with a final rating SREM:

1. A plan detailing the proposed monitoring program;
2. The name of the engineer performing the monitoring;
3. A stability analysis of the parking structure that reports the required structural loading conditions and the calculated load carrying capacity of typical and worst case structural framing members which shows that the structure is stable under current and expected loading conditions; and
4. It is to be explicitly stated if only repairs are required with no monitoring.

(M) A comparison of currently observed conditions with conditions observed during the previous report filing cycle condition assessments, including the status of the repairs or maintenance performed with respect to the prior conditions. The following must be included and discussed:

1. Work permit numbers relating to parking structure repairs;

2. Job numbers, status and sign-off dates for any parking structure repair related jobs, where applicable; and
3. Violation numbers of any open Environmental Control Board (“ECB”) violations and the status of the repairs of the conditions cited in the ECB violations that are directly associated with the parking structure;
- (N) Recommendations for repairs or maintenance of SREM and unsafe conditions, including:
1. If a parking structure is categorized as SREM:
- A. The recommended time frame for such repairs or maintenance to be performed, which must indicate the date by which the work must be performed (MM/DD/YYYY) to prevent the conditions from becoming unsafe and not the date on which work is planned or scheduled;
- B. Time frames of less than one year, “ASAP” or “immediately,” shall not be accepted.
2. If a parking structure is categorized as unsafe:
- A. The QPSI must provide a recommended time frame for repairs to be performed to bring the parking structure to SREM or safe status, and must indicate the date by which the work will be completed (MM/DD/YYYY);
- B. Time frames of more than six years will not be accepted.
- (O) A list and description of the work permits required to accomplish the necessary work. If no work permits will be required, the reason must be indicated;
- (P) All photographs must be color, clearly legible, dated, and high resolution. Digital photos must be a minimum of 800 x 600 pixels. Photographs must be arranged into PDF uploads of no larger than 11” x 17”. The following photos must be submitted:
1. Elevation photos. Color photographs of all entrances, the primary address and at least one view of each entire street front elevation.
2. Representative photos of each parking level showing general conditions.
3. Detailed condition photos. Color photographs of specific conditions must be clearly labeled and indicate the status designation. Detailed conditions must be located on the mapping of the parking structure required by item H of this subparagraph (iii).
- A. All SREM and unsafe conditions must be catalogued.
- B. If parking structure status is safe, submit a minimum of one representative photograph for each structural element and appurtenance.
- (Q) The classification of the parking structure for the current report filing cycle, as determined by the following guidelines:
1. If there are no unsafe conditions and no conditions that are SREM, then the parking structure shall be classified as safe;
2. If there is at least one unsafe condition, then the parking structure must be classified as unsafe.
3. If there is at least one condition that is SREM and there are no unsafe conditions, then the parking structure shall be classified as SREM. A compliance report may not be filed describing the same condition at the same location as SREM for two consecutive report filing cycles. The QPSI must certify that all of the conditions identified in the previous report as requiring repair have been corrected or the parking structure shall be classified as unsafe;
- (R) The seal and signature of the QPSI under whose direct supervision the condition assessment was performed.
- (4) Report filing requirements.
- (i) The requirements of this rule apply to all parking structures. The Commissioner shall determine which additional buildings and/or parts thereof are required to file in accordance with this rule.
- (ii) Owners of buildings in which parking structures are located are required to file a compliance report at least once during each six-year report filing cycle established by the Department.
- (iii) An acceptable report must be filed within the applicable two-year filing window to avoid a late filing penalty.
- (iv) The report must be submitted to the Department along with a filing fee as specified in the rules of the Department.
- (v) Staggered filing cycle: Beginning January 1, 2022 an acceptable report for each parking structure to which this rule applies is due in accordance with the following filing windows:
- (A) For parking structures located within the Borough of Manhattan Community Districts 1 through 7 an acceptable report must be filed within the two-year filing window starting January 1, 2022, and every sixth year thereafter.
- (B) For parking structures located within all Community Districts in the Borough of Manhattan not listed in (A), above, and all Community Districts in the Borough of Brooklyn, an acceptable report must be filed within the two-year filing window starting January 1, 2024, and every sixth year thereafter.
- (C) For parking structures located within all Community Districts in the Boroughs of Queens, the Bronx and Staten Island an acceptable report must be filed within the two-year filing window starting January 1, 2026, and every sixth year thereafter.
- Exceptions:
1. Starting in Cycle 2, owners whose buildings have their most recent status as “No Report Filed” may file a report prior to the start of their designated filing window provided that all applicable civil penalties set out in subdivision (e) of this section are paid at the time of filing.
2. If the building in which the parking structure is located is included in the FISP, the owner may choose to change the assigned filing window of the parking structure compliance report to a parking structure filing window that corresponds with the next FISP filing window so that both reports may be filed at the same time. This shall be the reassigned parking structure filing window. The owner must inform the Department 180 days prior to the end of the assigned parking structure filing window if this option is chosen. If an owner chooses this option, the owner must continue to file under the reassigned parking structure filing window.
- (vi) Initial compliance reports for new buildings in which parking structures that must comply with this rule are located must be filed as follows:
- (A) The report must be filed six years from the date the first Temporary Certificate of Occupancy, Interim Certificate of Occupancy or Certificate of Occupancy was issued, if that date falls within the applicable filing window as provided in subparagraph (v) of this paragraph; or
- (B) If six years from the date the first Temporary Certificate of Occupancy, Interim Certificate of Occupancy or Certificate of Occupancy was issued falls outside the applicable filing window as provided in subparagraph (v) of this paragraph, then the initial report must be filed within the applicable two-year filing window for the next six-year cycle.
- (vii) A report must be filed within 60 days of the date on which the QPSI completed the condition assessment (final inspection date), as described in subparagraph (ix) of paragraph (2) of subdivision (c) of this section. Failure to file a report within 60 days of the completed condition assessment requires a new condition assessment.
- (viii) If the report is not acceptable and is rejected by the Department, a revised report must be filed within 45 days of the date of the Department’s rejection, after which the original file date will no longer be valid.
- (ix) If the report is not acceptable after two rejections, a new initial filing fee as specified in the rules of the Department is required.

- (x) Failure to submit a revised report addressing the Department's objections within one year of the initial filing requires a new condition assessment, including a new physical examination.
- (xi) A subsequent report indicating revised conditions may be filed within the six-year report filing cycle to change a parking structure's filing status or the recommended time frame for repairs of SREM or unsafe conditions for that cycle.
- (5) Unsafe conditions.
- (i) Upon filing a report of an unsafe condition with the Department, the owner of the building in which the parking structure is located, his or her agent, or the person in charge of the building in which the parking structure is located, must immediately commence such repairs or reinforcements and any other appropriate measures such as cordoning off areas that may be dangerous, erecting fences, sidewalk sheds and safety netting as may be required to secure the safety of the public and to make the building's structure and appurtenances conform to the provisions of the Administrative Code.
- (ii) All unsafe conditions must be corrected within 90 days from the submission of the compliance report.
- (iii) If, due to the scope of the repairs, the unsafe conditions cannot be corrected within the required 90 days, the QPSI must recommend a timeframe for repairs as noted in item (N) of subparagraph (iii) of paragraph (3) of subdivision (c). The owner of the building in which the parking structure is located is responsible for ensuring that the conditions described in the compliance report as unsafe are corrected and all actions recommended by the QPSI are completed within this timeframe. The owner must notify the Department of any deviation from the timeframe to make corrections as specified in the QPSI's report. The subsequent report must include supporting documents from the QPSI justifying the request for a new time frame.
- (iv) Within two weeks after repairs to correct the unsafe condition have been completed, the QPSI must inspect the premises. The QPSI must promptly file with the Department a detailed amended report stating the revised report status of the parking structure, along with a filing fee as specified in the rules of the Department and the owner must obtain permit sign-offs as appropriate. If the report is not acceptable and is rejected by the Department, a revised report must be filed within 45 days of the date of the Department's rejection after which the original filing date will no longer be valid. If the report is not acceptable after two rejections, a new amended filing fee as specified in the rules of the Department is required. Protective measures must remain in place until an amended report is accepted; however, the QPSI may request permission for the removal of the protective measures, shoring or any other public safety measures upon submission of a signed and sealed statement certifying that an inspection was conducted, the conditions were corrected, and the protective measures are no longer required.
- (v) The Commissioner may grant extensions of up to 90 days to complete the repairs required to correct an unsafe condition upon receipt and review of an extension application submitted by the QPSI, together with:
- (A) Notice that the premises have been secured for public safety by means of a fence or other appropriate measures as may be required;
- (B) A copy of the contract indicating scope of work to correct unsafe conditions;
- (C) The QPSI's estimate of length of time required for repairs;
- (D) A statement of all applicable permit requirements;
- (E) A fee as specified in the rules of the Department;
- (F) An unforeseen delay or circumstance (e.g., weather, labor strike, fire) affecting the substantially completed work; and
- (G) Progress photos showing current repairs.
- Note: Financial considerations shall not be accepted as a reason for granting an extension.
- (6) Conditions that are safe with repairs and/or engineering monitoring (SREM).
- (i) The owner of the building in which the parking structure is located is responsible for ensuring that the conditions described in the compliance report as SREM are corrected and all actions recommended by the QPSI are completed within the time frame recommended by the QPSI and are not left to deteriorate into unsafe conditions. It is the owner's responsibility to notify the Department of any deviation from the timeframe to make corrections as specified in the QPSI's report. The subsequent report must include supporting documents from the QPSI justifying the request for a new time frame.
- (ii) A condition assessment is required within three years of the initial filing date and an amended report detailing the results of that assessment must be filed with the Department in accordance with section 28-323.9.1 of the Administrative Code within 60 days of the final inspection date. The amended report must include, but not be limited to:
- (A) The scope of the monitoring campaign, if applicable, including but not limited to the name of the engineer performing the monitoring, the type and frequency of monitoring, and all findings;
- (B) The status of the conditions identified in the most recent compliance report classifying the building as SREM, including any maintenance and repairs undertaken; and
- (C) A description and classification of any new conditions identified and how they have been or will be addressed, including any repairs or maintenance.
- Exception: If the SREM compliance report is filed less than 1 year from the start of the next cycle filing window, a condition assessment is not required and an amended report does not need to be filed with the Department.
- (iii) A report may not be filed describing the same condition and pertaining to the same location on the parking structure as SREM for two consecutive report filing cycles.
- (iv) The QPSI must certify the correction of each condition reported as requiring repair in the previous report filing cycle, report conditions that were reported as SREM in the previous report filing cycle as unsafe if not corrected at the time of the current inspection, or report corrections that were made in the previous cycle as unsafe if they need further or repeated repair at the time of the current cycle.
- (d) Annual observation. A building owner is responsible to have an annual observation performed in accordance with the provisions of section 28-323.4 of the Administrative Code. Such annual observation must be based on the checklist included in the most recent compliance report accepted by the Department and as described in section 28-323.2 of the Administrative Code.
- (1) This checklist is to be completed annually by the owner or by a competent person on behalf of the owner each year after submission of the current cycle's report has been accepted and until the next cycle's report has been accepted.
- (2) The completed checklists must be kept on site and be made available to the Department and the QPSI upon request.
- (3) The person performing the annual observation shall notify the owner and the Department immediately upon discovering any conditions that may be hazardous to the public.
- (e) Civil Penalties.
- (1) Late filing. An owner who submits a late filing shall be liable for a civil penalty of one thousand dollars (\$1,000) per month, commencing on the day following the filing deadline of the applicable filing window period and ending on the filing date of an acceptable initial compliance report.
- (2) Failure to file. In addition to the late filing penalty, an owner who fails to file the required acceptable compliance report shall be liable for a civil penalty of five thousand dollars (\$5,000) per year beginning one year after the end of the applicable filing window.
- (3) Failure to correct unsafe conditions. In addition to the penalties provided in this section, an owner who fails to correct an unsafe condition within 90 days shall be liable for a civil penalty of one thousand dollars (\$1,000) per month until the unsafe condition is corrected, unless the Commissioner grants an extension of time to complete repairs pursuant to this section. This penalty shall be imposed until receipt of an acceptable amended compliance report by the Department indicating the unsafe conditions were corrected, or an extension of time is granted by the Commissioner.
- (4) Failure to correct SREM conditions. An owner who fails to correct a SREM condition reported as requiring repair in the previous report filing cycle and subsequently files the condition as unsafe shall be liable for a one-time civil penalty of two thousand dollars (\$2,000).
- (5) Challenge of civil penalty.

- (i) An owner may challenge the imposition of any civil penalty authorized to be imposed pursuant to this subdivision by providing proof of compliance. Such proof must include, but not be limited to, a copy of an acceptable initial compliance report, a copy of the acceptable amended report, copies of approved extension of time requests while work was/is in progress or written proof from a QPSI that the unsafe conditions observed at the parking structure were corrected and the violation was dismissed.
  - (ii) Challenges must be made in writing within 30 days from the date of service of the violation by the Department and sent to the office/unit of the Department that issued the violation. The decision to dismiss or uphold the penalty shall be at the sole discretion of the Department.
- (f) Full or partial penalty waivers; eligibility and evidentiary requirements. Owners may request a full or partial waiver of penalties assessed for violation of Article 323 of Title 28 of the Administrative Code, and/or rules enforced by the Department. Requests must be made in writing and must meet eligibility and evidentiary requirements as follows:
- (1) Owner status.
    - (i) A new owner requesting a waiver due to change in ownership must submit proof of a recorded deed evidencing transfer of ownership to the current owner after penalties were incurred, as well as any other documentation requested by the Department, and only in one of the following circumstances:
      - (A) A new owner of a property previously owned by a government entity requesting a waiver due to change in ownership must submit official documentation from the government entity affirming that the premises was entirely owned by the government entity during the period for which a waiver is requested.
      - (B) A new owner who receives a notice of violation for failure to comply with the requirements of this section or Article 323 of Title 28 of the Administrative Code that was issued to the property after the transfer of ownership must submit a recorded deed showing the date that the property was acquired or transferred. The waiver period shall be from the date of the deed to the date of the violation issuance.
    - (ii) An owner may be granted a waiver of penalties upon submission of a copy of an order signed by a bankruptcy court judge.
    - (iii) If a state of emergency is declared that prevents an owner from conducting an inspection, filing a report or correcting unsafe conditions, an owner may be granted a waiver of penalties.
  - (2) Building status. An owner requesting a waiver because the parking structure was demolished must submit city or departmental records evidencing the demolition of the parking structure prior to the filing deadline.

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**CONSUMER AND WORKER PROTECTION**

■ NOTICE

**Notice of Public Hearing and Opportunity to Comment on Proposed Rules**

**What are we proposing?** The Department of Consumer and Worker Protection (“DCWP” or “Department”) is proposing to amend the existing sightseeing bus rules to implement Local Law 176 of 2018 relating to sightseeing buses and sightseeing bus drivers and to update and modernize the Department’s sightseeing bus rules.

**When and where is the hearing?** DCWP will hold a public hearing on the proposed rule. The public hearing will take place at 11:00am on Wednesday, June 22, 2022. The public hearing will be accessible by phone and videoconference.

- To participate in the public hearing via phone, please dial 646 558 8656
  - o Meeting ID: 859 4054 8719

- To participate in the public hearing via videoconference, please follow the online link: <https://us02web.zoom.us/j/85940548719?pwd=12my9JgRPyZ5cglRmazPVI77GJ97Z.1>
  - o Meeting ID: 859 4054 8719

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

- **Website.** You can submit comments to DCWP through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to [Rulecomments@dcwp.nyc.gov](mailto:Rulecomments@dcwp.nyc.gov).
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling (212) 436-0345. You can also sign up on the phone or videoconference before the hearing begins at 11:00am on Wednesday, June 22. You can speak for up to three minutes.

**Is there a deadline to submit comments?** Yes. You must submit any comments to the proposed rule on or before Wednesday, June 22, 2022.

**What if I need assistance to participate in the hearing?** You must tell DCWP’s External Affairs division if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You may tell us by telephone at (212) 436-0345 or by email at [Rulecomments@dca.nyc.gov](mailto:Rulecomments@dca.nyc.gov). Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by June 13, 2022.

**Can I review the comments made on the proposed rules?** You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, all comments received by DCWP on the proposed rules will be made available to the public online at <http://www1.nyc.gov/site/dca/about/public-hearings-comments.page>.

**What authorizes DCWP to make this rule?** Sections 1043 and 2203(f) of the New York City Charter, and Sections 20-104(b) and 20-384 of the New York City Administrative Code authorize the Department of Consumer Affairs to make these proposed rules. These proposed rules were not included in the Department of Consumer Affairs’ regulatory agenda for this Fiscal Year because a previous draft of these proposed rules had already been noticed for public comment and been the subject of a public hearing when the Department published the agenda. The Department did not anticipate holding a second public hearing for these proposed rules.

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

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

**Statement of Basis and Purpose of Proposed Rule**

The Department of Consumer Affairs (“the Department”) is proposing to amend the sightseeing bus rules to implement Local Law 176 of 2018 relating to sightseeing buses (“SSB”) and sightseeing bus drivers. A hearing date was already held on October 5, 2020 and comments were received and reviewed. The Department is now publishing a new and updated version of the proposed rule and seeking additional public comments because of the time that has passed since the first hearing was held.

Local Law 176 of 2018 (“LL 176”) requires SSB drivers to possess a valid commercial driver’s license (“CDL”) and forbids SSB businesses from employing drivers who: (1) are disqualified from driving a commercial vehicle pursuant to federal law, (2) have had their CDL suspended or revoked two or more times within the past five years, (3) have accumulated nine or more points on their driving record for acts that occurred within an eighteen month period, unless a statutory exception applies, and (4) have been convicted of any alcohol or drug-related offense pursuant to article 31 of the vehicle and traffic law or any similar offense under the laws of any other jurisdiction within the past three years. LL 176 also sets SSB business compliance terms for the company’s SSB drivers, sets accident reporting standards, and SSB driver driving record recordkeeping requirements.

Finally, the Department is proposing certain amendments to update and modernize its SSB rules. Specifically, the Department is proposing to:

- Remove an outdated provision requiring Departmental approval of advertising materials (§ 2-211(a) of Title 6 of the Rules of the City of New York (“RCNY”). This removal will ease the regulatory burden on sightseeing bus owners.
- Add a provision allowing SSB companies to provide digital receipts instead of paper if the consumer consents in advance (6 RCNY § 2-211(e)).



- Delete provisions requiring SSB drivers to, among other things, possess English language skills, be of “sound physique”, and have his or her “physical condition” examined by the Department. These provisions are outdated, do not increase safety, and are an unnecessary burden on drivers. (6 RCNY §§ 2-211(r) and (s)).
- Change the number of hours a driver may operate a sightseeing bus to better align with federal regulations. Currently, the rules prohibit a driver from operating a vehicle for more than 12 hours in any 24-hour period. Federal regulations found in 49 C.F.R. § 395.5 prohibit operating commercial passenger vehicles for more than 10 hours following 8 consecutive hours off-duty. These proposed amendments would make the Department’s rules mirror the federal standard.

Sections 1043 and 2203(f) of the New York City Charter, and Sections 20-104(b) and 20-384 of the New York City Administrative Code authorize the Department to issue these proposed rules.

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

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

**Proposed Rule Amendments**

Section 1. Subchapter U of Chapter 2 of Title 6 of the Rules of the City of New York is amended to read as follows:

§ 2-211 Buses, Bus Owners and Drivers.

- (a) [All circulars, leaflets, posters, pamphlets or any other advertising matter describing any trip, tour or excursion, except of buses exclusively hired or engaged under a contract for a special trip or excursion, must receive the approval of the commissioner prior to display or distribution to the public.] Reserved.
- (b) A schedule of rates of fare for each type of trip or tour, except buses exclusively hired or engaged under a contract for a special trip or excursion, [shall] must be [filed with] made available to the Department [by the licensee] at the Department’s request.
- (c) A schedule of rates charged for each trip or tour, except of buses exclusively hired or engaged under a contract for a special trip or excursion, [shall] must be conspicuously displayed at the starting point upon a sign attached to the bus as near to the entrance as practicable, prior to and during the time the passengers are entering such vehicle and [shall] must remain thereon until the bus departs. The figures on the sign must be at least 3 inches high and the sign must be at least 13 inches long and 9 inches wide.
- (d) The rate of fare (including all charges) for the particular tour about to be conducted, except of buses exclusively hired or engaged under a contract for a special trip or excursion, [shall] must be set forth in a sign prominently displayed in the forward part of the interior of the vehicle facing the passengers and [shall] must remain posted in its original position until the termination of the tour. This sign [shall] must be printed in letters and figures at least three-quarters of an inch in height and [shall] must read as follows:

“The fare for this tour (specifying tour number) including all expenses and admissions is (insert price). Report all violations to the Department of Consumer Affairs, (Insert the Department’s current address and current telephone number)”.

- (e) The owner, or his or her agent, [shall] must deliver to all passengers upon payment of fare, a printed receipt indicating the amount of fare paid, the description or designated number of the trip and the time scheduled for the bus to leave the starting point. This receipt [shall become] becomes the property of the passenger and [shall] must not be collected or taken from him or her. Unless the bus leaves as scheduled, the fare paid by the passenger must be refunded immediately upon request. This provision [shall] does not apply to buses exclusively hired or engaged under a contract for a special trip or excursion. The receipt required by this subdivision may be provided by email or text message, instead of printed, if the passenger consents in advance to receive a receipt by such method.
- (f) The owner, his or her agent, operator, sightseeing bus driver, sightseeing bus guide or lecturer, [shall] must not charge or attempt to charge, any passengers a sum greater than set forth in the rate schedule. No additional charges [shall] may be made, solicited, collected or permitted to be made, for entering any building or premises or for any purposes whatsoever, during the trip or tour or the termination thereof.
- (g) No vending of any articles of merchandise or literature to the passengers [shall be] is permitted in the bus.
- (h) Each bus, except buses exclusively hired or engaged under a contract for a special trip or excursion, [shall] must have two conspicuously displayed signs, showing the time the bus is scheduled to leave; one such sign [shall] must be hung on the windshield in the interior and the other on the outside at a conspicuous point near the

door where the passengers enter, which signs [shall] must be removed upon the departure of the bus. These signs [shall] must read as follows: “This bus leaves (specifying time) sharp or money refunded upon request.”

- The figures on the signs must be at least 3 inches high and the signs must be at least 13 inches long and 9 inches wide.
- (i) No passengers, other than on buses exclusively hired or engaged under a contract for a special trip or excursion, may be received or discharged at the start or termination of any trip on any public highway within the city except at locations designated by the commissioner. Where such stops are permitted, they [shall] must not [be made for a period longer than is actually necessary to expeditiously receive or discharge such passengers, but in no case to] exceed 10 minutes.
- (j) A sightseeing bus, except buses exclusively hired or engaged under a contract for a special trip or excursion, after leaving its starting point, [shall] must not receive additional passengers between such place of starting and its ultimate destination, and [shall] must operate on a prescribed route when one is so designated.
- (k) The owner or his or her agent [shall] must keep a permanent daily record in a separate book of each trip, tour or excursion made, or in which such owner acts as intermediary. Such book [shall] must be kept on the owner’s premises and [shall] must be available at all times for inspection and [shall] must contain the following information:
  - (1) Date and time of the start and termination of the trip, tour or excursion.
  - (2) Location of the starting point, and a description of the specific trip, tour or excursion made.
  - (3) Name (and license number, if any) of the person, firm or corporation who contracted or solicited the passengers or who contracted for the specific trip, tour or excursion.
  - (4) The name and license number of the person acting as the guide or lecturer during the trip, tour or excursion.
  - (5) The name and commercial driver’s license number of the driver.
  - (6) The sightseeing bus license number of the vehicle.
  - (7) Whenever such owner or agent transfers any person, or persons, who have contracted for any trip, tour or excursion, to another owner, or agent, for the purpose of having the latter conduct such trip, tour or excursion, an entry [shall] must be made of the total number of passengers affected and the name of the person, firm or corporation receiving them. A record [shall] is not [be] required of special trips or excursions in buses exclusively hired or engaged under a contract for such a purpose.
    - (1) Owners [shall] must keep accurate books and records of:
      - (1) Receipts from operations.
      - (2) Payments from drivers.
      - (3) Corporation tax.
      - (4) Social Security Tax.
      - (5) Disbursements and receipts.
      - (6) Mileage[ run].
      - (7) Accidents incurred and Public Liability claims paid.
    - (8) Any information that this department may prescribe from time to time by written notification to the licensee relating to the licensee and his or her sightseeing bus operations. Such books and records [shall] must be available at all times for inspection.
  - (m) An owner [shall] must not permit any one driver to operate a vehicle or vehicles more than [12] 10 hours [in any continuous 24 hour period, except the driver of a bus exclusively hired or engaged for a special trip or excursion] following 8 consecutive hours off duty.
  - (n) Each vehicle and its equipment [shall] must be inspected at least once each day.
  - (o) Each vehicle must be kept clean, sanitary, and in good mechanical condition, with brakes, lights and signaling devices in good working order.
  - (p) Each vehicle [shall] must be equipped with efficient windshield wipers.
  - (q) Any person employed by the owner to operate a sightseeing bus [shall] must possess a [New York State] commercial driver’s [chauffeur’s] license which permits the person to operate a sightseeing bus [and a sightseeing bus driver’s license].
  - (r) [A sightseeing bus driver must be
    - (1) A citizen of the United States or a declarant.
    - (2) At least 21 years of age.
    - (3) Of sound physique, with good eyesight, and not subject to epilepsy, vertigo, heart trouble, or any other infirmity of body or mind, which might render him unfit for the safe operation of the vehicle.
    - (4) Able to speak, read or write the English language.
    - (5) Licensed as a chauffeur or operator for at least 3 years.
    - (6) The holder of a New York State chauffeur’s license.
    - (7) Be clean in dress and not addicted to the use of drugs or intoxicating liquors.] Reserved.
    - (s) [(1) Examination of drivers. Each applicant for a driver’s license under the provisions of this section shall be examined by a person or persons designated by the Commissioner as to his physical condition, as to his knowledge of the provisions hereof, the traffic regulations, and the geography of the city, and if the result of the examination or examinations are unsatisfactory, he shall be refused a license.
      - (2) Photograph of driver. Each applicant for a driver’s license must file with his application two recent photographs of himself, 1 1/2 inches

square, one of which shall be attached to the license when issued; the other shall be filed with the application.] Reserved.

(t) Sightseeing bus drivers [shall] must thoroughly search the interior of the vehicle after termination of each trip for any article left or lost in the vehicle. The driver [shall] must immediately take any such property to the stationhouse in the police precinct where the passenger or passengers were discharged.

(u) A sightseeing bus company must submit to the Department, on a form provided for such purpose by the Department, a written report of every accident involving one of the company's sightseeing buses within three business days of such accident pursuant to subdivision c of section 20-376.2 of the Administrative Code of the City of New York. Such completed form must be signed by the sightseeing bus company owner or his or her agent and by the sightseeing bus driver involved in the accident. [A sightseeing bus driver shall report all accidents as required by the Vehicle and Traffic Law and report all accidents to the owner.]

(v) A sightseeing bus driver [shall] must not smoke while the vehicle is carrying passengers.

(w) A sightseeing bus driver [shall] must not operate the vehicle for more than [12] 10 hours [of any continuous 24 hour period] following 8 consecutive hours off duty. [This provision shall not apply to the driver of a bus exclusively hired or engaged for a special trip or excursion.]

(x) A sightseeing bus driver [shall] must not solicit or recommend patronage for restaurants, nightclubs, cabarets, dance halls, hotels, or like places, nor solicit for or recommend any place maintained in violation of law.

(y) A sightseeing bus driver [shall] must shut off the engine in the vehicle when the vehicle is parked or standing. A sightseeing bus driver [shall] must not run the engine while the vehicle is standing unless it is necessary to warm the engine in cold weather.

(z) A sightseeing bus driver [shall] must keep the interior of the vehicle clean.

(aa) A sightseeing bus driver must [shall be required to] inspect the vehicle to determine that the vehicle is mechanically fit, with brakes, lights and signaling devices in good working order.

(bb) A sightseeing bus driver [shall] must carry his or her [New York State] commercial driver's license [chauffeur's license and his license as a sightseeing bus driver] at all times while engaged in his or her employment.

(cc) A sightseeing bus driver [shall] must not abandon his or her vehicle nor permit another to drive it for him or her.

#### § 2-211.1 Records Pertaining to the Operation and Maintenance of Sightseeing Bus[es].

(a) The owner of each vehicle licensed to operate as a sightseeing bus [shall] must maintain the following records pertaining to the operation and maintenance of each such bus:

(1) Records containing the following information about each of the specified components of each sightseeing bus:

(i) The total time in service of each licensed bus, each major component of the drive train, and all pollution control equipment required to be installed on such vehicle;

(ii) The current status of "life-limited" parts of the drive train and pollution control equipment installed in a vehicle. All parts on the vehicle that are not "life-limited" by the original equipment manufacturer [shall] must be deemed "on-condition" replacement;

(iii) The time since the last overhaul of all items installed in the vehicle which are required to be overhauled on a specified time basis; and

(iv) The current inspection status of the vehicle, drive train and pollution control equipment, including the time since the last inspection required by the inspection program under which the vehicle and its components are maintained.

(2) Records of the maintenance, preventative maintenance, and alterations, and records of the scheduled inspections to be performed pursuant to the manufacturer's recommended inspection and maintenance schedule for the vehicle, drive train and pollution control equipment. Such records [shall] must include:

(i) A description of the work performed.

(ii) The date of completion of the work performed.

(iii) The signature and printed name and employee identification number of the person approving the satisfactory completion of the required maintenance and/or inspection.

(3) A copy of the manufacturer's written recommendations prescribing the schedule for the maintenance to be performed, and for

conducting periodic inspections and performing periodic maintenance and repair to keep the vehicle, drive train and pollution control equipment operating at normal operating efficiency.

(b) The records for each licensed sightseeing bus [shall] must be kept in a paginated volume, with the vehicle identification number and the license number included on the first page. All entries [shall] must be dated and included in chronological order.

(c) The required records [shall] must be retained for at least three years after earliest entry in the record on each bus. The records [shall] must be kept at the office of business which holds the license to the bus, and [shall] must be made available on demand to personnel of the Department at such office, or [shall] must be produced at the office of the Department within five days after demand therefore is received by such owner.

§ 2. Chapter 2 of Title 6 of the Rules of the City of New York is amended by adding a new section 2-211.2 to read as follows:

#### § 2-211.2 Record Requests and Subpoenas.

(a) (1) A request or subpoena for information or records from the Department must be served on an owner in writing in person, via mail, or via email. An owner must respond to a written request or subpoena for information or records from the Department by providing to the Department true, accurate, and contemporaneously made electronic records or information within 30 days of the date that the request is received and in the formats and layouts prescribed by the Department in such request or subpoena.

(2) A deadline of more than 30 days may be agreed to on consent by the Department and the owner.

(3) The Department may issue a summons to an owner who fails to provide true and accurate electronic records or information by the deadline provided in the written request or subpoena or the deadline agreed to by the parties, provided that the monetary penalties authorized by § 20-104(e) of the Administrative Code shall not apply while such written request or subpoena is the subject of a pending proceeding.

(b) An owner's failure to maintain, retain, or produce a record that is required by law or rule to be maintained that is relevant to a material fact alleged by the Department in a summons, petition, or other notice of hearing creates a reasonable inference that such fact is true.

§ 3. Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

#### § 6-28 Sight-seeing Buses, Horse-drawn Cabs and Drivers Penalty Schedule.

All citations are to Title 20 of the Administrative Code of the City of New York or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule [shall] also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation [shall constitute] constitutes a separate violation of the law or rule.

[For the fine amounts marked by a single asterisk, if the respondent timely submits the appropriate proof of having cured a first-time violation, the respondent will not be subject to a civil penalty pursuant to Local Law 153 of 2013.]

Unless otherwise specified by law, a second or third or subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

In certain cases, the Department may ask for license suspension or revocation, as permitted by statute. If a respondent is found in violation of multiple provisions that require a suspension period, the suspension periods shall run concurrently.

[The parties shall be authorized to present evidence to mitigate the license revocation or suspension period within the date range marked by two asterisks (\*\*).] For violations marked by two asterisks (\*\*), the parties may present evidence to mitigate the license revocation or suspension period.

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-373	Operating sight-seeing bus or horse-drawn cab without a license	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day
Admin Code § 20-374	Improper transfer of license for operation of sight-seeing bus; improper transfer of license for operation of horse-drawn cab	\$375	\$500	\$450	\$500	\$500	\$500
Admin Code § 20-375	Failure to display license plate or replaceable date tag on sight-seeing bus or horse-drawn cab	\$375	\$500	\$450	\$500	\$500	\$500
Admin Code § 20-376	Failure to submit sight-seeing bus for inspection	\$500 (plus revocation)**	\$500 (plus revocation)	\$500 (plus revocation)**	\$500 (plus revocation)	\$500 (plus revocation)**	\$500 (plus revocation)
Admin Code § 20-376.1	Failure to equip sight-seeing bus with headphone- limited sound reproduction system	\$550 per day (plus revocation)**	\$750 per day (plus revocation)	\$675 per day (plus revocation)**	\$750 per day (plus revocation)	\$750 per day (plus revocation)**	\$750 per day (plus revocation)
<u>Admin Code § 20-376.2(a)</u>	<u>Failure to comply with sight-seeing bus driver requirements</u>	<u>\$500 (plus revocation)**</u>	<u>\$500 (plus revocation)**</u>	<u>\$500 (plus revocation)**</u>	<u>\$500 (plus revocation)**</u>	<u>\$500 (plus revocation)**</u>	<u>\$500 (plus revocation)**</u>
<u>Admin Code § 20-376.2(c)</u>	<u>Failure to notify DCWP of accident or alcohol or drug-related offenses</u>	<u>\$375</u>	<u>\$500</u>	<u>\$450</u>	<u>\$500</u>	<u>\$500</u>	<u>\$500</u>
<u>Admin Code § 20-376.2(d)</u>	<u>Failure to register a driver in the New York state license event notification service</u>	<u>\$500 (plus revocation)**</u>	<u>\$500 (plus revocation)**</u>	<u>\$500 (plus revocation)**</u>	<u>\$500 (plus revocation)**</u>	<u>\$500 (plus revocation)**</u>	<u>\$500 (plus revocation)**</u>
<u>Admin Code § 20-376.2(e)</u>	<u>Failure to comply with recordkeeping requirements</u>	<u>\$375</u>	<u>\$500</u>	<u>\$450</u>	<u>\$500</u>	<u>\$500</u>	<u>\$500</u>
<u>Admin Code § 20-376.2(f)</u>	<u>Failure to comply with recordkeeping requirements</u>	<u>\$375</u>	<u>\$500</u>	<u>\$450</u>	<u>\$500</u>	<u>\$500</u>	<u>\$500</u>
Admin Code § 20-377.1(b)	Failure of horse-drawn cab licensee to report modification, amendment, cancellation or substitution of required insurance policy	\$375	\$500	\$450	\$500	\$500	\$500
<u>Admin Code § 20-378</u>	<u>Failure to submit all licensed sight-seeing buses for periodic inspection</u>	<u>\$500 (plus suspension)**</u>	<u>\$500 (plus suspension)**</u>	<u>\$500 (plus revocation)**</u>	<u>\$500 (plus revocation)**</u>	<u>\$500 (plus revocation)**</u>	<u>\$500 (plus revocation)**</u>
Admin Code § 20-380	Collection of fare for use of horse-drawn cab in excess of specified amounts	\$375	\$500	\$450	\$500	\$500	\$500
Admin Code § 20-381(a)	Unlicensed operation of horse-drawn cab	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day
Admin Code § 20-381(e)	Operation of horse-drawn cab by person who is not licensed driver or apprentice or holder of probationary license	\$375	\$500	\$450	\$500	\$500	\$500
Admin Code § 20-381.1	Operating horse-drawn cab at prohibited time or location	\$375	\$500	\$450	\$500	\$500	\$500
Admin Code § 20-381.1(d)	Operating horse-drawn cab in violation of notice given by authorized enforcement officer	\$500 (plus revocation)	\$500 (plus revocation)	\$500 (plus revocation)	\$500 (plus revocation)	\$500 (plus revocation)	\$500 (plus revocation)
Admin Code § 20-381.2(b)	Failure to equip horse drawn cab with emergency brake system	\$500 (plus revocation)**	\$500 (plus revocation)	\$500 (plus revocation)**	\$500 (plus revocation)	\$500 (plus revocation)**	\$500 (plus revocation)
Admin Code § 20-382	Unlawful agreement between owner of horse-drawn cab and any hotel, apartment house, restaurant or [cafe]café	\$375	\$500	\$450	\$500	\$500	\$500

6 RCNY § 2-211	Violation of requirements applicable to owners and drivers of sightseeing buses	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-211(c)	Failure to post schedule of rates charged for each sightseeing bus trip	\$375*	\$500*	\$450	\$500	\$500	\$500
6 RCNY § 2-211(m)	Operation of sightseeing bus by single driver for more than 12 hours in any 24 hour period	\$500 (plus revocation)**	\$500 (plus revocation)	\$500 (plus revocation)**	\$500 (plus revocation)	\$500 (plus revocation)**	\$500 (plus revocation)
6 RCNY § 2-211.1	Failure to comply with recordkeeping requirements applicable to owners of sightseeing buses	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-212	Violation of requirements applicable to owners and drivers of horse-drawn cabs	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-212(q)(3)	Operation of horse-drawn cab by single driver for more than 12 hours in any 20 hour period	\$500 (plus revocation)**	\$500 (plus revocation)	\$500 (plus revocation)**	\$500 (plus revocation)	\$500 (plus revocation)**	\$500 (plus revocation)
6 RCNY § 2-212(q)(6)	Operating horse-drawn cab under influence of intoxicating liquor or drugs	\$500 (plus revocation)**	\$500 (plus revocation)	\$500 (plus revocation)**	\$500 (plus revocation)	\$500 (plus revocation)**	\$500 (plus revocation)

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

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

**RULE TITLE:** Amendment of Rule Governing Operations of Sightseeing Buses

**REFERENCE NUMBER:** 2020 RG 042

**RULEMAKING AGENCY:** Department of Consumer and Worker Protection

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

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

/s/ STEVEN GOULDEN  
Acting Corporation Counsel

Date: May 11, 2022

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

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

**RULE TITLE:** Amendment of Rule Governing Operations of Sightseeing Buses

**REFERENCE NUMBER:** DCWP-8

**RULEMAKING AGENCY:** Department of Consumer and Worker Protection

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) No cure period/mechanism is provided because the authorizing statute for the rule does not provide a cure period. However, respondents are afforded notice and an opportunity to be heard with respect to all notices of violation.

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

May 12, 2022  
Date

Accessibility questions: Charlie Driver, cdriver@dcwp.nyc.gov, by: Monday, June 13, 2022, 12:00 P.M.



m23

**ENVIRONMENTAL PROTECTION**

**■ NOTICE**

**Notice of Adoption of Final Rule**

**NOTICE IS HEREBY GIVEN**, pursuant to the authority vested in the Commissioner of the Department of Environmental Protection ("Department" or "DEP") by Section 1043(a) of the New York City Charter and section 24-105 of the Administrative Code of the City of New York that the Department promulgates and adopts amendments to 15 RCNY Chapter 39, section 39-01 to define what constitutes a processing device for the purposes of the idling provision in section 24-163 of the Administrative Code.

**Statement of Basis and Purpose of Rule**

The rule amends Chapter 39 of Title 15 of the Rules of the City of New York to add a new definition to section 39-01 to clarify what constitutes a processing device as it relates to vehicle idling in section 24-163 of the Administrative Code. The proposed rule was published in the City Record on January 26, 2022, and a public hearing was held on March 2, 2022.

Section 24-163 prohibits, in relevant part, the idling of a motor vehicle engine for longer than three minutes or one minute if adjacent to a school, unless the engine is used to operate a loading, unloading, or processing device. This exception for processing devices has been a part of the Air Pollution Control Code since the Code's enactment in 1971. However, the definition of "processing device" has not been set forth in either the Administrative Code or the Rules of the City of New York. Instead, the term processing device has been defined in informal FAQs

on the Department of Environmental Protection’s website and developed through decisions before the Office of Administrative Trials and Hearings.

The final rule defines a “processing device” as a device that is necessary to accomplish the vehicle’s designed function via a mechanical connection to the engine (e.g., a cement mixer), or is a temperature control system for food or other temperature-sensitive items.

Several comments suggested that the proposed definition of processing device is broad enough to allow idling in a wide array of circumstances, including running the air conditioner for cabin comfort, charging a cell phone, or keeping headlights on. Other comments suggested that the term processing device should exclude devices that have such a power consumption requirement that they could be powered by auxiliary power sources. The final rule adjusts the definition of “processing device” to make explicit that the term does not include a heater or air conditioner used for cabin comfort. Further, in order to exclude non-essential equipment and those devices that can be powered by an alternative source of power, this rule requires that the device accomplish the vehicle’s intended function via a mechanical connection to the engine. So, for example, a cell phone charger, laptop or cargo lights would not be processing devices both because the vehicle was not designed to charge or power cell phones, laptops or cargo lights, and because those pieces of equipment are not operated via a mechanical connection to the engine.

Commenters also proposed that the definition of “process” guide the definition of “processing device.” DEP does not agree with that approach, and the final rule makes clear that the terms “process” and “processing device,” as used in the Administrative Code, are not related.

The Administrative Code defines “process” as:

any industrial, commercial, agricultural or other activity, operation, manufacture or treatment in which chemical, biological and/or physical properties of the material or materials are changed, or in which the material(s) is conveyed or stored without changing the material(s) (where such conveyance or storage system is equipped with a vent(s) and is non-mobile), and which emits air contaminants to the outdoor atmosphere. A process does not include an open fire, operation of a combustion installation, or incineration of refuse other than by-products or wastes from processes.

Ad. Code § 24-104. The term “process” is relevant to the determination of whether a certificate of operation is necessary under section 24-122 of the Administrative Code. See Ad. Code § 24-122(b) (“No person shall cause or permit the use or operation of the following equipment, or cause or permit the keeping of any such equipment so as to be capable of being used or operated, without first obtaining a certificate of operation from the commissioner. . . (2) Equipment used in a process. . .”). Further, the terms “process” and “processing device” are used in different subchapters of the Air Pollution Control Code: “process” is used in subchapter 4 (“Permits and Certificates”) while the term “processing device” is used in subchapter 7 (“Equipment and Apparatus: Use and Maintenance”). Accordingly, the term “process” has no bearing on the meaning of “processing device” as such term is used in the anti-idling law.

Another comment suggested that the rule include language providing that a processing device must be a device that is actually being used to accomplish the work for which the vehicle was designed at the time of the idling. We do not think that is necessary to include in the definition of “processing device” because the Administrative Code provides that a vehicle is exempt from the idling prohibitions only if the “engine is used to operate” the processing device. Ad. Code §24-163(a). In other words, the requirement that the engine be running in order to power the processing device is already set forth in the underlying legislation.

Finally, some commenters suggest that the task of defining “processing device” lies with the City Council and not with DEP. However, the final rule fills in the gaps of the legislative framework set forth in the Air Pollution Control Code, and thus falls within DEP’s rulemaking authority. See Ad. Code § 24-105(a). That the City Council once considered legislation that would have defined “processing device” does not mean that such action is necessary to accomplish that purpose.

Sections 1043(a) and 1403(c) of the New York City Charter and section 24-105 of the Administrative Code authorize the Department to issue this proposed rule.

New material is underlined.

Section 1. Section 39-01 of Title 15 of the Rules of the City of New York is amended by adding a definition of “processing device,” in appropriate alphabetical order, to read as follows:

Processing Device. For purposes of section 24-163 of the administrative code, the term “processing device” shall mean:

(1) a device that accomplishes the function for which the vehicle or equipment was designed, other than transporting goods or people, via a mechanical connection to the engine, including operating a lift, crane, pump, drill, hoist, or mixer; or

(2) a system that controls the environment of temperature-sensitive cargo or substances, including but not limited to food, provided that such cargo or substances are being transported in a vehicle designed for the transportation of such cargo or substances.

The term “processing device” shall not include a heater or air conditioner operated for cabin comfort.

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**FY23 Regulatory Agenda**

In compliance with section 1042 of the New York City Charter, the following is the regulatory agenda for rules that the New York City Department of Environment of Protection (DEP) anticipates it may promulgate during the fiscal year beginning July 1, 2022, and ending June 30, 2023. Listed below each section are an approximate schedule for adopting the proposed rules and the name and telephone number of a DEP official knowledgeable about each subject area involved.

**I. New proposed rules not included in prior years and anticipated to start the CAPA process after May 1, 2022.**

**1. Air Code Variance Petitions**

**A. Description**

Rule will establish requirements for submitting a variance petition pursuant to section 24-110 of the Air Code.

**B. Reasons**

DEP receives petitions for variances from the vehicle idling prohibition in the Air Code. The rule will establish standardized requirements related to the information that must be included in a variance petition, to avoid to the extent possible having to request additional information from the petitioner regarding any petitions filed in the future.

**C. Anticipated contents**

The rule will set forth the minimum information required to be included in a variance petition submitted pursuant to section 24-110 of the Air Code.

**D. Objectives**

Make the submission and evaluation of variance petitions fairer and more efficient.

**E. Legal basis:**

NYC Charter Section 1403

**F. Relevant local laws and rules:**

NYC Administrative Code Section 24-110

**G. Individuals and entities affected:**

Entities seeking a variance from the provisions of the Air Code.

**H. Approximate Schedule:**

1Q FY 2023

**I. Agency Contact:**

Russell Pecunies, DEP Legal Affairs, (718) 595-6531

**II. Rules included in prior agenda(s) that did not begin the CAPA process but are anticipated to start the process after May 1, 2022.**

**1. Work Permit Exceptions**

**A. Description**

Rule will define certain equipment that the department may exempt from requirements for a work permit under the Air Pollution Control Code.

**B. Reasons**

Certain equipment, which is not explicitly exempted from the work permit requirement in section 24-121 of the Air Code, does not need a work permit for various reasons including how DEC classifies certain sources. DEP seeks to clarify and expand the existing list of sources for which a registration or exemption from filing is acceptable instead of a work permit.

**C. Anticipated contents**

The rule will set forth the equipment or apparatus that the department may exempt from the requirements for a work permit.

**D. Objectives**

Simplify compliance requirements and streamline permitting.

E. Legal basis:

NYC Charter Section 1403

F. Relevant local laws and rules:

NYC Administrative Code Section 24-121(a)(21)

G. Individuals and entities affected:

Engineers, architects, and those who file in the regulated community.

H. Approximate Schedule:

4Q FY 2023

I. Agency Contact:

Russ Pecunies, DEP Legal Affairs, (718) 595-6531

**2. Fee Rule Amendment**

A. Description

Rule will establish a fee for variances from the Air Pollution Control Code.

B. Reasons

The department receives requests for variances from the Air Code, which require a review by engineers and other staff. The department needs a fee to cover its costs for reviewing these applications.

C. Anticipated contents

The rule will establish a fee for review of applications for a variance from the Air Code.

D. Objectives

Ensure sufficient receipt of revenue to review and evaluate variances.

E. Legal basis:

NYC Charter Section 1403

F. Relevant local laws and rules:

NYC Administrative Code Section 24-105(a)

G. Individuals and entities affected:

Those who seek a variance from the Air Code.

H. Approximate Schedule:

4Q FY 2023

I. Agency Contact:

Russ Pecunies, DEP Legal Affairs, (718) 595-6531

**3. Penalty Schedule Amendments**

A. Description

Rules that will amend the penalty schedule for the Air Code, Noise Code, Asbestos Rules, and Water Code.

B. Reasons

Recent or pending changes will require the amendment of penalty schedules related to summonses issued by DEP.

C. Anticipated contents

Addition and deletion of affected provisions from current penalty schedules.

D. Objectives

Update penalty schedules to be consistent with current laws and rules.

E. Provide a summary of the legal basis for the proposed rule.

NYC Charter Section 1403

F. Relevant local laws and rules:

NYC Administrative Code §24-178, 24-105, 24-204, 24-257 and 15 RCNY Chapter 1.

G. Individual and entities affected:

Entities and individuals who receive summonses issued by DEP.

H. Approximate Schedule:

4Q FY 2023

I. Agency Contact:

Russ Pecunies, DEP Legal Affairs, (718) 595-6531

**4. Cook Stove Rules**

A. Description

Rule that will establish requirements for restaurants in operation before May 6, 2016 to install emission controls.

B. Reasons

The Air Code requires that DEP promulgate a rule to prescribe emission control technologies required on cook stoves installed before May 6, 2016.

C. Anticipated contents

The rule will require similar control technologies as those currently installed on cook stoves that came into operation on or after May 6, 2016.

D. Objectives

The installation of emission controls on cook stoves and char broilers will result in a reduction in emissions and odors.

E. Provide a summary of the legal basis for the proposed rule.

NYC Charter Section 1403 and Title 24, Chapter 1 of the Administrative Code.

F. Relevant local laws and rules:

NYC Administrative Code § 24-149.5, 24-105

G. Individuals and entities affected:

with cook stoves installed prior to May 6, 2016.

H. Approximate Schedule:

4Q FY 2023

I. Agency Contact:

Russ Pecunies, DEP Legal Affairs, (718)595-6531

**5. Design and Construction of Private Sewers**

A. Description

Revisions to Chapter 23 of the Rules of the City of New York, governing construction of private sewers or private drains and house/site connections to the sewer system.

B. Reasons

The proposed amendments will clarify the permit requirements and achieve regulatory consistency.

C. Anticipated contents

The proposed rules will include various revisions to Chapters 23.

D. Objectives

To ensure that private sewers are constructed to DEP standards and specifications.

E. Provide a summary of the legal basis for the proposed rule

NYC Charter Section 1403 and NYC Administrative Code Title 24.

F. Relevant local laws and rules:

NYC Administrative Code Title 24 and RCNY Title 15.

G. Individuals and entities affected:

Any person or entity constructing a private drain or sewer or connections to the City sewer.

H. Approximate Schedule:

4Q FY 2023

I. Agency Contact:

Susan Gordon, DEP Legal Affairs, (718) 595-4260

**6. Design and Construction of Private Water Mains**

A. Description

Rules for design and construction of private water mains.

B. Reasons

Establish rules for private water mains that are consistent with rules for private sewers.

C. Anticipated contents

The rules will establish requirements for those who construct private water mains in mapped streets at their own expense (and connect such water mains to City water mains or other private water mains) to transfer ownership of such mains to the City within a prescribed period of time.

D. Objectives

To ensure that private water mains are constructed to DEP standards and specifications.

E. Provide a summary of the legal basis for the proposed rule.

NYC Charter Section 1403

F. Relevant local laws and rules:

15 RCNY Chapter 23

G. Individuals and entities affected:

Builders and developers

H. Approximate Schedule:

4Q FY 2023

I. Agency Contact:

Susan Gordon, DEP Legal Affairs (718) 595-4260

7. Community Right-to-Know Rules

A. Description

Update and revision of the Community Right-To-Know Regulations for entities involved in the processing, storage, handling, or use of hazardous substances, extremely hazardous substances, and regulated toxic substances.

B. Reasons

DEP promulgated these rules almost 25 years ago, and they contain many outdated and obsolete references.

C. Anticipated contents

Revisions to the Hazardous Substances List to conform to the current federal and state lists

D. Objectives

To protect the public from the dangers associated with hazardous substances.

E. Provide a summary of the legal basis for the proposed rule.

NYC Charter Section 1403

F. Relevant local laws and rules:

15 RCNY Chapter 41, §§ 24-703 and 24-706 of the New York City Administrative Code

G. Individuals and entities affected:

Owners of facilities where hazardous substances are stored.

H. Approximate Schedule:

4Q FY 2023

I. Agency Contact:

Hannah Polakowski, DEP Legal Affairs, (718) 595-6539

III. Rules that are currently under CAPA review by the Law Department and the Mayor's Office of Operations but have yet to be certified.

m23



CITY PLANNING

NOTICE

POSITIVE DECLARATION

Project Identification
1160 Flushing Avenue
CEQR No. 21DCP199K
ULURP Nos. 210314ZMK
SEQRA Classification: Type I

Lead Agency
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271
Contact: Stephanie Shelloe
(212) 720-3328

Name, Description and Location of Proposal:

1160 Flushing Avenue
1160 Flushing Avenue LLC (the "Applicant") is seeking the approval of one discretionary action, a zoning map amendment that would rezone Block 3167, Lots 12 (p/o), 18, 24, 26, 29, and 40 (the "Proposed Rezoning Area" or "Project Area") from an M1-1 district to an M1-5 district (the "Proposed Action"). The Proposed Action would facilitate the construction of a new, mixed-use commercial and light industrial

development comprising approximately 238,104 gross square feet (gsf) in total (the "Proposed Project"). The Proposed Project would be constructed at 1160 Flushing Avenue (Block 3167, Lots 18 and 24), a 37,928-sf, rectangular-shaped site with frontages on Flushing Avenue and Jefferson Street ("Projected Development Site 1") in the Bushwick neighborhood of Brooklyn Community District 4. The Proposed Action would also facilitate development on two non-Applicant owned sites, located at Block 3167, Lots 29 and 40 ("Projected Development Site 2" and "Projected Development Site 3" respectively).

Specifically, the Proposed Action is:

- A zoning map amendment (Zoning Sectional Map 13b) to change the zoning in the Proposed Rezoning Area from the existing M1-1 to an M1-5 light manufacturing zoning district.

This approval would only apply to the Project Area.

Absent the Proposed Action, it is assumed that while no new construction would be planned for the Applicant-owned Projected Development Site 1, the currently vacant, approximately 30,388 sf former industrial building on Lots 18 and 24 would be converted and reoccupied with commercial retail uses in the No-Action condition. As a result, the Projected Development Site 1 would be occupied by approximately 31,907 gsf (30,388 zsf) of commercial retail uses on a 37,928-sf lot (0.80 FAR). No other changes to the remaining Project Area lots are anticipated in the future without the Proposed Action.

The Proposed Action would result in an incremental increase of of 234,154 gsf of commercial office uses, 46,184 gsf of local retail uses, 59,973 gsf of community facility (medical office) uses, and 33,119 gsf of light industrial uses. The incremental change in workers that would result from the Proposed Action is the addition of 1,305 workers.

The Analysis Year for the Proposed Action is 2027.

Statement of Significant Effect:

On behalf of the City Planning Commission, the Environmental Assessment and Review Division has determined, pursuant to 6 NYCRR Part 617.7, that the Proposed Action may have a significant effect on the quality of the environment as detailed in the following areas, and that an environmental impact statement will be required: land use, zoning and public policy; transportation; air quality; noise; public health; and neighborhood character.

The Proposed Action would not result in significant adverse impacts related to socioeconomic conditions; community facilities and services; open space; shadows; historic and cultural resources; urban design and visual resources; hazardous materials; water and sewer infrastructure; natural resources; greenhouse gas emissions and climate change; solid waste and sanitation services; energy; and construction.

Supporting Statement:

The above determination is based on an Environmental Assessment Statement prepared for the action which finds that:

- 1. Land Use, Zoning and Public Policy - The Proposed Action would affect the land use, zoning, and public policies within the Project Area. The Proposed Action is discretionary zoning map amendment. The Proposed Action has a potential to result in significant adverse impacts related to land use, zoning, and public policy.
2. Socioeconomic Conditions - The Proposed Action would introduce more than 200,000 square feet (sf) of new commercial uses to the Project Site, however the Proposed Action would not meet the thresholds for indirect business and institutional displacement. Therefore, the Proposed Action would not result in significant adverse impacts to socioeconomic conditions.
3. Community Facilities and Services - The Proposed Action would not introduce new residential dwelling units and would not increase demand at public schools, publicly funded child care facilities, libraries, or police and fire services, or health care facilities. Therefore, the Proposed Action would not result in significant adverse impacts to community facilities and services.
4. Open Space - The Proposed Action would introduce a new worker population that would increase the demand on passive open space for the non-residential population in the study area. While the non-residential study area's passive open space ratio would decrease by more than five percent from No-Action conditions (9.81 percent), it would remain above the City's guideline ratio of 0.15 acres per 1,000 non-residents, at 0.342 acres per 1,000 non-residents within the non-residential (0.25-mile) study area. Therefore, the Proposed Action would not result in significant adverse impacts to open space.
5. Shadows - The Proposed Action would introduce a building of a maximum height of 208 feet, which would result in new incremental shadows on a sunlight sensitive resource (the Greenstreet). However, the shadows analysis determined



that the duration and coverage of the incremental shadows would be limited and would not affect the usability or viability of the resource. Therefore, the Proposed Action would not result in significant adverse impacts to shadows.

6. **Historic and Cultural Resources** – While the Proposed Action is expected to result in incremental in-ground disturbance in the Project Area, the applicant has received a letter from Landmarks Preservation Commission (LPC) indicating that the tax lots have no architectural or archaeological significance. Therefore, the Proposed Action does not have the potential to result in significant adverse impacts related to historic and cultural resources.
7. **Urban Design and Visual Resources** – The Proposed Action could result in physical changes to the Project Site beyond the bulk and form currently permitted as-of-right, but would not significantly alter the arrangement, appearance, or functionality of the Project Area. As a result, the Proposed Action would not result in a significant adverse impact related to urban design and visual resources.
8. **Natural Resources** – The Proposed Action would not result in construction on a site containing or adjacent to a natural resource. Therefore, no thresholds were met for an analysis of natural resources, and the Proposed Action would not result in significant adverse impacts related to natural resources.
9. **Hazardous Materials** – The Proposed Action could result in new construction and in-ground disturbance within the Project Area, which has a documented history of hazardous materials conditions. An (E) designation has been assigned for hazardous materials to avoid the potential for significant adverse impacts related to hazardous materials in the Project Area.
10. **Water and Sewer Infrastructure** – The Proposed Action would result in an incremental water demand of approximately 111,582 gallons per day, which would not meet the CEQR Technical Manual threshold requiring a detailed analysis and as such, would not result in a significant adverse impact to water supply. Additionally, a preliminary assessment concluded that the Proposed Action is not anticipated to have a significant adverse impact on wastewater treatment or stormwater conveyance infrastructure.
11. **Solid Waste and Sanitation Services** – The Proposed Action would not result in a substantial increase to solid waste production that would overburden available waste management capacity and would not result in solid waste generation greater than the threshold of 50 tons per week. Therefore, no significant adverse impacts related to solid waste and sanitation services are expected.
12. **Energy** – The Proposed Action would not affect the transmission or generation of energy. The project’s projected energy use is estimated to be 94 million BTUs per year, which is below the analysis thresholds specified in the CEQR Technical Manual. Therefore, the Proposed Action would not result in a significant adverse impact related to energy.
13. **Transportation** – The Proposed Action would generate vehicular traffic. The Proposed Action would not result in a significant adverse impact for subway, bus, pedestrian, vehicular safety or parking. The Proposed Action could result in a significant adverse impact for vehicular traffic.
14. **Air Quality** – An (E) Designation for air quality has been placed on the Project Area to preclude the potential for significant adverse impacts related to stationary sources including HVAC systems and industrial sources introduced by the Proposed Project. However, the Proposed Action may have the potential to generate incremental vehicle trips exceeding the thresholds for conducting an air quality analysis of mobile sources. Therefore, the Proposed Actions may have the potential to result in significant adverse impacts related to air quality.
15. **Greenhouse Gas Emissions and Climate Change** – The Proposed Action would be consistent with the City’s greenhouse gas reduction goals. The Project Area is not located within the coastal zone boundary or within the current 100- or 500-year flood zone. Therefore, the Proposed Action would not result in a significant adverse impact related to greenhouse gas emissions and climate change.
16. **Noise** – The Proposed Action would introduce new noise-sensitive receptors in an area with existing high ambient noise levels. A (E) designation for noise has been placed on the Project Area to avoid significant adverse impacts resulting from stationary sources. However, the Proposed Action may have the potential to generate incremental vehicle trips exceeding the thresholds for conducting a noise analysis of mobile sources. Therefore, the Proposed Actions

may have the potential to result in significant adverse impacts related to mobile noise.

17. **Public Health** – The Proposed Action could result in effects related to air quality or noise. Therefore, the Proposed Action could have the potential to result in significant adverse impacts related to public health.
18. **Neighborhood Character** – The Proposed Action could affect land use, zoning, and public policy, and transportation. As a result, the Proposed Action could have the potential to result in a significant adverse impact related the affected area’s neighborhood character.
19. **Construction** – Construction of the Proposed Project would be considered limited in duration (less than 24 months) and would not require detailed analysis. Therefore, the Proposed Action would not have the potential to result in significant adverse impacts related to construction activities.

**Public Scoping:**

The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

**A public scoping meeting has been scheduled for Thursday, June 23, 2022, at 2:00 P.M.** In support of the City’s efforts to contain the spread of COVID-19, DCP will hold the public scoping meeting remotely. To join the meeting and comment, please visit NYC Engage, (<https://www1.nyc.gov/site/nycengage/events/index.page>). Written comments will be accepted by the lead agency through 5:00 P.M., Tuesday, July 5, 2022.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Should you have any questions pertaining to this Positive Declaration, you may contact Louise Cafiero, at [lcafero@planning.nyc.gov](mailto:lcafero@planning.nyc.gov).

← m23

**HOUSING PRESERVATION AND DEVELOPMENT**

■ NOTICE

**REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT PILOT PROGRAM**

**Notice Date: May 16, 2022**

**To: Occupants, Former Occupants, and Other Interested Parties**

Property:	Address	Application #	Inquiry Period
2261 Morris Avenue, Bronx		41/2022	April 25, 2017 to Present

**Authority: Pilot Program Administrative Code §27-2093.1, §28-505.3**

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling on the Certification of No Harassment Pilot Program building list, the owner must obtain a “Certification of No Harassment” from the Department of Housing Preservation and Development (“HPD”) stating that there has not been harassment of the building’s lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD, at **CONH Unit, 100 Gold Street, 6<sup>th</sup> Floor, New York, NY 10038**, by letter postmarked not later than 45 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call **(212) 863-5277 or (212) 863-8211**.

**For the decision on the Certification of No Harassment Final Determination please visit our website, at [www.hpd.nyc.gov](http://www.hpd.nyc.gov), or call (212) 863-8266.**

**PETICIÓN DE COMENTARIO  
SOBRE UNA SOLICITUD PARA UN  
CERTIFICACIÓN DE NO ACOSO  
PROGRAMA PILOTO**

**Fecha de notificación:** May 16, 2022

**Para:** Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

<b>Propiedad:</b>	<b>Dirección:</b>	<b>Solicitud #:</b>	<b>Período de consulta:</b>
2261 Morris Avenue, Bronx		41/2022	April 25, 2017 to Present

**Autoridad:** PILOT, Código Administrativo §27-2093.1, §28-505.3

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un periodo de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6<sup>th</sup> Floor, New York, NY 10038** por carta con matasellos no mas tarde que **45 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo periodo. Para hacer una cita para una declaración en persona, llame al **(212) 863-5277 o (212) 863-8211**.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en [www.hpd.nyc.gov](http://www.hpd.nyc.gov) o llame al **(212) 863-8266**.

**m16-24**

**REQUEST FOR COMMENT  
REGARDING AN APPLICATION FOR A  
CERTIFICATION OF NO HARASSMENT**

**Notice Date:** May 16, 2022

**To:** Occupants, Former Occupants, and Other Interested Parties

<b>Property:</b>	<b>Address</b>	<b>Application #</b>	<b>Inquiry Period</b>
525 Macon Street, Brooklyn		33/2022	April 21, 2019 to Present
314 West 139 <sup>th</sup> Street, Manhattan		34/2022	April 18, 2019 to Present
400 Washington Avenue, Brooklyn		35/2022	April 20, 2019 to Present
134 West 130 <sup>th</sup> Street, Manhattan		36/2022	April 22, 2019 to Present
1235 Dean Street, Brooklyn		37/2022	April 25, 2019 to Present
621 Union Avenue, Brooklyn		40/2022	April 14, 2019 to Present
320 Rear East 11 <sup>th</sup> Street, Manhattan		50/2022	April 28, 2019 to Present

**Authority:** SRO, Administrative Code §27-2093

Before the Department of Buildings can issue a permit for the alteration or demolition of a single room occupancy multiple dwelling, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD, at **CONH Unit, 100 Gold Street, 6<sup>th</sup> Floor, New York, NY 10038**, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call **(212) 863-5277 or (212) 863-8211**.

*For the decision on the Certification of No Harassment Final Determination please visit our website, at [www.hpd.nyc.gov](http://www.hpd.nyc.gov), or call (212) 863-8266.*

**PETICIÓN DE COMENTARIO  
SOBRE UNA SOLICITUD PARA UN  
CERTIFICACIÓN DE NO ACOSO**

**Fecha de notificación:** May 16, 2022

**Para:** Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

<b>Propiedad:</b>	<b>Dirección:</b>	<b>Solicitud #:</b>	<b>Período de consulta:</b>
525 Macon Street, Brooklyn		33/2022	April 21, 2019 to Present
314 West 139 <sup>th</sup> Street, Manhattan		34/2022	April 18, 2019 to Present
400 Washington Avenue, Brooklyn		35/2022	April 20, 2019 to Present
134 West 130 <sup>th</sup> Street, Manhattan		36/2022	April 22, 2019 to Present
1235 Dean Street, Brooklyn		37/2022	April 25, 2019 to Present
621 Union Avenue, Brooklyn		40/2022	April 14, 2019 to Present
320 Rear East 11 <sup>th</sup> Street, Manhattan		50/2022	April 28, 2019 to Present

**Autoridad:** SRO, Código Administrativo §27-2093

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un periodo de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6<sup>th</sup> Floor, New York, NY 10038** por carta con matasellos no mas tarde que **30 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo periodo. Para hacer una cita para una declaración en persona, llame al **(212) 863-5277 o (212) 863-8211**.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en [www.hpd.nyc.gov](http://www.hpd.nyc.gov) o llame al **(212) 863-8266**.

**m16-24**

**MANAGEMENT AND BUDGET**

■ NOTICE

**THE CITY OF NEW YORK -  
OFFICE OF MANAGEMENT AND BUDGET**

**COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
(CD / CDBG)  
NOTICE OF INTENT TO REQUEST  
RELEASE OF FUNDS (NOI-RROF)**

TO ALL INTERESTED AGENCIES, COMMUNITY BOARDS, GROUPS AND PERSONS:

On or about June 1, 2022, the City of New York will submit a request, to the New York State Office of Community Renewal for the release of Community Development Block Grant (CDBG) funds under Title 1 of the Housing and Community Development Act of 1974, as amended, to undertake a project known as the NYC Mesh Wi-Fi Expansion Pilot / Get Connected Initiative for the purpose of expanding internet access to underserved, low- and moderate-income communities in Coney Island/Brighton Beach (Brooklyn) and Far Rockaway/Arverne (Queens), particularly to residential properties where, at least one unit is supported by a Section 8 Housing Choice Voucher through the NYC Department of Housing Preservation and Development. Through this initiative, the City will use CDBG funds for mesh internet infrastructure (antennae, fiber leases, etc.) and installation that will enable nearly 1,000 households to receive free internet for between

three and five years. Additionally, tens of thousands of low- and moderate-income NYC residents in range of the networks will have access to a low-cost-to-free internet option.

The activities proposed are categorically excluded under HUD regulations, at 24 CFR Part 58 from National Environmental Policy Act requirements. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file, at the NYC Mayor's Office of Management and Budget, 255 Greenwich Street, 8th Floor, New York, NY 10007. The ERR is available, to the public for review either electronically or may be examined or copied in person weekdays 10:00 A.M. to 6:00 P.M. If you wish to view the ERR, please contact Julie Freeman, Director of Community Development, New York City Office of Management and Budget, at freemanj@omb.nyc.gov or (212) 788-6130.

#### PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR, to the New York City Office of Management and Budget, Community Development Unit, 255 Greenwich Street, 8th Floor, New York, NY 10007, or via email, at CDBGComments@omb.nyc.gov. All comments received by May 31, 2022 will be considered by the City of New York prior to authorizing the submission of a request for release of funds.

#### ENVIRONMENTAL CERTIFICATION

The City of New York certifies, to the Office of Community Renewal that Julie Freeman, in her official capacity as a Certifying Officer for the CD Program, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation, to the environmental review process and that these responsibilities have been satisfied. The Office of Community Renewal's acceptance of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the City of New York to use CD program funds.

#### OBJECTIONS TO RELEASE OF FUNDS

The Office of Community Renewal will accept objections to its release of funds and the City of New York's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: a) the certification was not executed by the Certifying Officer of the City of New York; b) the City of New York has omitted a step or failed to make a decision or finding required by HUD regulations, at 24 CFR Part 58; c) the City of New York or other participants in the development process have committed funds, incurred costs, or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by the Office of Community Renewal, or d) another Federal agency acting, pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR § 58.76), and shall be addressed to Crystal Loffler, President, at Office of Community Renewal, Hampton Plaza, 38-40 State Street, 4th Floor, Albany, NY 12207. Potential objectors should contact the Office of Community Renewal to verify the actual last day of the objection period.

City of New York: Eric Adams, Mayor.  
Jacques Jiha, Ph.D., Director, Mayor's Office of  
Management and Budget  
Julie Freeman, Certifying Officer

Date: May 20, 2022

m20-26

### **THE CITY OF NEW YORK - OFFICE OF MANAGEMENT AND BUDGET**

#### **COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CD / CDBG) NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

TO ALL INTERESTED AGENCIES, COMMUNITY BOARDS,  
GROUPS AND PERSONS:

This document constitutes the Notice of Intent to Request Release of Funds for the programs identified below, which are proposed to receive federal funding that was or will be received between Calendar Years 2021 and 2024 (Community Development Years 47-50).

On or about May 25, 2022, the City of New York will submit a request, to the U.S. Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant funds under Title 1 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 et seq.) to undertake the projects described below. This notice is not related to the CDBG-Disaster Recovery Program.

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act requirements. The programs do not involve new construction or the expansion of a building's footprint.

Because sites to be funded under the following five programs are identified throughout the program year, these environmental reviews

are prepared on a tiered or programmatic basis. As sites are identified for CD funding, specific reviews will be conducted.

#### 1. Alternative Enforcement Program (AEP)

AEP is an enforcement mechanism intended to alleviate the serious physical deterioration of the City's most distressed multiple dwellings. The program forces owners to make effective repairs or have the NYC Department of Housing Preservation and Development (HPD) do so in a more comprehensive fashion so that emergency conditions are alleviated and underlying physical conditions are addressed. HPD will notify owners that, based upon criteria in the law, their multiple dwellings have been chosen for participation in AEP. Owner will have four months to repair the violations, pay all outstanding emergency repair charges and liens, submit current and valid property registration statements, and request re-inspection. If an owner fails to meet all of the requirements for discharge within four months, HPD will issue an Order to Correct identifying the building systems that need to be replaced. Should an owner fail to comply with the order, HPD will perform the work. Proposed CD 47-50 funding: \$41,213,000.

#### 2. Senior Center Improvements

The Department for the Aging will use CD funds for the renovation of and rectification of code violations in senior centers. Activities may include plumbing upgrades; installation of lighting and emergency lighting systems, security systems, air conditioning/heating/ventilation systems, kitchen fire extinguishing systems, hot water heaters, fire doors, and ramps; window upgrade/replacement; ceiling and roof rehabilitation; kitchen upgrade; bathroom renovation; re-wiring; floor replacement; handicapped access; and security and elevator improvements. Proposed CD 47-50 funding: \$7,738,000.

#### 3. Landmarks Historic Preservation Grant Program

The Landmarks Preservation Commission provides façade improvement grants to homeowners and nonprofits that own properties that are designated landmarks, located within designated historic districts, or listed in or are eligible to be listed in the National Register of Historic Places. Additionally, sites may receive grants for interior improvements provided the building has a designated interior. Proposed CD 47-50 funding: \$456,000.

#### 4. Maintenance, Operation, and Rehabilitation of Tax-Foreclosed Housing

This program uses CD funds to pay for the following activities in City-Owned, tax-foreclosed housing: fuel and utilities; janitorial services; maintenance, repair, and rehabilitation efforts including responding to emergency complaints and sealing vacant properties; performing field inspections and holding technical interviews with potential contractors; inspecting, monitoring, and surveying projects; and procuring, monitoring, and issuing payment to contractors. CD funds also provide training and technical assistance to tenants and Tenant Associations of City-Owned buildings in the process of becoming independent housing cooperatives. Proposed CD 47-50 funding: \$77,523,000.

#### 5. Project Open House

The Mayor's Office for People with Disabilities uses CD funds to remove architectural barriers from the homes of low- and moderate-income City residents who have mobility impairments. Work may include grab bar installations; main entry components (ramp, chair lift, and door); and kitchen and bathroom modifications. Proposed CD 47-50 funding: \$793,000.

Sites under the following two programs are known; reviews have been completed where noted in the environmental review.

#### 1. City Educational Facilities: Health & Safety Improvements

The Department of Education (DOE) uses CD funds to prevent or remove code violations in New York City schools. The activities may include the installation, repair, or replacement of emergency lighting; elevator guards; doors and hardware; panic hardware; fire alarm, suppression, and extinguishing systems; radiator shields; potable water systems; sewage systems; kitchen ventilation/exhaust systems; heating/cooling/refrigeration systems; flame-proof curtains; building and sidewalk elevators; bleachers; retaining walls; interior masonry; damaged flooring and ceilings; electrical fixtures; mandated signage; and lead testing and remediation. To avoid archaeological concerns, playground resurfacing may be performed provided there is no increase in the playground area and no excavation is proposed. Proposed CD 47-50 funding: \$27,632,000.

#### 2. GreenThumb Gardens

GreenThumb assists neighborhood groups in the creation, maintenance, and enhancement of gardens aimed, at increasing civic participation and neighborhood revitalization through collective stewardship. GreenThumb provides materials, education, programming, and technical support and manages community garden license agreements and registrations. The program also organizes three large events and hosts hundreds of workshops per year. Gardens are managed by local volunteers. CD funds support community gardens in

low- and moderate-income census tracts; City tax levy funds are used for gardens in non-CD-eligible neighborhoods. Proposed CD 47-50 funding: \$5,114,000.

Environmental Review Records (ERR) that document the environmental determinations for each project are on file, at the NYC Mayor's Office of Management and Budget, 255 Greenwich Street, 8th Floor, New York, NY 10007. The ERRs are available, to the public for review either electronically or may be examined or copied in person weekdays 10:00 A.M. to 6:00 P.M. If you wish to view the ERRs, please contact Julie Freeman, Director of Community Development, New York City Office of Management and Budget, at freemanj@omb.nyc.gov or (212) 788-6130.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERRs, to the New York City Office of Management and Budget, Community Development Unit, 255 Greenwich Street, 8th Floor, New York, NY 10007 or via email, at CDBGComments@omb.nyc.gov. All comments received by May 24, 2022 will be considered by the City of New York prior to authorizing the submission of a request for release of funds.

ENVIRONMENTAL CERTIFICATION

The City of New York certifies to HUD that Julie Freeman, in her official capacity as a Certifying Officer for the CD Program, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation, to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the City of New York to use CD program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and the City of New York's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: a) the certification was not executed by the Certifying Officer of the City of New York; b) the City of New York has omitted a step or failed to make a decision or finding required by HUD regulations, at 24 CFR Part 58; c) the City of New York or other participants in the development process have committed funds, incurred costs, or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD, or d) another Federal agency acting, pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR § 58.76), and shall be addressed to HUD, Office of Community Planning and Development, at the following email address: CPD\_COVID-19OEE-NY@hud.gov. Objections, to the release of funds on bases other than those stated above will not be considered by HUD. Potential objectors should contact HUD to verify the actual last day of the objection period.

City of New York: Eric Adams, Mayor. Jacques Jiha, Ph.D., Director, Mayor's Office of Management and Budget

Date: May 17, 2022

m17-23

CHANGES IN PERSONNEL

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes entries for ACEVEDO, ANDERSON, BASS, BECKAGE, BROWN, CARAMINTZOS, DIAZ, DUBBY, EZROLU, FENTON, FRISTOE, GARCIA-RYAN, GARZA, GOTTLIEB, GRANICK, GU, HARGRAVE, HORNG, HUANG.

Table: OFFICE OF MANAGEMENT & BUDGET FOR PERIOD ENDING 04/15/22. Columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes entries for JIN, JOHNSON, LAU, LEE, LIN, LIU, MANCINI, ODUNSI, OGBONNAYA-ODOR, PELLEGRINO, PEREZ, PLUSHNICK, SCHWARTZ, SPANGLER, WAGORN, WELSH, YATES.

Table: TAX COMMISSION FOR PERIOD ENDING 04/15/22. Columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes entry for BARR.

Table: LAW DEPARTMENT FOR PERIOD ENDING 04/15/22. Columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes entries for ANGLADE, BILLY, BURWELL, DEROSA, GODFREY, GOYKADOSH, GREENAWAY, HANKINS, LATTANZIO, MARQUEZ, MASTERS, PEREIRA.

Table: LAW DEPARTMENT FOR PERIOD ENDING 04/15/22. Columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes entries for PESIN-VIROVETS, ROUSE, WALKER, WILCOSKY, WILKENS, WILSON, YARBOROUGH.

Table: DEPARTMENT OF CITY PLANNING FOR PERIOD ENDING 04/15/22. Columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes entries for DAVIS, MCCARTHY, O'ROURKE, RODIN, THODE-NOLAN.

Table: DEPARTMENT OF INVESTIGATION FOR PERIOD ENDING 04/15/22. Columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes entries for ANTOLINI, BENSKY, BOWMAN, GARCIA, HEEGAN, KACINSKI, MONTEFINESE, RON.

Table: TEACHERS RETIREMENT SYSTEM FOR PERIOD ENDING 04/15/22. Columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes entries for BONDS, HINES, JAMISON, JHA, LANDERS, MCKNIGHT, MISTRY, MOORE, PIPKINS, RIMEROV, ROCKFORD, SANDY, STEPHENS, THOMPSON.

CIVILIAN COMPLAINT REVIEW BD FOR PERIOD ENDING 04/15/22

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows include AMUSA, CONCHA-TORO, FOSTER-BAGLEY, SCOTT, TRONTZ, YESSELMAN.

POLICE DEPARTMENT FOR PERIOD ENDING 04/15/22

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows include ABOULWABA, ACEVEDO, ACOSTA, ADDEI, AGRONT, AHMED, AHMED, AKTER, ALADE, ALAM, ALBRIGHT.

POLICE DEPARTMENT FOR PERIOD ENDING 04/15/22

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows include ALE MAGAR, ALEXANDER, ALLICOTT, ALMANZAR, ALVARADO, ALVAREZ, AMSTERDAM, ANDERSON, ANDERSON, ANDREWS, ANSARY, ANSWER GORDON, AQUINO, ARENAS JR, ARIAS, ARNONE, ARRUNATEGUI, ARTEAGA, ASARO, AUSTIN, AVILA TORRES, AVILES, AVILES, AZIZ, AZZARELLI, BAE, BAFUNDO, BALA, BALA, BARBERI, BARHAM, BARMAN, BARRIERA, BARUA, BASTEDENBECK, BATISTA, BEGUM, BELMONTE, BELTRAMI, BENTLEY, BERKOWITZ, BERLIN, BIAGINI, BIRBIGLIA, BISWAS, BISWAS, BLAKE HAMMOND, BOLANO, BOND, BOROWCZAK, BOSLAND.

POLICE DEPARTMENT FOR PERIOD ENDING 04/15/22

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows include BOUDERAU, BOWLER, BOWLES, BOYD, BRANCH, BRONSTEIN, BROWN, BROWN, BROWN, BROWN, BROWN, BRYSON, BUDDEN, BURGOS, BURTON-WOODS.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows include BUSH-SAINTEN, BUTLER, BUTT, CABRERA, CALEMMO, CALLENDER, CALVIN, CAPELLAN, CAPP, CARANGUI, CARDOZA, CARRERAS, CARROLL, CARTER, CASEY, CASTILLO, CASTRO, CHALEKEEN, CHAN, CHAN, CHATTERJEE, CHEN, CHI, CHILDS, CHOI, CHONG JR, CHOWDHURY, CHOWDHURY, CHRISTENSEN, CLARKE, CLAY, CLIFFORD, COLLAZO, COLLINS, COLON, CONCEPCION.

POLICE DEPARTMENT FOR PERIOD ENDING 04/15/22

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows include CONDELLO III, CONNOLLY, CONT, CONTINO, COOPER, COOPER, CORREA, COSTA, COTTO, COVATTI, COWART, CREMIN, CRESCI, CRUZ, CRYSTAL, CUBA JR., CUEVAS, CURATOLA, CURMA, DALY, DAMBRE, DAVID, DAVIS, DE LEON, DE LOS SANTOS A, DEFRANCESCO, DEJESUS, DELEON, DELEON, DEPASQUALE, DESABATO, DILDY, DOLL, DONNELLY, DOWNES, DRAIN, DUNSIING, DUPEROY, DURAN, DURGADEEN, DURHAM, DYCE, EASTON, EDWARDS, EGAN, ELMETWALLY, EMON, ENRIQUEZ, ESPADA, ESPINAL, ESSIG.

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