



THE CITY RECORD

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TABLE OF CONTENTS

PUBLIC HEARINGS & MEETINGS

Bronx Borough President	.3505
City Council	.3505
Community Boards	.3505
Landmarks Preservation Commission	.3506
Loft Board	.3506
Board of Standards and Appeals	.3506
Transportation	.3506
Voter Assistance Commission	.3506

PROPERTY DISPOSITION

Citywide Administrative Services	.3506
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Municipal Supply Services	.3506
Sale by Auction	.3506
Sale by Sealed Bid	.3507
Police	.3507
PROCUREMENT	
Administration for Children's Services	.3507
City University	.3507
Citywide Administrative Services	.3507
Municipal Supply Services	.3507
Vendor Lists	.3507
Comptroller	.3507

Audit	.3507
Economic Development Corporation	.3507
Contracts	.3507
Education	.3508
Contracts and Purchasing	.3508
Health and Hospitals Corporation	.3508
Health and Mental Hygiene	.3508
Agency Chief Contracting Officer	.3508
Homeless Services	.3508
Office of Contracts and Procurement	.3508
Human Resources Administration	.3508

Juvenile Justice	.3508
AGENCY PUBLIC HEARINGS	
Parks and Recreation	.3508
AGENCY RULES	
Buildings	.3508
Landmarks Preservation Commission	.3509
Sanitation	.3511
SPECIAL MATERIALS	
Health and Mental Hygiene	.3512
Housing Preservation and Development	3512

THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

EDNA WELLS HANDY, Commissioner, Department of Citywide Administrative Services.
ELI BLACHMAN, Editor of The City Record.

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BRONX BOROUGH PRESIDENT

■ PUBLIC HEARINGS

A PUBLIC HEARING IS BEING CALLED by the President of the Borough of the Bronx, Honorable Ruben Diaz Jr. on Tuesday, December 21, 2010 commencing at 1:00 P.M. (please note later start time) in the offices of the Borough President Room 206, 851 Grand Concourse the Bronx, New York 10451 on the following items:

CD #3-ULURP APPLICATION NO: C 110114 HUX - IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 505 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter for the second amendment to the Melrose Commons Urban Renewal Plan for the Melrose Commons Urban Renewal Area, Borough of the Bronx, Community District 3.

CD #3-ULURP APPLICATION NO: C 110115 ZMX - IN THE MATTER OF AN application submitted by the New York City Department of Housing Preservation and Development (HPD) pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a:

- changing from an R7-2 District to an R7A District property bounded by East 163rd Street, a line 100 feet northwesterly of Melrose Avenue, East 162nd Street, and Courtlandt Avenue;
- changing from an R7-2 District to an R8 District property bounded by East 163rd Street, Melrose Avenue, East 162nd Street, and a line 100 feet northwesterly of Melrose Avenue; and
- establishing within the proposed R8 District a C1-4 District bounded by East 163rd Street, Melrose Avenue, East 162nd Street, and a line 100 feet northwesterly of Melrose Avenue;

Borough of the Bronx, Community District 3, as shown on a diagram (for illustrative purpose only) dated October 25, 2010.

CD #5 - ULURP APPLICATION NO: C 110091 HAX - IN THE MATTER OF AN application submitted by the NYC Department of Housing Preservation and Development (HPD):

Pursuant to Article 16 of the General Municipal Law of New York State for:

- the designation of property located at 2311 Tiebout Avenue (Block 3146, Lot 67)

- as an Urban Development Action Area; and
 - an Urban Development Action Area Project for such area; and
- pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

To facilitate development of a 7-story building with approximately 20 dwelling units.

CD #6 - ULURP APPLICATION NO: C 110100 ZSX - IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development (HPD) pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681(a)(2) of the Zoning Resolution to allow that portion of the right-of-way or yard where a railroad or transit use has been permanently discontinued or terminated to be included in the lot area for a proposed mixed-use development on property located at 1175 East Tremont Avenue a.k.a. 1160 Lebanon Street (Site A, Block 4007, Lot 15), in an M1-1 District, Borough of the Bronx, Community District 6.

Plans for this proposed project are on file with the City Planning Commission and may be seen at 22 Reade Street, Room 3N, New York, New York 10007.

CD #6 - ULURP APPLICATION NO: C 110101 HAX - IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development (HPD):

- Pursuant to Article 16 of the General Municipal Law of New York State for:
 - the designation of properties located at 1157-1167 East 178th Street a.k.a. 1172 East Tremont Avenue (Site B, Block 3909, Lot 8 and 1160 Lebanon Street a.k.a. 1175 East Tremont Avenue (Site A, Block 4007, Lot 15) as an Urban Development Action Area; and
 - an Urban Development Action Area Project for such area; and

Pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

To facilitate development of three mixed use building with a total of approximately 141 dwelling units.

CD #6-ULURP APPLICATION NO: C 110103 ZSX - IN THE MATTER OF an application submitted by the New York City Department of Housing Preservation and Development (HPD) pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 (a)(2) of the Zoning Resolution to allow that portion of the right-of-way or yard where railroad or transit use has been permanently discontinued or terminated to be included in the lot area for a proposed mixed-use development on property located at 1157-1167 East 178th Street a.k.a. 1172 East Tremont Avenue (Site B, Block 3909, Lot 8) in an M1-1 District, Borough of the Bronx, Community District 6.

Plans for this proposal are on file with the City Planning Commission and may be seen at 22 Reade Street, Room 3N, New York, New York 10007.

ANYONE WISHING TO SPEAK AT THIS PUBLIC HEARING MAY REGISTER AT THE HEARING. PLEASE DIRECT ANY QUESTIONS CONCERNING THESE MATTERS TO THE BRONX BOROUGH PRESIDENT'S OFFICE 718-590-6124

d14-20

CITY COUNCIL

■ HEARINGS

THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS WILL HOLD A HEARING ON MONDAY, DECEMBER 20, 2010, AT 10:30 A.M. IN THE 16TH FLOOR HEARING ROOM AT 250 BROADWAY, NEW YORK, NY 10007 ON THE FOLLOWING MATTERS:

Designation

- Preconsidered-M, Pursuant to §1303 of the New York City Charter, the Council of the City of New York will vote on the designation of Council Member Michael Nelson to serve as a member of the New York City Waterfront Management Advisory Board.

Advice and Consent

- Preconsidered-M, Communication from the Mayor submitting the name of Jeanne DuPont for appointment as a member of the New York City Waterfront Management Advisory Board pursuant to §§31 and 1303 of the New York City Charter.
- Preconsidered-M, Communication from the Mayor submitting the name of Lee Stuart for appointment as a member of the New York City Waterfront Management Advisory Board pursuant to §§31 and 1303 of the New York City Charter.
- Preconsidered-M, Communication from the Mayor submitting the name of Roland Lewis for appointment as a member of the New York City Waterfront Management Advisory Board pursuant to §§31 and 1303 of the New York City Charter.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

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

Michael M. McSweeney
City Clerk, Clerk of the Council

d16-20

COMMUNITY BOARDS

■ PUBLIC HEARINGS

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF MANHATTAN

COMMUNITY BOARD NO. 03 - Tuesday, December 21, 2010, 6:30 P.M., Public School 20, 166 Essex Street (E. Houston and Stanton Sts.), New York, NY

#110140HAM

Application for UDAAP designation and project approval, related disposition of city-owned property, to facilitate the construction of a new 12-story mixed-use building with approximately 16 residential units.

#110141PQM

Acquisition of property to facilitate the proposed new construction.

#110165ZRM

Amendment to the Zoning Resolution, Section 23-962, to enable the proposed new building to be constructed on property which is currently city-owned.

#110124ZCM

Certification, pursuant to Zoning Resolution Section 95-04, as to whether a transit easement volume is required.

d15-21

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday, January 4, 2011 at 9:30 A.M.**, at the Landmarks Preservation Commission will conduct a *public hearing* in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Landmark and Landmark Site. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

ITEM TO BE HEARD

BOROUGH OF BROOKLYN

PUBLIC HEARING ITEM NO. 1

LP-2465
FRANKLIN BUILDING, 186 Remsen Street (aka 184-188 Remsen Street), Brooklyn.
Landmark Site: Borough of Brooklyn Tax Map Block 255, Lot 42

◆ d16-js

LOFT BOARD

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN PURSUANT TO ARTICLE 7 OF THE PUBLIC OFFICERS LAW that the New York City Loft Board will have its monthly Board meeting and a public hearing on the amendments to Sections 2-05 and 2-08 to comport with Multiple Dwelling Law 281(5) on **Thursday, January 20, 2011. The meeting will be held at 2:00 P.M. at Spector Hall, 22 Reade Street, 1st Floor.** The proposed agenda will include cases and general business.

The general public is invited to attend and observe the proceedings. Written comments regarding the proposed amended rules may be sent to the New York City Loft Board at 100 Gold Street, 2nd Floor, New York, NY 10038 to the attention of Ms. Alexander on or before January 14, 2011. Persons seeking to testify are requested to notify Ms. Alexander at 100 Gold Street, 2nd Floor, New York, NY 10038 or by telephone at (212) 566-5663.

d15-17

BOARD OF STANDARDS AND APPEALS

■ PUBLIC HEARINGS

JANUARY 11, 2011, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, January 11, 2011, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

1095-64-BZ

APPLICANT – Garo Gumusvan, R.A., for 605 Apartment Corporation, owner; Park & 65 Garage Corporation, lessee. SUBJECT – Application August 31, 2010 – Extension of Term permitting the use of no more than 20 unused and surplus tenant parking spaces, within an accessory garage, for transient parking granted by the Board pursuant to §60 (3) of the Multiple Dwelling Law (MDL) which is set to expire on March 9, 1980. R8B & R-10 zoning district. PREMISES AFFECTED – 605 Park Avenue, south east corner of Park Avenue and East 65th Street, Block 1399, Lot 74, Borough of Manhattan.
COMMUNITY BOARD #4M

433-65-BZ

APPLICANT – Andrea Claire/Peter Hirshman, for 15 West 72 Owner Corporation, owner; Mafair Garage Corporation, lessee. SUBJECT – Application July 22, 2010 – Extension of Term for transient parking in an accessory parking garage of a multiple dwelling building which expired on June 22, 2010. R8B/R10A zoning district. PREMISES AFFECTED – 15 West 72nd Street, 200'-2½ west of Central Park West 72nd Street, Block 1125, Lot 24, Borough of Manhattan.
COMMUNITY BOARD #7M

749-65-BZ

APPLICANT – Sheldon Lobel, P.C., for Henry Koch, owner. SUBJECT – Application October 14, 2010 – Extension of Term of a previously granted Variance (§72-21) for the continued operation of a UG16 Gasoline Service Station (*Getty*) with accessory uses which expired on November 3, 2010; Extension of Time to obtain a Certificate of Occupancy which expired on December 19, 2002; Waiver of the Rules. R3X zoning district. PREMISES AFFECTED – 1820 Richmond Road, southeast corner of Richmond Road and Stobe Avenue, Block 3552, Lot 39, Borough of Staten Island.
COMMUNITY BOARD #2SI

119-07-BZ

APPLICANT – Sheldon Lobel, P.C., for SCO Family of Services, owner. SUBJECT – Application November 15, 2010 – Extension of Time to obtain a Certificate of Occupancy of a previously granted Variance (§72-21) permitting a (UG4A) four-story community facility building which expires on January 27, 2011. M1-2 zoning district. PREMISES AFFECTED – 443 39th Street, rectangular mid-block lot with 35' of frontage on the north side of 39th Street, 275' west of 5th Avenue, Block 705, Lot 59, Borough of Brooklyn.
COMMUNITY BOARD #7BK

238-07-BZII

APPLICANT – Goldman Harris LLC, for OCA Long Island City LLC; OCAII & III c/o O'Connor Capital, owner. SUBJECT – Application July 1, 2010 – In-Part Legalization

for an Amendment of minor modification of a previously approved Variance (§72-21) to allow the Mixed Use Building or the Dormitory Building to be constructed and occupied prior to the construction and occupancy of the other building. M-4/R6A (LIC) and M1-4 zoning districts.

PREMISES AFFECTED – 5-11 47th Avenue, 46th Road at north, 47th Avenue at south, 5th Avenue at west, Vernon Boulevard at east. Block 28, Lot 12, 15, 17, 18, 21, 38. Borough of Queens
COMMUNITY BOARD #2Q

APPEALS CALENDAR

216-10-A

APPLICANT – Kramer Levin Naftalis & Frankel LLP, for 1466 Broadway LP c/o Highgate Holdings, Incorporated, owner.

SUBJECT – Application November 12, 2010 – Appeal filed pursuant to Section 310(2) of the Multiple Dwelling Law seeking a variance of the court requirements under Section 26 of the Multiple Dwelling Law. C6-7 Zoning District. PREMISES AFFECTED – 1466 Broadway, southeast corner of Broadway and West 42nd Street, Block 994, Lot 54, Borough of Manhattan.
COMMUNITY BOARD #5M

JANUARY 11, 2011, 1:30 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, January 11, 2011, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

31-10-BZ

APPLICANT – Eric Palatnik, P.C., for 85-15 Queens Realty, LLC, owner.

SUBJECT – Application March 16, 2010 – Variance (§72-21) to allow for a commercial building, contrary to use (§22-00), lot coverage (§23-141), front yard (§23-45), side yard (§23-464), rear yard (§33-283), height (§23-631) and location of uses within a building (§32-431) regulations. C1-2/R6, C2-3/R6, C1-2/R7A, R5 zoning districts. PREMISES AFFECTED – 85-15 Queens Boulevard aka 51-35 Reeder Street, north side of Queens Boulevard, between Broadway and Reeder Street, Block 1549, Lot 28, 41, Borough of Queens.
COMMUNITY BOARD #4Q

127-10-BZ

APPLICANT – Law Office of Fredrick A. Becker, for Aleksandr Goldshmidt and Inna Goldshmidt, owners. SUBJECT – Application July 12, 2010 – Special Permit (§73-622) for the enlargement of an existing single family home contrary to floor area, open space, lot coverage (§23-141), exceeds the maximum perimeter wall height (§23-631) and less than the required rear yard (§23-47). R3-1 zoning district. PREMISES AFFECTED – 45 Coleridge Street, east side of Coleridge Street, between Shore Boulevard and Hampton Avenue, Block 8729, Lot 65, Borough of Brooklyn.
COMMUNITY BOARD #15BK

173-10-BZ

APPLICANT – Nasir J. Khanzada, for Olympia Properties, LLC., owner.

SUBJECT – Application August 26, 2010 – Special Permit (§73-30) to legalize the operation of a physical culture establishment (*Olympia Spa*) located in a C2-4/R6B zoning district. PREMISES AFFECTED – 65-06 Fresh Pond Road, west side of Fresh Pond Road, 45.89' south of corner of Linden Street and Fresh Pond Road, Block 3526, Lot 67, Borough of Queens.
COMMUNITY BOARD #5Q

Jeff Mulligan, Executive Director

d15-16

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday, December 22, 2010. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing 122 Washington Place LLC to continue to maintain and use a stoop on the north sidewalk of Washington Place, east of Barrow, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides among other terms and conditions for compensation payable to the city according to the following schedule:

For the period from July 1, 2010 to June 30, 2020 - \$25/annum

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

#2 In the matter of a proposed revocable consent authorizing Farid Jaber to maintain and use a fenced-in planted area on the south sidewalk of Jewel Avenue, east of 112th Street and on the east sidewalk of 112th Street, south of Jewel Avenue, in the Borough of Queens. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2021 and provides among other terms and condition for compensation payable to the city according to the following schedule:

For the period from the date of Approval by the Mayor to June 30, 2021 - \$936/annum.

the maintenance of a security deposit in the sum of \$10,000 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#3 In the matter of a proposed revocable consent authorizing 346 West 17th Street, LLC to construct, maintain and use a snowmelt system, under the north sidewalk of West 16th Street, east of Ninth Avenue, in the Borough of Manhattan.

The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2021 and provides among other terms and conditions for compensation payable to the following schedule:

From the date of Approval by the Mayor to June 30, 2011 - \$8,823/annum

For the period July 1, 2011 to June 30, 2012 - \$ 9,093
For the period July 1, 2012 to June 30, 2013 - \$ 9,363
For the period July 1, 2013 to June 30, 2014 - \$ 9,633
For the period July 1, 2014 to June 30, 2015 - \$ 9,903
For the period July 1, 2015 to June 30, 2016 - \$10,173
For the period July 1, 2016 to June 30, 2017 - \$10,443
For the period July 1, 2017 to June 30, 2018 - \$10,713
For the period July 1, 2018 to June 30, 2019 - \$10,983
For the period July 1, 2019 to June 30, 2020 - \$11,253
For the period July 1, 2020 to June 30, 2021 - \$11,523

the maintenance of a security deposit in the sum of \$12,000 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#4 In the matter of a proposed revocable consent authorizing Roswell Avenue Homeowners Association, Inc. to construct, maintain and use a force main, together with a manhole, under, across and along the roadway of Melvin Avenue, northeasterly of Wild Avenue, in the Borough of Staten Island. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2021 and provides among other terms and condition for compensation payable to the city according to the following schedule:

From the date of Approval by the Mayor to June 30, 2011 - \$5,942 /annum

For the period July 1, 2011 to June 30, 2012 - \$6,124
For the period July 1, 2012 to June 30, 2013 - \$6,306
For the period July 1, 2013 to June 30, 2014 - \$6,488
For the period July 1, 2014 to June 30, 2015 - \$6,670
For the period July 1, 2015 to June 30, 2016 - \$6,852
For the period July 1, 2016 to June 30, 2017 - \$7,034
For the period July 1, 2017 to June 30, 2018 - \$7,216
For the period July 1, 2018 to June 30, 2019 - \$7,398
For the period July 1, 2019 to June 30, 2020 - \$7,580
For the period July 1, 2020 to June 30, 2021 - \$7,762

the maintenance of a security deposit in the sum of \$10,000 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#5 In the matter of a proposed revocable consent authorizing Central Park Properties, LLC to construct, maintain and use a fenced-in planted areas and a trash enclosure on the north sidewalk of West 85th Street, between Amsterdam and Columbus Avenues, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date to June 30, 2021 and provide among other terms and conditions for compensation payable to the city according to the following schedule:

For the period from the date of Approval by the Mayor to June 30, 2021 - \$100/annum.

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

#6 In the matter of a proposed revocable consent authorizing United Jewish Appeal-Federation of Jewish Philanthropies of New York, Inc. to construct, maintain and use security bollards and a subsurface security wall on and under the south sidewalk of East 59th Street between Park Avenue and Lexington Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2021.

There shall be no compensation required for this revocable consent.

the maintenance of a security deposit in the sum of \$20,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

d1-22

VOTER ASSISTANCE COMMISSION

■ PUBLIC HEARINGS

VAC Annual Public Hearing hosted at: Mayor's Office of Cultural Affairs, Thursday, December 16, 2010, 4:30 P.M. at 31 Chambers Street, 2nd Floor, Room 209.

d10-16

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

■ SALE BY AUCTION

PUBLIC AUCTION SALE NUMBER 11001-K

NOTICE IS HEREBY GIVEN of a public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, January 5, 2011 (SALE NUMBER 11001-K). Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

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

A listing of vehicles to be offered for sale in the next auction can be viewed on our website, on the Friday prior to the sale date at:

http://www.nyc.gov/autoauction
or
http://www.nyc.gov/autoauctions

Terms and Conditions of Sale can also be viewed at this site.

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

d8-j5

SALE BY SEALED BID

SALE OF: 7 LOTS OF MISCELLANEOUS EQUIPMENT, USED/UNUSED.

S.P.#: 11014 DUE: December 21, 2010

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

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

d8-21

POLICE

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

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

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

Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

INQUIRIES

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

FOR MOTOR VEHICLES

(All Boroughs):

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

FOR ALL OTHER PROPERTY

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

j1-d31



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

ADMINISTRATION FOR CHILDREN'S SERVICES

AWARDS

Services (Other Than Human Services)

ANALYTICAL SERVICES - SERVICE AREA 1 - Request for Proposals - PIN# 068-09-RFP1111 - AMT: \$506,250.00 - TO: Vera Institute of Justice, 233 Broadway, 12th Floor, NY, NY 10279. In the area of Technical Assistance in Support of Policy Research and Program Analysis.

d16

CITY UNIVERSITY

SOLICITATIONS

Goods

LENS EDGER AND TRACER BLOCKER EQUIPMENT - Sole Source - Available only from a single source - PIN# 041004121006 - DUE 12-28-10 AT 3:00 P.M. - New York City College of Technology will be entering into a purchase order contract with Gerber Coburn Optical, Inc. for the purchase of a Mr. Blue Tracer/Blocker and Mr. Blue Edger. These equipment facilitates automatic and manual binocular tracing of lenses, automatic and manual centering, drilling, milling, beveling and grooving of high base optical lenses. This notice is not an invitation for competition or interest, but is intended to meet the requirement to give public notice of a Sole Source purchase. This is as per New

York State Finance Law, Section 163 which authorizes Sole Source purchases without a formal competitive process in certain circumstances.

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.

New York City College of Technology, 11th Fl., 25 Chapel St., Brooklyn, NY 11201. Paula Morant (718) 473-8960 fax: (718) 473-8997, pmorant@citytech.cuny.edu

d14-20

NOBEL PROCERA CAD/CAM RESTORATIVE DENTISTRY SYSTEM

- Sole Source - Available only from a single source - PIN# 041004121005 - DUE 12-27-10 AT 3:00 P.M. - New York City College of Technology will be entering into a purchase order contract with Nobel Biocare USA, LLC for the purchase of a NobelProcera CAD/CAM System. NobelProcera CAD/CAM System facilitates design of a full range of prosthetics, from highly esthetic crowns and bridges to complex implant related restorations. This system adds a new level of efficiency, precision and cost-effectiveness to dental laboratories. This notice is not an invitation for competition or interest, but is intended to meet the requirement to give public notice of a Sole Source purchase without a formal competitive process in certain circumstances.

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.

New York City College of Technology, 11th Fl., 25 Chapel St., Brooklyn, NY 11201. Paula Morant (718) 473-8960 fax: (718) 473-8997, pmorant@citytech.cuny.edu

d13-17

CITYWIDE ADMINISTRATIVE SERVICES

SOLICITATIONS

Services (Other Than Human Services)

IN-HOUSE UNEMPLOYMENT INSURANCE CASE TRACKING SOLUTION

- Request for Proposals - PIN# 85610P0006 - DUE 01-18-11 AT 11:00 A.M. - Provide a commercial off-the shelf ("COTS") solution that will specifically be designed to manage and track the City's verification and validation of unemployment benefit claims.

Interested parties may download the RFP from the City Record On-Line, at www.nyc.gov/cityrecord. Questions regarding the RFP should be addressed to Robert Aboulafia, the Authorized Agency Contact Person, at Department of Citywide Administrative Services, Office of Contracts, (212) 669-3538 or raboulafia@dcas.nyc.gov

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

Department of Citywide Administrative Services 1 Centre Street, Room 1800, New York, NY 10007. Robert Aboulafia (212) 669-3538, fax: (212) 669-3570 raboulafia@dcas.nyc.gov

d16

MUNICIPAL SUPPLY SERVICES

SOLICITATIONS

Goods

COLILERT KITS AND ACCESSORIES BRAND SPECIFIC - Competitive Sealed Bids - PIN# 8571100065 - DUE 01-06-11 AT 10:30 A.M.

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

Department of Citywide Administrative Services 1 Centre Street, Room 1800, New York, NY 10007. Anna Wong (212) 669-8610, fax: (212) 669-7603 dcasdmssbids@dcas.nyc.gov

d16

VENDOR LISTS

Goods

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

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

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

fy17-j4

EQUIPMENT FOR DEPARTMENT OF SANITATION

- In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:
A. Collection Truck Bodies

- B. Collection Truck Cab Chassis
- C. Major Component Parts (Engine, Transmission, etc.)

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

fy17-j4

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

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

fy17-j4

COMPTROLLER

AUDIT

VENDOR LISTS

Services (Other Than Human Services)

PREQUALIFIED LIST - CPA FIRMS - NOTICE OF INVITATION TO APPLY FOR PREQUALIFIED LIST - CPA FIRMS

The New York City Office of Comptroller maintains a LIST OF PREQUALIFIED CPA FIRMS to provide auditing services and other services to City agencies. Agencies are required to solicit external CPA audit services from firms on this list.

In order to be considered for placement on the List, firms must:

1. Be registered with the New York State Education Department to practice in the State of New York, under the firm's current organizational status.
2. Have had a System peer review of the firm's auditing practice within the last 3 years, in accordance with AICPA Standards, and received an unmodified opinion.
3. Submit completed City Vendor and Principal Questionnaires to both the Comptroller's Office and Mayor's Office of Contract Services.

Applications to be considered for placement on the List may be downloaded from the New York City Office of the Comptroller's website at http://www.comptroller.nyc.gov/bureaus/audit/cpaquestionnaire.shtm (Application for the CPA List). You may also contact Mr. Dennis J. Hochbaum, Director Quality Assurance, at (212) 669-8887, or write to his attention at: The City of New York, Office of the Comptroller Bureau of Audit, One Centre Street, Room 1100 North, New York, NY 10007.

PPB Rule Section 3-10 (E)(K)

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.

Comptroller's Office, 1 Centre Street, Room 1100N, New York, NY 10007. Dennis Hochbaum (212) 669-8887, fax: (212) 669-8652, DHochba@comptroller.nyc.gov

d13-17

ECONOMIC DEVELOPMENT CORPORATION

CONTRACTS

SOLICITATIONS

Goods & Services

APPLIED SCIENCES, CONSULTANT SERVICES - Request for Information - PIN# 4793-1 - DUE 03-11-11 AT 4:00 P.M. - The New York City Economic Development Corporation is offering a unique opportunity to develop a premier science and research facility and campus in the City of New York ("the City"). In a City with more than 626,000 students and 39 percent of global market capitalization, the City is a business and academic capital, both nationally and internationally. In keeping with the history of staying at the forefront of innovation and research, the City would like to capture an opportunity for growth within the science and research fields. In order to maintain a diverse and competitive economy, the City seeks to strengthen its applied sciences capabilities, particularly in fields which lend themselves to commercialization opportunities.

NYCEDC is seeking an institution to build a future in the City and accomplish the following goals:

- Create a world class Applied Sciences Research/Educational Facility focused on applied research
- Contribute to the diversification of the City's economy by growing its applied science base
- Develop a financially self sustainable campus
- Develop research that will lead to new companies in emerging industries
- Utilize the natural testing platform that the City's dense population and building stock afford
- Continue to grow one of the largest scientific research populations in the country

NYCEDC plans to review consultants on the basis of factors stated in the RFEI which include, but are not limited to: the quality of the proposal and demonstrated successful experience in performing services similar to those encompassed in the RFEI.

Companies who have been certified with the New York City Department of Small Business Services as Minority and Women Owned Business Enterprises ("M/WBE") are strongly encouraged to apply. To learn more about M/WBE certification and NYCEDC's M/WBE program, please visit www.nycedc.com/opportunitymwd.

Those who are interested in receiving tours of City owned and City-affiliate controlled sites should RSVP by email to

appliedsciences@nycedc.com on or before Monday, February 28, 2011. Tours will be scheduled on an as-requested basis.

Respondents may submit questions and/or request clarifications from NYCEDC no later than 5:00 P.M. on Tuesday, March 1, 2011. Questions regarding the subject matter of this RFEI should be directed to appliedsciences@nycedc.com. For all questions that do not pertain to the subject matter of this RFEI please contact NYCEDC's Contracts Hotline at (212) 312-3969. Answers to all questions will be posted by Tuesday, March 8, 2011 to www.nycedc.com/RFP.

The RFEI is available for in-person pick-up between 9:30 A.M. and 4:30 P.M., Monday through Friday, from NYCEDC, 110 William Street, 6th Floor, New York, NY (between Fulton and John Streets). To download a copy of the solicitation documents please visit www.nycedc.com/RFP. Responses are due no later than 4:00 P.M. on Wednesday, March 16, 2011. Please submit fifteen (15) sets of your expression of interest and two electronic versions to NYCEDC.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Economic Development Corp., 110 William Street, 6th Floor, New York, NY 10038. Maryann Catalano (212) 312-3969, fax: (212) 312-3533, appliedsciences@nycedc.com

d16

EDUCATION

CONTRACTS AND PURCHASING

■ INTENT TO AWARD

Goods

TURBINE MINI LAB SYSTEM FOR AVIATION HIGH SCHOOL – Other – PIN# B1810040 – DUE 12-29-10 AT 3:00 P.M. – The Department of Education intends to enter into a sole source goods procurement with Turbine Technologies, LTD for a Turbine Mini Lab System. This system offers experimental and teaching opportunities for thermodynamic related courses and research. This Mini Lab system will enable aviation students to study the macroscopic variables of jet engines. Should you be able to provide these products please respond in writing via: email to: nlabetti@schools.nyc.gov by Wednesday, December 29th, 2010.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Education, 65 Court Street, Room 1201 Brooklyn, NY 11201. Nick Labetti (718) 935-2300 nlabetti@schools.nyc.gov

d10-16

HEALTH AND HOSPITALS CORPORATION

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-4018.

j1-d31

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

■ SOLICITATIONS

Human/Client Services

NEW YORK/NY III SUPPORTED HOUSING CONGREGATE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 81608PO076300R0X00-R – DUE 03-22-12 AT 4:00 P.M. – The Department is issuing a RFP to establish 3,000 units of citywide supportive housing in newly constructed or rehabilitated single-site buildings for various homeless populations pursuant to the New York III Supported Housing agreement. The subject RFP will be open-ended and proposals will be accepted on an on-going basis. The RFP is available on-line at <http://www.nyc.gov/html/doh/html/acco/acco-rfp-nynycongregate-20070117-form.shtml>. A pre-proposal conference was held on March 6, 2007 at 2:00 P.M. at 125 Worth Street, 2nd Floor Auditorium, New York, N.Y. Any questions regarding this RFP must be sent in writing in advance to Contracting Officer at the above address or fax to (212) 219-5865. All proposals must be hand delivered at the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, NY 10013, no later than March 22, 2012.

As a minimum qualification requirement for (1) the serious and persistent mentally ill populations, the proposer must be incorporated as a not-for-profit organization, and (2) for the young adult populations, the proposer must document site control and identify the source of the capital funding and being used to construct or renovate the building.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Health and Mental Hygiene, 93 Worth Street, Room 812 New York, NY 10013. Huguetta Beauport (212) 219-5883, fax: (212) 219-5890, hbeaupor@health.nyc.gov

o1-m21

HOMELESS SERVICES

■ SOLICITATIONS

Human/Client Services

CITY-OWNED SINGLE ROOM OCCUPANCY

RESIDENCES – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 07111P0006 – DUE 01-26-11 AT 2:00 P.M. – Located in The Bronx, Brooklyn, and Manhattan. Each SRO program will be comprised of building management and program services, which are described in the scope of services of the RFP. The selected contractor(s) may subcontract with another vendor or not-for-profit to provide building management and on-site-social services. In such case, submit a written formal agreement between the two organizations with the proposal. Clients would include only individuals who are known to DHS approved shelters and street homeless programs and are referred through DHS Placement and Facilities Unit (PFU); individuals approved by the HIV and AIDs Services Administration (HASA); and individuals approved by the Human Resources Administration's (HRA) and the Office of Health and Mental Hygiene as eligible under any New York/New York Agreement to House the Homeless Mentally ill. Non-New York/New York and/or DHS referrals will only count if approved and referred by DHS PFU.

A pre-proposal Conference is scheduled for Tuesday, January 04, 2011 at 2:00 P.M., located at the 33 Beaver Street, 17th Floor Conference Room, New York, NY 10004. Attendance at the pre-proposal conference is optional but proposers are strongly encouraged to attend. Please bring appropriate identification for security clearance.

SRO Site Visit Schedule:

Wednesday, January 05, 2011 at 10:00 A.M.
East 12th Street, Residence, 331 East 12th Street, Manhattan, New York, NY 10003
The nearest subway is the 4, 5, N, train to 14th Street Station then walk two blocks 331 East 12th Street.

Wednesday, January 05, 2011 at 2:00 P.M.
East 119th Street Veterans' 22 East 119th Street, New York, NY 11435
The nearest subway is the #2, 3 train to 116th Street Station.

Thursday, January 06, 2011 at 10:00 A.M.
Mt. Eden Ave. SRO, 50 Mount Eden Avenue, Bronx, NY 10452
The nearest subway is the #3 train to the Mt. Eden Avenue Street Station.

Thursday, January 06, 2011 at 2:00 P.M.
1381 East New York Ave., SRO 1381 East New York, NY 11435
The nearest subway is the #4 train to the East New York Street Station.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Homeless Services, 33 Beaver Street 13th Floor, New York, NY 10004. Deborah Coleman-Mann (212) 361-8440, dmamm@dhs.nyc.gov, cpitter@dhs.nyc.gov

d16

OFFICE OF CONTRACTS AND PROCUREMENT

■ SOLICITATIONS

Human/Client Services

CORRECTION: TRANSITIONAL RESIDENCES FOR HOMELESS/ DROP-IN CENTERS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-27-11 AT 10:00 A.M. – CORRECTION: The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Homeless Services, 33 Beaver Street 13th Floor, New York, NY 10004.
Marta Zmoira (212) 361-0888, mzmzmoira@dhs.nyc.gov

j6-20

HUMAN RESOURCES ADMINISTRATION

■ AWARDS

Human/Client Services

PERMANENT CONGREGATE SUPPORTIVE

HOUSING – Negotiated Acquisition – PIN# 09610N0004001 – AMT: \$13,013,892.00 – TO: Comunilife, Inc., 214 West 29th Street, 8th Floor, New York, New York 10001.
Contract Term: 01/01/2011 to 12/31/2019
HRA PIN#: 06909H067101
● **SCATTER SITE I HOUSING** – Competitive Sealed Proposals – PIN# 06907P0025CNVR001 – AMT: \$3,105,864.00 – TO: Heartshare Human Services of New York, 12 MetroTech Center, 29th Floor, Brooklyn, New York 11201.
Contract Term: 07/01/2010 to 06/30/2013
HRA PIN#: 06911H046506

d16

JUVENILE JUSTICE

■ SOLICITATIONS

Human/Client Services

PROVISION OF NON-SECURE DETENTION GROUP HOMES – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 13010DJJ000 – DUE 06-30-11 AT 5:00 P.M. – ACS Division of Youth and Family Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 5:00 P.M. on 6/30/11.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Juvenile Justice, 150 William Street, 9th Floor, New York, NY 10038. Patricia Chabla (212) 341-3505 fax: (212) 341-3625, Patricia.chabla@dofa.state.ny.us

d15-j29

AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.

PARKS AND RECREATION

■ PUBLIC HEARINGS

CANCELLATION OF PUBLIC HEARING

PUBLIC HEARING in the matter of a proposed contract between the City of New York Parks & Recreation (Parks) and Infor Global Solutions (Michigan) Inc., 13560 Morris Road, Suite 4100, Alpharetta, GA 30004, to provide services to: (a) reconfigure the Inspections Module, (b) deploy the educational curriculum, (c) support server performance enhancements, (d) integrate with the City 311 system, (e) create certain custom reports, (f) provide processes for data storeroom management, and (g) deliver ongoing project management services. The contract amount shall be \$614,120.00. The contract term shall be from February 7th, 2011 to February 6th, 2013. PIN#: 84611S0003.

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

A draft copy of the proposed contract is available for public inspection at Parks - Arsenal West, Purchasing & Accounting, 24 West 61st Street, 3rd Floor, New York, NY 10023, from December 3rd, 2010 to December 16th, 2010, excluding Weekends and Holidays, from 9:00 A.M. to 5:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by Parks within 5 business days after publication of this notice. Written requests should be sent to Lisa Tellason, Supervisor of Contracts, 3rd Floor, 24 West 61st Street, New York, NY 10023, or lisa.tellason@parks.nyc.gov. If Parks receives no written requests to speak within the prescribed time, Parks reserves the right not to conduct the public hearing. In such case, a notice will be published in The City Record canceling the public hearing.

Close the Hearing.

d14-16

AGENCY RULES

BUILDINGS

■ NOTICE

NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED AMENDMENTS TO RULE 101-03 RELATING TO FEES

Notice is hereby given pursuant to the authority vested in the Commissioner of Buildings by Section 643 of the New York City Charter, and in accordance with Section 1043 of the Charter, that the Department of Buildings proposes to amend Section 101-03 of Subchapter A of Chapter 100 of Title 1 of the Official Compilation of the Rules of the City of New York.

A public hearing on the proposed rule amendment will be held at the Executive Offices of the Department of Buildings, 280 Broadway, 6th Floor Training Room New York, New York on January 19, 2011 at 10:00 A.M. Written comments regarding the proposed rule may be submitted to Edwin Pemberton, Director of Budget and Fiscal Operations, New York City Department of Buildings, 280 Broadway, New York, New York 10007, on or before January 19, 2011 or electronically through NYC RULES at www.nyc.gov/nycrules.

Written comments and a summary 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 Office of the Commissioner, Executive Offices, Department of Buildings.

Persons who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are asked to notify Edwin Pemberton at the foregoing address by December 30, 2010.

These proposed rule amendments are included in the agency's regulatory agenda.

Matter underlined is new.

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 entries to the end of the table set forth in that section:

<u>Reinspection made necessary by a failure to correct a condition or respond to a request to correct that results in issuance of a violation or other order.</u>	<u>\$85 each inspection</u>
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<u>On-site inspection of cranes application renewal.</u>	<u>\$100 each inspection</u>
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<u>Outrigger beam application review.</u>	<u>Initial</u>	<u>Amendment:</u>	<u>Renewal:</u>
	<u>100</u>	<u>\$100</u>	<u>\$90</u>

STATEMENT OF BASIS AND PURPOSE

The foregoing rule amendment is proposed pursuant to the authority of the Commissioner of Buildings under Sections 643 and 1043(a) of the New York City Charter.

This proposed rule implements the fee structure provided for in sections 28-112.1, 28-112.7.1 and 28-112.8 of the New York City Administrative Code by setting forth the fees which may be charged by the Department pursuant to those sections.

This proposed rule makes additions to the fee table in order to cover departmental costs for the performance of reinspections and certain application renewals and reviews required by the New York City Administrative and Construction Codes.

• d16

LANDMARKS PRESERVATION COMMISSION

NOTICE

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY GRANTED to the New York City Landmarks Preservation Commission by Sections 1043 and 3020 of the New York City Charter and Sections 25-303, 25-305, 25-306, 25-307, 25-308, 25-310, 25-313 and 25-319 of the Administrative Code of the City of New York that the Landmarks Preservation Commission intends to adopt the following amendments to its rules relating to work on designated properties. The material proposed to be adopted is shown below. This proposed rule was not included in the Landmarks Preservation Commission's most recent regulatory agenda because the need for it was not anticipated at that time.

Written comments regarding the proposed rule may be sent to Mark A. Silberman, Counsel, Landmarks Preservation Commission, Municipal Building, 9th Floor North, 1 Centre Street, New York, New York, 10007, or may be submitted electronically through NYC RULES at www.nyc.gov/nycrules, on or before January 18, 2011.

A public hearing will be held at the Municipal Building, 9th Floor North, 1 Centre Street, New York, NY 10007 on January 18, 2011 commencing at 9:30 A.M. Persons wishing to speak are requested to notify Jenny Fernandez (212- 669-7923) at least three days prior to the date of the public hearing. People who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided are asked to contact Jenny Fernandez at the phone number shown above on or before 10 business days prior to the hearing.

Written comments and a tape recording of the oral comments received at the hearing will be available for public inspection, within a reasonable time after receipt of an appointment request, between the hours of 1:00 P.M. and 5:00 P.M. at the offices of the Commission.

PROPOSED AMENDMENTS TO EXISTING LANDMARKS PRESERVATION COMMISSION RULES RELATING TO WORK ON DESIGNATED PROPERTIES

Statement of Basis and Purpose of Proposed Rule

The Landmarks Preservation Commission is authorized by Section 25-319 of the Administrative Code of the City of New York to promulgate regulations governing the protection, preservation, enhancement, perpetuation and use of landmarks, interior landmarks, scenic landmarks and buildings in historic districts. The Commission issues permits authorizing work on such designated landmarks which, following procedures stated in Sections 25-305, 25-306, 25-307, 25-308 and 25-310 of the Administrative Code of the City of New York, it determines to be appropriate in accordance with the factors and standards provided under Sections 25-306, 25-307 and 25-310.

The Commission proposes to make changes to rules relating to new sash and frames in secondary facades; installation of heating; ventilating and air conditioning equipment; new window openings; rear yard additions or enlargements; temporary installations; rooftop additions; bracket signs; and expedited review procedures, and to add new rules relating to storefront signage and revocation of approvals. The amendments are being proposed in order to reflect current

practices and policies at the Commission, to streamline review of applications relating to these subject matters and to add new rules to address perceived inadequacies of the existing rules. These amendments are summarized below.

Amendments to section 2-11 set forth the requirements for staff approvals of ductless split system HVAC equipment on non-visible facades.

Amendments to section 2-15 set forth additional requirements for the approval of new window openings on visible secondary facades to ensure that the character of the façade is not altered.

The rule will repeal section 2-16 and replace it with a new section 2-16 which updates the section to reflect current policies and practices of the Commission with respect to certain rear yard additions or enlargements by requiring that the staff consider the relationship of the proposed addition to existing conditions on the block, and to limit the applicability of this section where the building has already has a rooftop addition.

Amendments to section 2-18 provide for two additional renewal periods for temporary permits for construction related structures and installations on publically owned property. For construction related installations, the amendments additionally require an approved plan for the removal, storage and reinstallation of significant architectural features and elements.

Amendments to section 2-19 are proposed to add certain types of solar and wind technologies to the definition of "mechanical equipment," and to update the requirements related to rooftop additions to reflect current policies and practices of the Commission by adding size, height and siting limitations. In addition, the section is amended to limit its applicability where the building already has a rear yard addition.

Amendments to Section 2-20 are proposed to broaden the scope of approvals for signs to include storefront signs and signs hanging underneath canopies. The section is retitled and new definitions are added. Subdivision c, dealing with bracket signs, is relettered as d and is also amended by including size and other limitations on bracket signs set forth in the Zoning Resolution. Finally, a new subdivision c is added that sets forth requirements for staff approvals for storefront signs, including requirements related to size, location, lettering, illumination, and the cumulative effect of multiple signs.

Section 2-32, relating to expedited approvals, is amended to include work occurring in the cellar or basement.

Subdivision d of section 3-04 is repealed and replaced with a new subdivision intended to clarify the requirements for new sash and frames in new and modified window openings on secondary facades.

The rule proposes to amend chapter 7 by adding a new section 7-06 that sets forth a process for the revocation of commission approvals due to a failure to comply with the requirements of the approval, due to false or incorrect statement or misstatement of material fact in the application materials, or where the approval had been issued in error.

Additions are shown by underscoring and deletions by brackets ([]).

§ 1. Section 2-11 of Title 63 of the Rules of the City of New York is amended by adding a new subdivision e and relettering subdivisions e and f as subdivisions f and g, as follows:

(e) Installation of ductless split system HVAC equipment on non-visible secondary facades. A PMW or CNE shall may be issued for the installation of ductless split system HVAC equipment mounted to non-visible secondary facades if the proposal meets the following criteria:

(1) the wall-mounted HVAC units shall not be visible from a public thoroughfare;

(2) the mounting structure will be attached to the masonry wall through the mortar joints and its installation will be reversible;

(3) penetrations for conduit through the façade shall shall be as small as possible and in no event greater than 3 inches in diameter;

(4) conduit from HVAC units shall be painted to match the underlying material; and

(5) no decorative masonry or other significant features shall will be affected by the installation and the alterations to the exterior wall shall be reversible.

[(e)] (f) Installation of HVAC equipment in yards and areaways of landmarks and buildings in historic districts. (1) A PMW or CNE may be issued for the installation of HVAC equipment in a location in the side or rear yard if the proposal meets the following criteria:

(i) the installation will not be visible from any public thoroughfare; and

(ii) the installation will not affect any significant architectural feature of the landmark or of a building in an historic district.

(2) Proposals for installations of HVAC equipment in front yards or in a location in a side or rear yard which is visible from a public thoroughfare require review for a COFA.

[(f)] (g) Master plans. (1) A master plan for the installation of HVAC equipment over a period of time can be approved under a PMW if the plan is in conformance with section 2-02 of these rules. After the permit is issued, proposed installations will require applications requesting an Authorization to Proceed (ATP).

(2) The master plan shall set forth standards for future changes and shall specifically identify such standards by drawings, including large scale details of installation specifications, specific unit locations and installation types.

§ 2. Subdivision a of section 2-15 of Title 63 of the Rules of the City of New York is amended to read as follows:

(a) Visible window openings on secondary facades:

(1) the new window opening(s) and sash retain the same general shape and pattern as existing windows on the same facade, or, where there are no existing window openings, the new window opening will be located in a place and be of a size and shape where it can form the basis for a regular and

consistent pattern[, and the new sash does not detract from the sash on the primary façade];

(2) the new sash will match the configuration and finish of the historic, predominant window sash on the secondary façade, or where there are no existing sash, will match the configuration and finish of the window sash on the front façade;

[(2)] (3) the location of new window openings is consistent and regular and the number, size or placement of the new window openings does not change the character of the façade as a secondary façade; and

[(3)] (4) new window opening and sash do not detract from the significant architectural features of the building or adjacent buildings by virtue of their proximity to such features.

§ 3. Section 2-16 of Title 63 of the Rules of the City of New York, relating to rear yard additions and enlargements, is repealed and a new section 2-16 is added, to read as follows: **§2-16 Rear Yard Additions or Enlargements to Rowhouses in Historic Districts.**

Staff may issue a Certificate of No Effect (CNE) for a rear yard addition to, or enlargement of, a rowhouse in a historic district if the project meets the following criteria:

(a) the rear of the building has no significant architectural features (such as corbelled brickwork, decorative lintels or sills, and projecting bays) that would be lost or damaged as a result of the construction of the addition;

(b) the proposed addition or enlargement would not extend to the rear lot line or substantially eliminate the presence of a rear yard;

(c) a majority of the other buildings in the block feature comparable or larger rear yard incursions in terms of their encroachment into the rear yard;

(d) the proposed addition or enlargement does not rise to the full height of the building and is not taller than the predominant height of existing additions or enlargements in the block;

(e) the rear facade will not be removed from the entire width of the building, instead, existing openings will be modified to provide access into the addition.

(f) the rear of the building retains the scale and character of an individual rowhouse;

(g) the proposed addition or enlargement is not visible or is only minimally visible from a public thoroughfare or right of way [define minimally visible?];

(h) the proposed work complies with the Zoning Resolution and will not require a special permit or variance; and

(i) the building does not already have a grandfathered rooftop addition or enlargement, or a rooftop addition or enlargement approved by the staff pursuant to section 2-19 of this chapter, or a rooftop addition or enlargement approved by the Commission.

§ 4. Section 2-18 of Title 63 of the Rules of the City of New York is amended to read as follows:

§2-18 Temporary Installations.

Staff of the Landmarks Preservation Commission is authorized to issue a Certificate of No Effect (CNE) for proposals calling for the temporary installation of signs, banners or other temporary installations such as various forms of artwork or kiosks, if the following criteria are met:

(a) "Temporary Installation" is defined as an installation for sixty (60) days or less for signs and banners or one (1) calendar year or less for other temporary installations. The duration of any temporary installation authorized under this rule shall be specified in the CNE and shall be for a single period not to exceed sixty (60) days for signs and banners or one (1) calendar year for other temporary installations, provided that the approval of temporary installations related to approved construction on the property and temporary installations on publically owned properties may be renewed for up to two additional installation periods. With respect to temporary installations related to approved construction on the property, the staff shall make a determination, prior to renewing the approval, that the project is proceeding with reasonable promptness; and

(b) the installation will cause no damage to protected architectural features of the property; and

(c) an acceptable plan and time schedule for the dismantling of the property has been submitted to the Commission as a component of the application, along with specifications for any repair work that might be required after dismantling of the property. In the case of artwork, the applicant is also required to submit a written instrument signed by the artist and the building owner that evidences the owner's authority to remove the artwork when the temporary installation permit expires and that waives any protection under applicable federal or state law afforded to the artist or artwork that would prevent such removal at the expiration of the temporary permit, including but not limited to, the Visual Artists Rights Act of 1990, 17 U.S.C. 101 et seq. and Article 14 of the New York State Law on Arts and Cultural Affairs; and

(d) with respect to temporary installations related to approved construction work, that there be an acceptable plan for dismantling, storing and reinstalling any significant features that had to be removed to perform such work; and

[(d)] (e) if the applicant is not a public or quasi-public agency, an escrow agreement or other adequate assurance acceptable to the Commission is provided to establish that a mechanism is available for the removal of the installation upon expiration of the permit should the applicant fail to remove the installation.

§ 5. The definition of "mechanical equipment" in subdivision a, subdivision d and subdivision e of section 2-19 of Title 63 of the Rules of the City of New York are amended to read as follows:

(a) Definitions.

Mechanical equipment. "Mechanical Equipment" shall include, but not be limited to, heating, venting and air conditioning equipment[,]; alternative or distributed energy equipment, such as solar panels, wind turbines or micro-turbines; watertanks and their supporting structures[,]; stair and elevator bulkheads, screens, dunnages, baffles and other accessory installations; and satellite dishes, but shall not include telecommunication equipment and conventional television antennas. For the purpose of this rule, mechanical equipment shall also include unenclosed decks, garden trellises, or associated railings.

(d) Occupiable space rooftop additions to be constructed on a structure which is an individual landmark.

(1) The Landmarks Preservation Commission shall issue

a CNE for any rooftop addition to be constructed on a structure [which] that is an individual landmark [which] if the rooftop addition:

- (i) consists of occupiable space; and
- (ii) is no more than one story with a height of no more than eleven feet as measured from the roof of the structure on which such rooftop addition is to be constructed to the roof of the addition, and is set back at least three feet from the plane of the rear façade; and
- (iii) does not result in damage to, or demolition of, a significant architectural feature of the roof of the structure on which such rooftop addition is to be constructed; and
- (iv) is not visible from a public thoroughfare; and
- (v) has no outstanding objection for use or bulk listed on the objections sheet for such structure[.]; and
- (vi) the structure on which such rooftop addition is to be constructed does not have a grandfathered rear yard addition or enlargement, a rear addition or enlargement approved by the staff pursuant to section 2-16, or a rear yard addition or enlargement approved by the Commission.

(e) Rooftop additions to be constructed on any structure within a designated historic district, other than an individual landmark.

(1) The Landmarks Preservation Commission shall issue a CNE for any rooftop addition to be constructed on any structure within a designated historic district, other than an individual landmark, which:

- (i) consists solely of mechanical equipment; and
- (ii) does not result in damage to, or demolition of, a significant architectural feature of the roof of the structure on which the rooftop addition or installation is to be constructed; and
- (iii) is either not visible from a public thoroughfare or is only minimally visible from a public thoroughfare.

(iv) does not adversely affect significant architectural features of adjacent improvements.

(2) The Landmarks Preservation Commission shall issue a CNE for any rooftop addition to be constructed on any structure within a designated historic district, other than an individual landmark, which:

- (i) consists of occupiable space; and
- (ii) and is no more than one story with a height of no more than eleven feet as measured from the roof of the structure on which such rooftop addition is to be constructed to the roof of the addition, and is set back at least three feet from the plane of the rear façade; and
- (iii) does not result in any damage to, or demolition of, a significant architectural feature of the roof of the structure on which it is constructed; and
- (iv) is not visible from a public thoroughfare; and
- (v) does not adversely affect significant architectural features of adjacent improvements; and
- (vi) has no outstanding objection for use or bulk listed on the objections sheet for such structure[.] and
- (vi) the structure on which such rooftop addition is to be constructed does not have a grandfathered rear yard addition or enlargement, a rear addition or enlargement approved by the staff pursuant to section 2-16, or a rear yard addition or enlargement approved or by the Commission.

§ 6. Section 2-20 of Title 63 of the Rules of the City of New York is amended by adding a new paragraph a, amending subdivision b by adding additional definitions, relettering subdivision c as subdivision d, and adding a new subdivision c as follows:

(a) Introduction. Signage was a typical feature of historic buildings that contained commercial or manufacturing uses. Such signage included signs painted or affixed above storefronts in signbands, signs within display windows, bracket signs, signs hanging from underneath canopies. This rule sets for the requirements for staff approval of storefront signage and associated lighting for such signage.

(b) Definitions. As used in this §2-20, the following words shall have the following meanings:

Armature. “Armature” shall mean a metal structural support for a rigid projecting sign. The armature may support the bracket sign by means of one or two projecting arms.

Bracket Sign. “Bracket Sign” shall mean a rigid outdoor sign, with two display faces, installed perpendicular to a building façade and hanging from an armature, used as an announcement for an establishment in the building, consisting of the rigid display faces and all letters, words, numerals, illustrations, decorations, trade marks, emblems, symbols or their figures or characters associated with the name of the establishment that are applied to the faces. In addition, a bracket sign may consist solely of an outline of a shape and/or letters intended to act as a symbol or sign for the establishment.

Canopy shall mean a metal frame clad with fabric that projects from a building entrance over the sidewalk to the curb, where it is supported on vertical posts.

CNE. “CNE” shall mean Certificate of No Effect as defined by §25-306 of the New York City Administrative Code.

Establishment. “Establishment” shall mean a manufacturing, commercial or retail business or profession.

Façade. “Façade” shall mean an entire exterior face of a building.

LPC. “LPC” shall mean the Landmarks Preservation Commission.

LPC Staff. “LPC staff” shall mean the staff of the Landmarks Preservation Commission acting in the Commission’s agency capacity.

PMW shall mean a Permit for Minor Work pursuant to §25-310 of the New York City Administrative Code.

Pier shall mean an exterior vertical member(s) or element(s) (usually of brick, stone, or metal), placed at intervals along a wall, which typically separates storefront openings within a single building or defines a single storefront opening.

Sign shall mean a fixture or area containing lettering or graphics used to advertise a store, goods, or services.

Signage shall mean any lettering or other graphics used to advertise a store, goods, or services.

Signband shall mean the flat, horizontal area on the façade, usually located immediately above the storefront and below the second story window sill where signs were historically attached. Signbands can also be found immediately above the storefront display window, but below the masonry opening’s lintel.

Significant architectural feature shall mean an exterior architectural component of a building that contributes to or reinforces its special historic, cultural, and aesthetic character.

Storefront shall mean storefront infill.

Storefront bay shall mean the area of a storefront defined by and spanning two piers.

Storefront infill shall mean the framing, glazing, and cladding contained within a storefront opening in the façade, including without limitation thereof, display windows, bulkheads, and entranceways.

Storefront opening shall mean the area of the façade between the piers and lintel, which contains storefront infill.

Transom shall mean a glazed area above a display window or door that is separated from the display window or door by a horizontal framing member (“the transom bar”). The glazing in the transom may be fixed or operable.

(c) Installation of storefront signs for existing storefronts. The LPC staff shall issue a CNE or PMW for a storefront sign, other than a bracket sign, if the proposed work meets the relevant criteria set forth below:

(1) The installation of signage shall not damage, destroy or obscure significant architectural features of the building or storefront.

(2) Signs may be installed in signage bands above a storefront opening or within the storefront opening.

(3) Signs may include pin-mounted letters and logos, and letters and logos painted on wood, metal, or opaque glass panels mounted flat with the signband, or painted directly onto the ground floor signband and lintels.

(4) Flat sign panels shall project no more than 3 inches from the façade, and pin-mounted letters on sign panels shall project no more than 1 inch beyond the panel for a total projection of 4 inches from the façade.

(5) The height of a sign must be proportional to the storefront opening.

(6) Exterior signage may not be internally illuminated.

(7) One interior neon sign per display window is permissible, provided the sign is transparent, is installed a minimum of 6 inches behind the glass, does not substantially reduce the transparency of the display window and in no event exceeds 4 square feet in area. Neon strips outlining the display window shall not be permitted.

(8) Signage may be painted directly onto the storefront glazing, provided that the signage does not substantially reduce the transparency of the display window.

(9) Signage may be illuminated externally with a shielded source of light, or with a small “goose-neck” type of fixture placed above the sign, with a maximum of one fixture per 5 linear feet of sign.

(10) Light fixtures shall be installed in areas of plain masonry, metal, or wood, provided that the installation does not damage, destroy, or obscure significant architectural features of the building or storefront.

(11) Lighting conduits shall be concealed.

(12) Exterior light fixtures may only illuminate storefronts and related signage.

(13) Signage painted on glass doors and display windows (including transoms) shall not exceed 20% of the glazed area.

(14) In approving an application for signage the LPC staff shall consider the overall amount of staff and Commission approved signage for the storefront. If the staff determines that the overall amount of signage is excessive and will detract from the architectural features of the building, the adjacent buildings, or the streetscape, the staff shall require that existing or proposed staff approved or approvable signage, including but not limited to signs on awning skirts and signage applied to the storefront glazing, be eliminated or reduced.

(c) d) Installation of bracket signs. The LPC staff shall issue a CNE for a bracket sign if the proposed work meets all of the following criteria:

(1) The armature shall be installed below the second story within the storefront opening or on the flat face of a plain masonry pier and shall be mechanically fastened into the storefront infill or into the mortar joints of a plain masonry pier, or attached to the framing members at the underside of a metal canopy on an industrial building, and such installation shall neither damage nor conceal any significant architectural features of the building.

(2) The armature shall be a dark finished metal and shall be simply designed.

(3) The display faces of the bracket sign may be made of wood or metal. If the bracket sign has display faces, the letters, words, numerals, illustrations or graphics, etc. may be painted or applied onto the display faces, and may be raised slightly from the surface. The overall width, as measured from face to face, shall not exceed 2 inches, and, if there are raised letters, illustrations, etc. the bracket sign shall not exceed a width of three inches as measured from the outside plane of such raised letters or illustrations. The display faces and the letters, words, numerals, illustrations or graphics, etc. shall be of a color or colors that do not detract from the significant architectural features of the building or neighboring buildings. No neon or other vividly bright colors shall be permitted.

(4) The bracket sign shall not be internally illuminated, nor shall such sign have neon or L.E.D. (Light Emitting Diode) lighting of any kind, nor shall any lighting fixture or mechanism be attached to the armature.

(5) The bracket sign may be fixed or may move freely from its points of attachment to the armature, but in no event shall the bracket sign be made to move by mechanized or controlled means.

(6) Number of bracket signs for ground floor establishments.

(i) Except for signs subject to subparagraph (iii) below, one bracket sign per ground floor establishment shall be permitted.

(ii) In buildings with more than one ground floor establishment, one sign per establishment may be installed, provided that there is no more than one sign per 25 feet of building facade fronting on a street, and further provided that the size, design, placement, materials and details of all of the armatures match. The placement of the bracket sign on the building shall be in close proximity to the establishment that is identified on the bracket sign.

(iii) A ground floor establishment with a corner storefront may have one bracket sign on each building facade with at least 25 feet of street frontage, provided that each facade has a primary entrance and each bracket sign is located in close proximity to an entrance, but in no event shall more than one bracket sign be located within 20 feet of the corner of the building.

(7) Bracket signs for upper story establishments. A single armature for a bracket sign for an upper story establishment or establishments may be installed adjacent to the building entrance for such upper story establishments. This armature

may hold one sign for each upper story establishment, provided such signs hang vertically underneath one another on the same armature, and further provided that in no event shall the total dimensions of such signs, taken together, exceed the size requirements specified in paragraph (8) below.

(8) The size of the bracket sign, oriented horizontally or vertically, shall conform to the requirements of the Zoning Resolution, but in no event shall the size exceed 24 inches by 36 inches[, oriented horizontally or vertically] in districts that were historically commercial, manufacturing or industrial in character, or 12 inches by 18 inches in districts that were historically residential in character. Novelty shapes, such as circles, polygons and irregular shapes [may be permitted provided such shapes fall within the above dimensions] are permitted, as are novelty objects, provided such shapes and objects generally fall within the parameters set forth in this paragraph.

(9) The projection of the bracket sign and armature beyond the property line shall conform to the requirements of the Zoning Resolution and Building Code, but in no event shall extend more than 40 inches from the façade in districts that were historically manufacturing or industrial in character, and no more than 22 inches in districts that were historically residential in character.

(10) The bracket sign shall be installed so that the lowest portion of the sign is at least ten (10) feet above the sidewalk.

(11) The establishment seeking approval for a bracket sign shall not, for the same building, already be utilizing an LPC-approved, grandfathered or unapproved flagpole and banner, nor shall it have approval from the LPC for installing a new flagpole and banner on the same building.

(12) In approving an application for a bracket sign, the staff shall consider the overall amount of staff and Commission approved signage for the storefront. If the staff determines that the overall amount of signage with the proposed bracket sign is excessive and will detract from the architectural features of the building, the staff shall require that other types of existing or proposed staff approved or approvable signage, including but not limited to signs on awning skirts and signage applied to the storefront glazing, be eliminated or reduced.

(13) The application is to install the bracket sign on a building designed as a commercial or loft building and zoned for commercial use and located within the Tribeca East, Tribeca West, Tribeca North, Tribeca South, SoHo Cast-Iron, NoHo, and Ladies’ Mile Historic Districts.]

§ 7. Subdivisions a, b, and c of section 2-32 of Title 63 of the Rules of the City of New York are amended to read as follows:

(a) General. An applicant may request that an application for interior work above the second story [on] or in the cellar or basement in any landmark or building within an Historic District, other than an application for interior work on a part of the building which has been designated an interior landmark, be reviewed on an expedited basis. Expedited review is predicated upon the statements and representations of the architect or engineer and the owner and upon the satisfaction of certain terms and conditions, all as set forth in this §2-32.

(b) Work eligible for expedited review. Interior work which is to be performed above the second story or in the cellar or basement and which does not involve any excavation or change to, replacement of, or penetration of, an exterior wall, window, skylight or roof, including but not limited to penetrations, replacements or changes for ducts, grilles, exhaust intakes, vents or pipes, may qualify for an expedited review.

(c) Conditions to expedited review. Each of the following conditions must be satisfied in order to obtain an expedited review:

(1) The work shall be eligible work as described in §2-32(b) above.

(2) The application for which an expedited review is requested shall be accompanied by a completed Landmarks Preservation Commission expedited review form which shall include:

(i) a statement signed and sealed by the architect or engineer that:

(A) the architect or engineer has prepared, or supervised the preparation of, the plans and specifications submitted with the application;

(B) all work shown on such plans and specifications is:

(a) interior work only,

(b) to be performed only above the second story or in the cellar or basement,

(c) not to be performed on any portion of a space designated as an Interior Landmark,

(d) does not involve excavation or any change to, replacement of, or penetration of, a window, skylight, exterior wall or roof or any portion thereof[.]; and

(e) for floors 3-6 does not involve a dropped ceiling or a partition which is less than a minimum of 1'-0" back from interior window sill or frame whichever is further from the glass.

(C) that where there are associate architects or engineers, that they likewise join in the request for an expedited review of the application;

(D) that the architect or engineer and associate architects or engineers, if any, are aware that the Landmarks Preservation Commission will rely upon the truth and accuracy of the statements contained in the application made by them, and any amendments submitted in connection therewith, as to compliance with the provisions of the Landmarks Law and these rules;

(ii) a sworn statement executed by the owner of the property that:

(A) the proposed work described is of the type described in §2-32(b);

(B) no change to, or modification of, the proposed work shall be undertaken by the owner, his or her architect or engineer or any other agent of the owner without the prior approval of the Landmarks Preservation Commission; and

(C) the necessary remedial measures to obtain compliance will be taken, if the same becomes necessary;

(3) No “Notice of Violation” from the Landmarks Preservation Commission shall be in effect against the property which is the subject of the proposed work for which an expedited review is requested; and

(4) The application is complete in all other respects.

(5) The architect or engineer and associate architects or engineers, if applicable, have not been excluded by:

(i) the Chair of the Landmarks Preservation Commission from the procedures for expedited review pursuant to §2-34 of these rules; or

(ii) the Commissioner of the Department of Buildings from the Department's procedures for limited supervisory check of applications and plans set forth in 1 RCNY §21-02.

§ 8. Subdivision d of section 3-04 of Title 63 of the Rules of the City of New York, relating to new sash and frames in secondary facades, is repealed and a new subdivision d is added, to read as follows:

(d) New sash and frames in secondary facades.

(1) If existing windows, or new windows in new window openings approved under § 2-15 of this title, are visible from a public thoroughfare, replacement windows may be approved if:

(i) they match the historic windows in terms of configuration and finish;

(ii) they are to be installed in:

(A) existing window openings;

(B) existing window openings that are to be enlarged or reduced in height or width in a manner that retains the same general shape and pattern as existing windows on the same facade, or that form a regular and consistent pattern; or

(C) new window openings that conform to and are in a similar pattern as window openings in clauses A and B of this subparagraph;

(iii) the new window openings, new windows and/or sash do not detract from the significant architectural features of the building or adjacent buildings by virtue of their proximity to such features; and

(iv) the number, size and pattern of new window openings and sash do not alter the character of the facade as a secondary and subservient facade that has a high solid to void ratio.

(2) If existing windows are not visible from a public thoroughfare, replacement windows may be approved if:

(i) they are to be installed in existing window openings or existing openings that are to be enlarged or reduced in height or width pursuant to § 2-15 of this title, and such enlargement or reduction does not alter or destroy protected features or detract from the significant architectural features of the building or adjacent buildings;

(ii) the windows on the top floor of a rear facade of a rowhouse are not to be enlarged or reduced, with the exception of one window opening which may be lowered to provide access to an approved or grandfathered deck; and

(iii) they do not replace "special" windows as defined in the definitions (§ 3-01) and illustrated in Appendix A of this chapter.

§ 9. Chapter 7 of Title 63 of the Rules of the City of New York is amended by adding a new section 7-06, to read as follows:

§7-06 Revocation of Approvals.

(a) The Commission may, on notice to the applicant, revoke the approval of any certificate of no effect, certificate of appropriateness, permit for minor work, binding or advisory report, or notice to proceed, or any amendment thereto (hereafter "approval"), whenever there has been a failure to comply with the provisions of chapter 3 of title 25 of the Administrative Code of the City of New York, or this title of the Rules of the City of New York, or other applicable laws or rules; whenever there has been any incorrect or false statement or any misrepresentation as to a material fact in the submittal of documents upon the basis of which such approval was issued; or whenever an approval has been issued in error and conditions are such that approval should not have been issued. Such notice shall inform the applicant of the reasons for the proposed revocation and that the applicant has the right to present to the commissioner or his or her representative within 10 business days of personal service or 15 calendar days of the posting of service by mail, information as to why the approval should not be revoked.

(b) Effect on Approval. All work pursuant to an approval subject to a notice of revocation shall cease immediately and no work shall occur at the site until such time as the Commission shall withdraw the notice of revocation and reinstate the approval. Revocation shall be effective upon the issuance of a written final decision of revocation by the commissioner after the time period for submission of rebuttal information has ended. The final decision of revocation shall be The effect of revocation of any approval is the automatic revocation of all associated approvals (including certificates, permits, reports, notices or amendments thereof) that may have been issued.

(c) A letter of revocation and a final decision of revocation shall be served by registered mail to the address of the applicant as it appears in the application. If the registered mail is unsuccessful, the commission may serve such notice using the procedures permitted in section 25-313 of the Administrative Code of the City of New York.

(d) Enforcement action. All or some of the work performed in connection with an approval that has been revoked may be subject to enforcement action under sections 25-317, 25-317.1 and 25-317.2 of the Administrative Code of the City of New York. Such enforcement action may be commenced upon a the issuance of a written final decision of revocation determination by the commissioner or his or her designee to revoke the approval.

• d16

Notice of Opportunity to Comment on Proposed Rule

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY GRANTED to the New York City Landmarks Preservation Commission by Section 3020 of the New York City Charter and by Sections 25-303, 25-305, 25-306, 25-307, 25-308, 25-310, 25-313 and 25-319 of Title 25, Chapter 3 of the Administrative Code of the City of New York, and in accord with §1043 of the Charter that the Landmarks Preservation Commission proposes to amend the section Chapter 13 of Title 63 of the Rules of the City of New York, relating to the payment of application fees. The material proposed to be adopted is shown below.

Written comments regarding the proposed rule may be sent to Mark A. Silberman, Counsel, Landmarks Preservation Commission, Municipal Building, 9th Floor North, 1 Centre Street, New York, New York 10007, or may be submitted electronically through NYC RULES at www.nyc.gov/nycrules, on or before January 18, 2011.

A public hearing will be held at the offices of the Landmarks Preservation Commission, Municipal Building, 9th Floor North, 1 Centre Street, New York, NY 10007 on January 18, 2011, commencing at 9:30 A.M. Persons wishing to speak are requested to notify Jennifer Fernandez at 212-669-7923 at least three days prior to the date of the public hearing. People who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided are asked to contact Jenny Fernandez at the phone number shown above on or before 10 business days prior to the hearing.

Written comments and a tape recording of the oral comments received at the hearing will be available for public inspection, within a reasonable time after receipt of an appointment request, between the hours of 1:00 P.M. and 5:00 P.M. at the offices of the Commission.

PROPOSED AMENDMENT TO RULES FOR FEES FOR CERTAIN TYPES OF APPLICATIONS

Statement of Basis and Purpose of Proposed Rule

The Landmarks Preservation Commission is authorized, pursuant to Section 25-319 of the Administrative Code of the City of New York, to promulgate regulations governing the protection, preservation, enhancement, perpetuation and use of landmarks, interior landmarks and buildings in historic districts. The Commission issues permits authorizing work on such designated landmarks which, following procedures stated in Sections 25-305, 25-306, 25-307, 25-308 and 25-310 of the Administrative Code, it determines to be appropriate in accordance with the factors and standards provided under Sections 25-306, 25-307 and 25-310. In order to maintain its permit issuance services the Commission has promulgated certain fees, set forth in Chapter 13 of the Title 63 of the Rules of the City of New York, relating to work that needs approval from the Landmarks Preservation Commission and the Department of Buildings. The proposed rule intends to amend Chapter 13 to increase fees relating to new buildings and alterations to cover the cost associated with the issuance of permits. In addition, the proposed rule will amend Chapter 13 to insert the new section of the Building Code that is cross referenced in the rule.

The proposed rule was not included in the agency's most recent regulatory agenda because the need for it was not foreseen at that time.

New material is underlined, deleted material is in [brackets].

§ 1. Section 13-04 of the Rules of the City of New York is amended to read as follows:

§13-04 Computation of Fees.

Fees shall be computed as hereinafter provided:

(a) New buildings. The fees for permits to construct new buildings shall be computed as follows:

(1) a fee of [twenty] twenty-five cents per square foot or fraction thereof, but not less than one hundred dollars per structure, for work subject to a fee payable to the Department of Buildings pursuant to §26-212(1)(a) §28-112.2 of the Administrative Code for new buildings, other than one, two or three family dwellings.

(2) a fee of [ten] fifteen cents per square foot, or fraction thereof, but not less than one hundred dollars per structure, for work subject to a fee payable to the Department of Buildings pursuant to §26-212(1)(b) §28-112.2 of the Administrative Code for new buildings that are one, two or three family dwellings.

(b) Building alterations. A fee of [fifty] ninety-five dollars for the first twenty-five thousand dollars, or fraction thereof, of the cost of the work and [four] five dollars for each additional one thousand dollars, or fraction thereof, of cost over twenty-five thousand dollars for work subject to a fee payable to the Department of Buildings for alteration work, with the exception of work to install or alter service equipment or to install, alter or replace oil-burning equipment, pursuant to §[26-212(2)(a), 212(2)(b), 212(5)(a)(1) and 212(5)(a)(2)] 28-112.2 of the Administrative Code.

(c) Demolition and removal. A fee computed by multiplying the street frontage in feet by the number of stories of the building times one dollar, but not less than one hundred dollars, shall be paid for work subject to a fee payable to the Department of Buildings pursuant to §[26-212(4)] 28-112.2 of the Administrative Code. For corner lots, use the longer street frontage.

(d) Signs. A fee of one hundred dollars to erect, install or alter a sign shall be paid for each sign subject to a fee payable to the Department of Buildings pursuant to §[26-212(6)(a)] 28-112.2. An additional fee shall be payable for signs as follows:

(1) A fee of fifty dollars shall be paid for each ground sign subject to a fee pursuant to §[26-212(6)(a)(1)] 28-112.2 of the Administrative Code.

(2) A fee of fifty dollars shall be paid for each roof sign having a tight, closed or solid surface, where such sign is subject to a fee pursuant to §[26-212(6)(a)(2)] 28-112.2 of the Administrative Code.

(3) A fee of fifty dollars shall be paid for each roof sign that does not have a tight, closed or solid surface and where such sign does not extend beyond thirty-one feet above the roof level, where such sign is subject to a fee pursuant to §[26-212(6)(a)(3)] 28-112.2 of the Administrative Code. A fee of one hundred shall be paid for each roof sign that exceeds thirty-one feet above the roof level.

• d16

SANITATION

■ NOTICE

NOTICE OF ADOPTION OF FINAL RULE GOVERNING THE COLLECTION OF RECYCLABLE MATERIALS GENERATED IN RESIDENTIAL BUILDINGS

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

New York City Charter and by sections 16-305 and 16-324 of the New York City Administrative Code that the Department adopts the following rule governing the collection of recyclable materials generated in residential buildings. This rule amends section 1-08 of Chapter 1 of Title 16 of the Rules of the City of New York. The Department published a Notice of Opportunity to Comment on the proposed rules in the *City Record* on October 19, 2010. On November 29, 2010 the Department held a public hearing on the proposed rule. Existing provisions to be deleted are shown below in brackets and new provisions are underlined.

Section 1. Chapter 1 of title 16 of the rules of the city of New York is amended by amending section 1-08 to read as follows:

§1-08 Residential Collection Service of Designated Recyclable Materials.

(a) Designated recyclable materials. Pursuant to §§16-304 and §16-305 of the New York City Administrative Code the following materials are designated as recyclable materials for purposes of this section: metal cans, metal items, aluminum foil, aluminum foil products, containers made of glass, and plastic bottles and jugs and beverage cartons (collectively referred to as designated recyclable metal, glass and plastic); newspaper, magazines, catalogs, phone books, mixed paper and corrugated cardboard (collectively referred to as designated recyclable paper); and yard waste. This subdivision notwithstanding, designated recyclable paper and [aluminum foil and aluminum foil products] designated recyclable metal, glass and plastic items that are substantially soiled with food, paint or some other contaminating material shall not be considered a designated recyclable material.

(b) Implementation. The requirement that a specific designated recyclable material be source separated shall be scheduled and implemented by the Department on a [district by district] citywide basis.

(c) All designated recyclable materials shall be prepared and placed out for collection in the manner prescribed in this section on the collection day(s) that the Commissioner, in his/her discretion, designates for recycling in each recycling district.

(d) Determination of mechanized collection service. The Commissioner, after consultation with the owner, net lessee or person-in-charge of a residential building, may require that designated recyclable materials be collected from such building through mechanized collection service. Factors to be considered in imposing such a requirement include, but are not limited to:

(1) availability of space within the building or behind the property line for the storage of containers for mechanized collection;

(2) feasibility of Department access to such containers; and

(3) whether the quantity of designated recyclable materials generated is sufficient to warrant mechanized collection, as determined by the Commissioner.

Every building shall receive curbside collection service for [all] designated recyclable materials unless a determination pursuant to this subdivision has been made to collect such materials via mechanized collection service and such service has commenced.

(e) Recycling containers.

(1) Rigid containers for curbside recycling collection service:

(i) Rigid containers for designated recyclable paper: Designated recyclable paper may be placed out for curbside collection in rigid containers provided such containers are: (A) a minimum of 18 and a maximum of 32 gallons in capacity; (B) covered by a lid; (C) in compliance with subparagraph (2)(iv) of this subdivision; and (D) clearly labeled [three] at least two times with the words "Recycling: Mixed Paper", or some variation thereof, in letters no less than four inches in height. Alternatively, Department Mixed Paper Recycling Program Decals may be used to label containers. Labels shall appear twice on the container, on opposite sides[, and once on the lid of the container.]. The Department recommends that rigid containers for curbside recycling collection of designated recyclable paper be green in color, however, such containers are not required to be green.

(ii) Rigid containers for designated recyclable metal, glass and plastic: Designated recyclable metal, glass and plastic may be placed out for curbside collection in rigid containers provided such containers are: (A) a minimum of 18 and a maximum of 32 gallons in capacity; (B) covered by a lid; (C) in compliance with subparagraph (2)(iii) of this subdivision; and (D) clearly labeled [three] at least two times with the words "Recycling: Glass Containers, Plastic Bottles, Jugs, Beverage Cartons and Cans", or some variation thereof, in letters no less than four inches in height. Alternatively, Department Metal, Glass and Plastic Recycling Program Decals may be used to label containers. Labels shall appear twice on the container, on opposite sides [, and once on the lid of the container. In addition, Department-issued blue residential recycling containers may be used for curbside collection of designated recyclable metal, glass and plastic]. The Department recommends that rigid containers for curbside recycling collection of designated recyclable metal, glass and plastic be blue in color, however, such containers are not required to be blue.

(2) Plastic bags for curbside collection service:

(i) Plastic bags for designated recyclable paper: Designated recyclable paper consisting of mixed paper may be placed out for curbside collection in plastic bags, provided such bags are: (A) a minimum of 13 and a maximum of 55 gallons in capacity; (B) clear and not colored; [and] (C) constructed of low density polyethylene or linear low density polyethylene; and (D) comply with subparagraph (2)(iii) of this subdivision. All other recyclable paper shall be placed out for curbside collection as specified in subparagraph (h)(2)(i) of this section.

(ii) Plastic bags for designated recyclable metal, glass and plastic: Designated recyclable metal, glass and plastic may be placed out for curbside collection in plastic bags, provided such bags are: (A) a minimum of 13 and a maximum of 55 gallons in capacity; (B) clear and not colored; (C) constructed of low density polyethylene or linear low density polyethylene; and (D) comply with subparagraph (2)(iv) of this subdivision.

(iii) Materials other than designated recyclable paper and designated recyclable metal, glass and plastic may not be placed out for Department collection in clear plastic bags unless, pursuant to subdivision (i) of this section, the Commissioner has required the use of transparent bags for purposes of monitoring compliance with this section.

(iv) (iii) Rigid recycling containers and clear plastic recycling bags for designated recyclable paper and designated recyclable metal, glass and plastic, shall be manufactured by a manufacturer that, on an annual basis, uses at least 25% post-consumer material overall in its production of such rigid containers or bags. For the purposes of this subparagraph, "post-consumer material" shall have the same meaning as defined in subdivision (g) of §16-303 of the Administrative Code. Any written statement from the manufacturer of rigid containers or plastic bags that it has complied with the post-consumer content requirements for such containers or bags shall relieve the user of such containers or bags from liability for deviation from post-consumer content requirements.

(3) Containers for mechanized collection service of

designated recyclable paper: Containers for mechanized collection shall be capable of being serviced by Department collection vehicles. Containers used for mechanized collection of designated recyclable paper shall be white in color. Containers shall be clearly labeled to indicate designated recyclable paper may be properly placed therein. In conjunction with its determination to provide mechanized collection service under subdivision (d) of this section, the Department may supply additional specifications for containers for mechanized collection service, and shall provide information as to where containers that comply with Department specifications may be purchased.

(f) *Responsibilities and pre-collection recycling procedures for owners, net lessees or persons-in-charge of residential buildings containing [three] four or more dwelling units—curbside or mechanized collection service.*

(1) Notice/Resident Education. The owner, net lessee, or person-in-charge of a residential building containing [three] four or more dwelling units shall be responsible for notifying the residents of such building of the requirements of the New York City Recycling Law (New York City Administrative Code, §16-301 et seq.) by, at a minimum, posting and maintaining one or more signs in the storage area(s) required by paragraph (2) of this subdivision, and in other areas as required by this paragraph. Posted signs shall set forth what materials are required to be source separated, the location of the building's designated recycling area where source separated recyclables will be stored, and how to dispose of such materials in that building, including the rinsing requirement as set forth in paragraph (g)(3) of this section. In buildings receiving curbside collection service in which residents are required to tie newspapers, magazines, catalogs, phone books or corrugated cardboard into bundles as set forth in subparagraph (h)(2)(i) of this section, such requirement shall be included on the posted sign. Posted signs shall be at least 8 1/2 by 11 inches in size and shall use lettering of a conspicuous size. The owner or person-in-charge of such residential building shall also be responsible for making available to each resident at the inception of a lease a department-issued guide to recycling. Such recycling guide may be obtained from the department in print form or downloaded from the department's website.

In the event that the area designated for the collection and storage of designated recyclable materials is other than the regular solid waste collection area, the owner, net lessee or person-in-charge of the building shall post a sign in the regular solid waste collection area informing residents of where to bring such materials. In buildings in which the designated area for collection of recyclables is outside of the building, in lieu of posting a sign in such outside storage area, the owner, net lessee or person-in-charge of the building may post a sign or signs containing information required by this subdivision near the entrance to, or resident mailbox area(s) for, such building, or in some other public area in the building routinely visited by all building residents. In buildings in which designated recyclable materials are collected at the back entrance of individual dwelling units or at locations other than the designated storage area, the owner, net lessee or person-in-charge shall post a sign containing the information required by this subdivision at each such location. In buildings in which designated recyclable materials are collected at the front entrance of individual dwelling units, the owner, net lessee or person-in-charge shall conspicuously post on each floor a sign containing the information required by this subdivision.

(2) Proper storage. The owner, net lessee, or person-in-charge of a residential building containing [three] four or more dwelling units shall, in accordance with all applicable laws, codes and rules and regulations:

(i) designate a storage area or areas in the building that is reasonably accessible to building residents for the pre-collection storage of designated recyclable materials. If reasonably accessible storage space is not available in the building, and such space is available behind the building's property line, such space behind the property line may be designated for the pre-collection storage of designated recyclable materials;

(ii) maintain the storage area(s) and store designated recyclable materials so as not to create a nuisance or sanitary problem; and

(iii) provide a sufficient number of recycling containers in each storage area so as to prevent spillover from containers and to avoid the improper disposal of designated recyclable materials. Such recycling containers shall be clearly labeled with letters of a conspicuous size to indicate what designated recyclable materials may be properly placed therein, but are not required to comply with subdivision (e) of this section provided such containers are not placed at the curbside for collection. Storage areas need not be accessible to building residents in buildings in which designated recyclable materials are collected at individual dwelling units or at accessible locations other than the designated storage area.

(g) *Responsibilities and pre-collection recycling procedures for owners, residents, net lessees and persons-in-charge of residential buildings, mixed-use buildings, and residential buildings receiving partial private carter collection service - Curbside or mechanized collection service:*

[Residents] Owners, residents, net lessees and persons-in-charge of residential buildings, mixed-use buildings, and residential buildings receiving partial private carter collection service shall:

(1) separate from other materials designated recyclable materials that are required to be recycled and shall place such separated materials in the appropriate containers or as otherwise directed by the owner, net lessee or person-in-charge of such building in accordance with subdivision (f) of this section;

(2) [not] place only designated recyclable materials [that are not required to be recycled] in recycling containers; and

(3) rinse and/or clean food and/or residue from metal cans, glass containers, plastic bottles and jugs, and aluminum foil and aluminum foil products prior to the placement of such materials in the appropriate containers. In addition, in buildings receiving curbside collection service for designated recyclable paper, owners, residents, net lessees and persons-in-charge shall tie newspapers, magazines, catalogs, phone books and corrugated cardboard into bundles not exceeding eighteen inches in height, [when required to do so by the owner, net lessee or person-in-charge and] when notified of such requirement as set forth in paragraph (f)(1) of this section. [In buildings in which designated recyclable materials are collected at individual dwelling units or at locations other than the designated storage area, residents are responsible for separating designated recyclable materials from non-designated materials prior to placing such materials out for collection.]

(h) *Collection procedures for designated recyclable and other materials.* The owner, resident, net lessee, or person-in-charge of a residential building shall be responsible for the following. The responsibilities set forth in this subdivision shall also apply to residents of buildings [of less than] containing three dwelling units or less in which as a matter of regular practice the resident is responsible for bringing his/her solid waste to curbside for collection:

(1) Designated recyclable metal, glass and plastic:

(i) Curbside collection service. Designated recyclable metal, glass and plastic (other than bulk metal) that is collected for recycling via curbside recycling collection service shall be placed at curbside in containers or plastic bags complying with subparagraphs (e)(1)(ii) or (e)(2)(ii) of this section on the day(s) specified for recycling collection by the Commissioner. Bulk metal shall be placed next to such containers on such days.

(ii) Mechanized collection service. Owners, net lessees or persons-in-charge shall call their district garage to make arrangements for recycling collection of bulk metal.

(2) Designated recyclable paper:

(i) Curbside collection service. Newspaper, magazines, catalogs, phone books and corrugated cardboard that are collected via curbside collection service shall be placed out for collection in securely tied bundles. Bundles shall not exceed eighteen inches in height. Mixed paper required to be recycled shall be placed out for curbside collection in rigid containers or plastic bags complying with subparagraphs (e)(1)(i) or (e)(2)(i) of this section. Other designated recyclable paper (i.e., newspapers, magazines, phone books, and corrugated cardboard) shall be placed out for curbside collection in such rigid containers or plastic bags or in securely tied bundles, which shall not exceed eighteen inches in height. Corrugated cardboard shall be broken into small pieces (no larger than 9 inches by 11 inches) before being placed into rigid containers or plastic bags.

(ii) Mechanized collection service. Designated recyclable paper that is collected via mechanized collection service shall be placed in containers complying with paragraph (e)(3) of this section. Corrugated cardboard shall be collapsed and placed into containers in a manner which will enable such material to fall freely from containers during collection. On the day of collection, containers shall be placed in an area determined by the Commissioner to be accessible to Department vehicles.

(3) Yard waste material. For the purposes of this subparagraph, "yard waste" shall be as defined in [subdivision (p) of] §16-303 of the Administrative Code. Yard waste material, which the Department collects under its seasonal collection programs through curbside collection service in districts designated by the Commissioner to receive such service, shall be placed out for curbside collection on the day(s) specified for yard waste collection by the Commissioner in either of the following:

(i) biodegradable, two-ply wet strength stock (fifty pounds each ply) leak-proof paper bags. Such bags shall not exceed 16 inches in length by 12 inches in width by 35 inches in height, and shall have a minimum capacity of 30 gallons and a maximum capacity of 55 gallons. Any written statement from the manufacturer of paper bags that it has complied with the biodegradability requirements for such bags shall relieve the user of such bags from liability for deviation from the biodegradability requirements; or

(ii) rigid containers, provided that such containers are unlined, and are a minimum of 20 and a maximum of 32 gallons in capacity.

(4) Non-designated material. Materials that are not required to be source separated for recycling shall be removed from both curbside and mechanized collection recycling containers prior to recycling collection day.

(5) Designated recyclable materials. Designated recyclable materials that have been source separated as required by subdivision (g) of this section shall not be placed out for collection in the same container as non-designated material.

(6) The owner of any residential building or mixed use building who has arranged for private carter removal service of all or some recyclables generated at such building pursuant to section 16-118(7)(b) of the administrative code of the city of New York, and seeks to reinstate department collection service for such recyclables at the building, must notify the department's Collection Office in writing requesting the restoration of department recycling collection service to the building not less than sixty days prior to the discontinuation of the building's private carter removal service for such recyclables.

(i) *Compliance:* Residential buildings of [nine] four or more dwelling units:

(1) Where the Commissioner, in his/her discretion, determines that the amount of designated recyclable materials placed out for collection by a residential building containing [nine] four or more dwelling units remains significantly less than what can reasonably be expected, the owner, net lessee, person-in-charge or residents of such building shall be required to use clear bags, or such other means of disposal as the Commissioner deems appropriate, for purposes of monitoring compliance with the New York City Recycling Law (New York City Administrative Code, §16-301 et seq.) to dispose of solid waste other than designated recyclable materials.

(2) Where the Commissioner determines that the owner, net lessee, or person-in-charge of the building has complied with obligations set forth in subdivision (f) of this section and the amount of designated recyclable material placed out for collection remains significantly less than what can reasonably be expected from such building, then, upon request of the owner, net lessee, or person-in-charge, the Commissioner shall, in consultation with the owner, net lessee or person-in-charge, develop a schedule to conduct random inspections in the building to facilitate compliance with this section by residents of such building. Such random inspections shall occur at a reasonable time and may include, but are not limited to, inspections of the solid waste placed out for collection in transparent bags set forth in paragraph (1) of this subdivision. Nothing herein shall limit the Commissioner's authority pursuant to §16-305(g) of the New York City Administrative Code to conduct lawful random inspections at reasonable times without notice to ensure compliance by the owner, net lessee, person-in-charge or resident of such building.

(j) *Enforcement:* Any owner, net lessee, person-in-charge or resident who violates any provision of this section shall be liable for civil penalties as set forth in §16-324 of the New York City Administrative Code.

STATEMENT OF BASIS AND PURPOSE

The Commissioner of the New York City Department of Sanitation is authorized to adopt rules establishing procedures for owners and occupants of residential buildings to place out designated recyclable materials for Department collection pursuant to §16-305 of the New York City Administrative Code.

Local Law Number 34 of 2010 amended §16-305 of the New York City Administrative Code by enhancing the current storage and posting requirements of residential building owners to facilitate increased recycling by the building's occupants. Local Law 34 also places new requirements on certain building owners to furnish their tenants with Department-issued recycling guide at the inception of a new lease. Accordingly, the Department proposes to amend its rules to make such rules consistent with the new requirements established under Local Law 34.

SPECIAL MATERIALS

HEALTH AND MENTAL HYGIENE

NOTICE

Notice of Concept Paper

In advance of the release of a Request for Proposals for a School-Located Mass Influenza Vaccination Campaign, the Department of Health and Mental Hygiene (DOHMH) is issuing a concept paper presenting DOHMH's plan for this new citywide service. The concept paper will be posted from 12/13/10 through 1/26/2011 on the Department's website at <http://www.nyc.gov/health/contracting> and public comment is invited.

d13-17

HOUSING PRESERVATION & DEVELOPMENT

NOTICE

OFFICE OF ENFORCEMENT & NEIGHBORHOOD SERVICES CERTIFICATION OF NO HARASSMENT UNIT

REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO LOCAL LAW 19 OF 1983

DATE OF NOTICE: December 10, 2010

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
79 West 119th Street, Manhattan	100/10	November 15, 2007 to Present
122 West 130th Street, Manhattan	101/10	November 16, 2007 to Present
608 8th Avenue, Manhattan	102/10	November 18, 2007 to Present
56 West 130 Street, Manhattan	103/10	November 18, 2007 to Present
136 West 123 Street, Manhattan	106/10	November 22, 2007 to Present
449 51st Street, Brooklyn	99/10	November 10, 2007 to Present
1234 Dean Street, Brooklyn	104/10	November 19, 2007 to Present
312 Alexander Avenue, Bronx	105/10	November 22, 2007 to Present

The Department of Housing Preservation and Development has received an application for a certification that during the inquiry period noted for the premises above, that no harassment has occurred at such premises in the form of threats, use of physical force, deprivation of essential services such as heat, water, gas or electric, or by any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy. Upon the issuance of a Certification, an owner can legally convert the premises to non-single room occupancy use.

Comments as to whether harassment has occurred at the premises should be submitted to the Anti-Harassment Unit, 100 Gold Street, 3rd 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 call (212) 863-5277, (212) 863-8211 or (212) 863-8298.

d10-21

OFFICE OF PRESERVATION SERVICES CERTIFICATION OF NO HARASSMENT UNIT

REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO THE SPECIAL CLINTON DISTRICT PROVISIONS OF THE ZONING RESOLUTION

DATE OF NOTICE: December 10, 2010

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
313 West 48th Street, Manhattan	97/10	November 9, 1995 to Present

Prior to the issuance of a permit by the Department of Buildings for the alteration or demolition of residential buildings in certain areas of the **Special Clinton District**, the Department of Housing Preservation and Development is required to certify that: 1) prior to evicting or otherwise terminating the occupancy of any tenant preparatory to alteration or demolition, the owner shall have notified HPD of the owner's intention to alter or demolish the building and 2) the eviction and relocation practices followed by the owner of the building satisfy all applicable legal requirements and that no harassment has occurred.

The owner of the building located at the above-referenced address seeks the issuance of an HPD Certification. The owner has represented and certified to HPD of the owner's intention to alter or demolish the building and that the eviction and relocation practices followed by the owner satisfy all applicable legal requirements and that no harassment has occurred. For your information HPD considers harassment to include, but not be limited to, the threatened or actual use of physical force, deprivation of essential services such as heat, water, gas or electric, or any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy.

HPD requests that if you have any comments or evidence of unlawful eviction and relocation practices or harassment occurring at the above referenced premises that you notify the Anti-Harassment Unit, 3rd Floor, 100 Gold Street, 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 call (212) 863-5277, (212) 863-8211 or (212) 863-8298.

d10-21