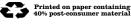


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THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

ELI BLACHMAN, Editor of The City Record.

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

STATEN ISLAND BOROUGH PRESIDENT

■ PUBLIC MEETING

Notice of Public Meeting of Staten Island Borough Board will be held in the Conference Room 122 at 5:30 P.M. on Wednesday, September 1, 2010 at the Staten Island Borough Hall, Stuyvesant Place, Staten Island, New York 10301.

a26-s1

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission Scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, September 15, 2010 at 10:00

BOROUGH OF MANHATTAN 45 EAST 70TH STREET

CD 8

C 100140 ZSM

IN THE MATTER OF an application submitted by 70th Street Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the requirements of Section 23-691 (Limited Height Districts), Section 23-692 (Height limitations for narrow buildings or enlargements), Section 23-663(b) (Required rear setbacks for tall buildings in other districts), and Section 23-462(c) (Side yards for all other residential buildings) to facilitate a 1-story rooftop enlargement of an existing 4-story residential building on property located at 45 East 70th Street (Block 1385, Lot 29), in an R8B District, within a Limited Height District (LH-1A), within the Upper East Side Historic

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

No. 2 WASHINGTON-GREENWICH STREETS REZONING

CD 2 C 100437 ZMM

IN THE MATTER OF an application submitted by the NYC

Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12a, changing from a C6-1 District to a C1-6A District property bounded by 12th Street, a line 100 feet easterly of Washington Street, a line midway between West 11th Street and Perry Street, Greenwich Street, West 10th Street, a line 150 feet easterly of Washington Street, a line 125 feet northerly of West 10th Street, and Washington Street, as shown on a diagram (for illustrative purposes only) dated June 7, 2010.

BOROUGH OF MANHATTAN Nos. 3-15 RIVERSIDE CENTER

C 100287 ZSM

IN THE MATTER OF an application submitted by CRP/ Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. 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 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way or yard which will be completely covered over by a permanent platform and that portion of the right-ofway or yard where railroad or transit use has been permanently discontinued or terminated to be included in the lot area, in connection with a proposed mixed use development on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulevard.

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

No. 4

IN THE MATTER OF an application submitted by CRP/ Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 1800 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulévard.

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

No. 5

C 100289 ZSM IN THE MATTER OF an application submitted by CRP/ Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant

to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 460 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development (Parcel 1), on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulevard.

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

C 100290 ZSM IN THE MATTER OF an application submitted by CRP/ Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 230 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development (Parcel 2), on property

bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulevard.

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

No. 7

C 100291 ZSM

IN THE MATTER OF an application submitted by CRP/ Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 290 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development (Parcel 3), on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulevard.

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

C 100292 ZSM

IN THE MATTER OF an application submitted by CRP/ Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 370 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development (Parcel 4), on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulevard.

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

No. 9

C 100293 ZSM

IN THE MATTER OF an application submitted by CRP/ Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 450 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development (Parcel 5), on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulevard.

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

No. 10

N 100294 ZRM

IN THE MATTER OF an application submitted by CRP/ Extell Parcel L, LP and CRP/Extell Parcel N, LP pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Section 74-743 (Special provisions for bulk modification), Borough of Manhattan, Community District 7.

Matter in underline is new, to be added; Matter in strikeout is old, to be deleted; Matter within # # is defined in Section12-10; * * indicates where unchanged text appears in the Zoning Resolution

ARTICLE VII: ADMINISTRATION

Chapter 4 Special Permits by the City Planning Commission

Special provisions for bulk modification

For a #general large-scale development#, the City Planning Commission may permit:

- (1) distribution of total allowable #floor area#, #rooming units#, #dwelling units#, #lot coverage# and total required #open space# under the applicable district regulations within a #general large-scale development# without regard for #zoning lot lines# or district boundaries subject to the following limitations:
 - (i) no distribution of #bulk# across the boundary of two districts shall be permitted for a #use# utilizing such #bulk# unless such #use# is permitted in both districts;
 - (ii) when a #general large-scale development# is located partially in a

 #Residence District# or in a C1, C2, C3 or
 C4-1 District and partially in other

 #Commercial# or #Manufacturing Districts#, no transfer of commercial #floor area# to a #Residence District# or to a C1, C2, C3 or C4-1 District from other districts shall be permitted;
- location of #buildings# without regard for the applicable #yard#, #court#, distance between #buildings#, or height and setback regulations; (2)
- (3) variation in the location of primary business entrances and #show windows# along frontages adjacent to #zoning lots# outside the #general large-scale development# without regard to regulations applicable near #Residence District#
- the maximum #floor area ratio# permitted pursuant to Section 23-142 (In R6, R7, R8 or R9 Districts) for the applicable district without regard for #height factor# or #open space ratio# requirements provided that the #general large-scale development# is located partially in a C6-1, C6-2 or C6-3 District within the boundaries of Community District 7 in Manhattan and that a minimum of 50 (4) District 7 in Manhattan and that a minimum of 50 percent of the required #open space# is provided within the #general large-scale development#. Required #open space# for the purposes of this paragraph, (a)(4), shall be calculated by utilizing the smallest #open space ratio# at the maximum #floor area ratio# pursuant to Section 23-142 for the applicable district;
- in an #Inclusionary Housing designated area# in a C4-6 or C5 District: (5)
 - a portion of the #lot area# that contains a wholly #commercial building# to be (i) excluded from the calculation of #floor area# for any other #buildings# on the remainder of the #zoning lot#; or
 - community facility #floor area# located above the ground floor to be excluded from the calculation of the amount of (ii) #affordable housing# required pursuant to Section 23-95; or
- modification of the requirements of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) for (6) #developments# or #enlargements#, where:
 - the required minimum distance as set forth in Section 23-86 is provided between the #legally required window# in the new (i) #development# or #enlargement# and a wall or #lot line # on an abutting property; and
 - the required minimum distance is provided by a light and air easement acceptable to the Department of City (ii) Planning and recorded in the County Clerk's office in the county in which such tracts of land are located.
- modification of the definition of #outer court# in Section 12-10 (DEFINITIONS) and the provisions of Section 23-84 (Outer Court Regulations) to include any open area that is bounded on all sides but the back stilling and in the back of the section of the sectio <u>(7)</u> but one by building walls and is not otherwise a #yard# or an #inner court#, provided that:
 - such modifications are permitted only for #general large-scale developments# previously approved by the City Planning Commission in a C4-7 District within the boundaries of Manhattan Community <u>(i)</u> District 7; and
 - <u>(ii)</u> the minimum distance between a #legally required window# facing onto such #outer court# and a building wall shall be 30 feet, measured in a horizontal plane at the sill level of, and perpendicular to such window for the full width of the rough window opening.
- In order to grant a special permit pursuant to this Section for any #general large-scale development#, the Commission shall find that: (b)
 - (1) the distribution of #floor area#, #open space#, #dwelling units#, #rooming units# and the location of #buildings#, primary business entrances and #show windows# will result in a better site plan and a better relationship among #buildings# and open areas to adjacent #streets#, surrounding #development#, adjacent open areas and shorelines than would be possible without such distribution and will thus benefit both the occupants of the #general large-scale development#, the neighborhood, and the City as a whole;
 - (2)the distribution of #floor area# and location of #buildings# will not unduly increase the #bulk# of #buildings# in any one #block# or unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks# or of people using the public #streets#;
 - where a #zoning lot# of a #general large-(3)scale development# does not occupy a frontage on a mapped #street# appropriate access to a mapped #street# is provided;

- (4) considering the size of the proposed #general large-scale development#, the
 #streets# providing access to such
 #general large-scale development# will be
 adequate to handle traffic resulting
 therefrom;
- when the Commission has determined that the #general large-scale (5)development# requires significant addition to existing public facilities serving the area, the applicant has submitted to the Commission a plan and timetable to provide such required additional facilities. Proposed facilities that are incorporated into the City's that are incorporated into the City's capital budget may be included as part of such plan and timetable;
- where the Commission permits the (6)maximum #floor area ratio# in accordance with the provisions of paragraph (a)(4) of this Section, the #open space# provided is of sufficient size to serve the residents of new or #enlarged buildings#. Such #open space# shall be accessible to and usable by all residents of such new or #enlarged buildings#, have appropriate access, circulation, seating, lighting and paving, and be substantially landscaped. Furthermore, the site plan of such #general large-scale development# shall include superior landscaping for #open space# of the new or #enlarged buildings#;
- where the Commission permits the exclusion of #lot area# or #floor area# in accordance with the provisions of (7)paragraph (a)(5) of this Section, such modification will facilitate a desirable mix of #uses# in the #general large-scale development# and a plan consistent with the objectives of the Inclusionary Housing
- (8) a declaration with regard to ownership requirements in paragraph (b) of the #general large-scale development# definition in Section 12-10 (DEFINITIONS) has been filed with the

The Commission may prescribe additional conditions and safeguards to improve the quality of the #general large-scale development# and to minimize adverse effects on the character of the surrounding area.

For a phased construction program of a multi-building complex, the Commission may, at the time of granting a special permit, require additional information, including but not limited to a proposed time schedule for carrying out the proposed #general large-scale development#, a phasing plan showing the distribution of #bulk# and #open space# and, in the case of a site plan providing for common #open space#, common open areas or common parking areas, a maintenance plan for such space or areas and surety for continued availability of such space or areas to the people they are intended to serve.

No. 11

No. 11

CD 7

N 100294 (A) ZRM

IN THE MATTER OF an application submitted by CRP/
Extell Parcel L, LP and CRP/Extell Parcel N, LP pursuant to
Sections 197-c and 201 of the New York City Charter and
proposed for modification pursuant to Section 2-06(c)(1) of the
Uniform Land Use Review Procedure for an amendment of
the Zoning Resolution of the City of New York, concerning
Section 23-144 (In designated areas where the Inclusionary
Housing Program is applicable), Section 23-954 (Additional
requirements for compensated developments). Section 74-743 requirements for compensated developments), Section 74-743 (Special provisions for bulk modification), and Appendix F (Inclusionary Housing Designated Areas).

Matter in underline is new, to be added; Matter in strikeout is old, to be deleted; Matter within # # is defined in Section12-10;
*** indicates where unchanged text appears in the Zoning Resolution

ARTICLE II: RESIDENCE DISTRICT REGULATIONS

Chapter 3 Bulk Regulations for Residential Buildings in Residence Districts

In designated areas where the Inclusionary Housing Program is applicable

In #Inclusionary Housing designated areas#, as listed in the table in this Section, the maximum permitted #floor area ratios# shall be as set forth in Section 23-952 (Floor area compensation in Inclusionary Housing designated areas). The locations of such areas are specified in APPENDIX F (Inclusionary Housing Designated Areas) of this Resolution.

Community District Community District 1, Bronx Community District 4, Bronx Community District 1, Brooklyn Community District 2, Brooklyn Community District 3, Brooklyn Community District 6, Brooklyn Community District 7, Brooklyn Community District 14, Brooklyn Community District 14, Brooklyn Community District 3, Manhattan	Zoning District R6A R7-2 R7A R7X R8A R8A R9D R6 R6A R6B R7A R7-3 R7A R8A R9A R7D R7-2 R7A R8A R7A R7A R8A R7A R7A R8A R9A
, ,	
	R7A R8A
Community District 14, Brooklyn	
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A <u>R10</u>
Community District 1, Queens	R7A
Community District 2, Queens	R7X
* * *	

Additional requirements for compensated developments

- Height and setback in #Inclusionary Housing designated areas#
 - In #Inclusionary Housing designated areas#, except within #Special Mixed Use Districts# and #general large-scale developments# in C4-7 Districts within the boundaries of Manhattan Community

District 7, subject to the provisions of a restrictive declaration, the #compensated development# must comply with the height and setback regulations of Sections 23-633 (Street wall location and height and setback regulations in certain districts) or 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts), as applicable.

- (2) In #Inclusionary Housing designated areas# within #Special Mixed Use Districts#, the #compensated development# must comply with the provisions of paragraphs (a) or (b) of Section 123-662 (All buildings in Special Mixed Use Districts with R6, R7, R8, R9 and R10 District designations), as applicable. However, where the #Residence District# designation is an R6 District without a letter suffix, the #compensated development# must comply with the height and setback regulations of Section 23-633, regardless of whether the #building# is #developed# or #enlarged# pursuant to the Quality Housing Program.
- Compensated development building permits (b)
 - #HPD# may issue a #permit notice# to the Department of Buildings at any time (1) on or after the #regulatory agreement date#. The Department of Buildings may thereafter issue building permits to a #compensated development# that utilizes #floor area compensation# based on the #affordable housing# described in such #permit notice#.
 - (2) If #HPD# does not receive confirmation that the #regulatory agreement# has been recorded within 45 days after the later of the #regulatory agreement date# or the date upon which #HPD# authorizes the recording of the #regulatory agreement#, #HPD# shall suspend or revoke such #permit notice#, notify the Department of Buildings of such suspension or revocation and not reinstate such #permit notice# or issue any new #permit notice# until #HPD# receives confirmation that the #regulatory agreement# has been recorded. Upon receipt of notice from #HPD# that a #permit notice# has been suspended or revoked, the Department of Buildings shall suspend or revoke each building permit issued pursuant to such #permit notice# which is then in effect for any #compensated development#.
- Compensated development certificates of occupancy (c)
 - (1) The Department of Buildings shall not issue a temporary or permanent certificate of occupancy for any portion of the #compensated development# that utilizes #floor area compensation# until #HPD# has issued a #completion notice# with respect to the #affordable housing# that generates such #floor area compensation#. However, where any #story# of a #compensated development# contains one or more #affordable housing units#, the Department of Buildings may issue any temporary or permanent certificate of occupancy for such #story# if such temporary or permanent certificate of occupancy either includes each #affordable housing unit# located in such #story# or only includes #dwelling units# or #rooming units# that are #affordable housing units#. Nothing in the preceding sentence shall be deemed to prohibit the granting of a temporary or permanent certificate of occupancy for a #super's unit#.
 - #HPD# shall not issue a #completion (2) notice# with respect to any portion of any #generating site# unless:
 - the Department of Buildings has issued temporary or permanent certificates of occupancy for all #affordable housing# described in such #completion notice# and such certificates of occupancy have not expired, been suspended or been revoked; or
 - (ii) where a #generating site# contains #affordable housing# that had a valid certificate of occupancy on the #regulatory agreement date# and no new temporary or permanent certificate of occupancy is thereafter required for the creation of such #affordable housing#, #HPD# has determined that all renovation and repair work required by the applicable #regulatory agreement# has been completed and all obligations with respect to the creation of such #affordable housing# have been fulfilled in accordance with the applicable #regulatory agreement#.

ARTICLE VII: ADMINISTRATION

Chapter 4

Special Permits by the City Planning Commission

74-743 Special provisions for bulk modification

- (a) For a #general large-scale development#, the City Planning Commission may permit:
 - distribution of total allowable #floor area#, #rooming units#, #dwelling units#, #lot coverage# and total required #open space# under the applicable district regulations within a #general large-scale development# without regard for #zoning lot lines# or district boundaries subject to the following limitations:
 - (i) no distribution of #bulk# across the boundary of two districts shall be permitted for a #use# utilizing such #bulk# unless such #use# is permitted in both districts:
 - (ii) when a #general large-scale development# is located partially in a #Residence District# or in a C1, C2, C3 or C4-1 District and partially in other #Commercial# or #Manufacturing Districts#, no transfer of commercial #floor area# to a #Residence District# or to a C1, C2, C3 or C4-1 District from other districts shall be permitted;
 - (2) location of #buildings# without regard for the applicable #yard#, #court#, distance between #buildings#, or height and setback regulations;
 - (3) variation in the location of primary business entrances and #show windows# along frontages adjacent to #zoning lots# outside the #general large-scale development# without regard to regulations applicable near #Residence District# boundaries;
 - the maximum #floor area ratio#
 permitted pursuant to Section 23-142 (In R6, R7, R8 or R9 Districts) for the applicable district without regard for #height factor# or #open space ratio# requirements provided that the #general large-scale development# is located partially in a C6-1, C6-2 or C6-3 District within the boundaries of Community District 7 in Manhattan and that a minimum of 50 percent of the required #open space# is provided within the #general large-scale development#. Required #open space# for the purposes of this paragraph, (a)(4), shall be calculated by utilizing the smallest #open space ratio# at the maximum #floor area ratio# pursuant to Section 23-142 for the applicable district;
 - (5) in an #Inclusionary Housing designated area# in a C4-6 or C5 District:
 - (i) a portion of the #lot area# that contains a wholly #commercial building# to be excluded from the calculation of #floor area# for any other #buildings# on the remainder of the #zoning lot#;
 - (ii) community facility #floor area# located above the ground floor to be excluded from the calculation of the amount of #affordable housing# required pursuant to Section 23-95; or
 - (6) modification of the requirements of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) for #developments# or #enlargements#, where:
 - the required minimum distance as set forth in Section 23-86 is provided between the #legally required window# in the new #development# or #enlargement# and a wall or #lot line # on an abutting property; and
 - (ii) the required minimum distance is provided by a light and air easement acceptable to the Department of City Planning and recorded in the County Clerk's office in the county in which such tracts of land are located.
 - (7) modification of the definition of #outer
 court# in Section 12-10 (DEFINITIONS)
 and the provisions of Section 23-84 (Outer
 Court Regulations) to include any open
 area that is bounded on all sides but one
 by building walls and is not otherwise a
 #yard# or an #inner court#, provided that:
 - (iii) such modifications are permitted only for #general large-scale developments# previously approved by the City Planning Commission in a C4-7 District within the boundaries of Manhattan Community District 7; and
 - (iv) the minimum distance between a #legally required window# facing onto such #outer court# and a building wall shall be 30 feet, measured in a horizontal plane at the sill level of, and perpendicular to such window for the full width of the rough window opening.
 - (8) In an #Inclusionary Housing designated area# in a C4-7 district within the boundaries of Manhattan Community

District 7, for the purpose of applying the Inclusionary Housing Program within such #Inclusionary Housing designated

- (i) modification of the base and maximum #floor area ratios# specified in Section 23-952, not to exceed the maximum #floor area ratios# permitted by the underlying district, based on a proportionality between #affordable floor area# and #residential floor area# in #buildings# containing multiple #uses#; and
- (ii) modification of the requirements regarding distribution of #affordable housing units# specified in Section 23-96(b)

as set forth in a restrictive declaration.

- (b) In order to grant a special permit pursuant to this Section for any #general large-scale development#, the Commission shall find that:
 - (1) the distribution of #floor area#, #open space#, #dwelling units#, #rooming units# and the location of #buildings#, primary business entrances and #show windows# will result in a better site plan and a better relationship among #buildings# and open areas to adjacent #streets#, surrounding #development#, adjacent open areas and shorelines than would be possible without such distribution and will thus benefit both the occupants of the #general large-scale development#, the neighborhood, and the City as a whole;
 - (2) the distribution of #floor area# and location of #buildings# will not unduly increase the #bulk# of #buildings# in any one #block# or unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks# or of people using the public #streets#;
 - (3) where a #zoning lot# of a #general largescale development# does not occupy a frontage on a mapped #street#, appropriate access to a mapped #street# is provided;
 - (4) considering the size of the proposed #general large-scale development#, the #streets# providing access to such #general large-scale development# will be adequate to handle traffic resulting therefrom;
 - (5) when the Commission has determined that the #general large-scale development# requires significant addition to existing public facilities serving the area, the applicant has submitted to the Commission a plan and timetable to provide such required additional facilities. Proposed facilities that are incorporated into the City's capital budget may be included as part of such plan and timetable;
 - (6) where the Commission permits the maximum #floor area ratio# in accordance with the provisions of paragraph (a)(4) of this Section, the #open space# provided is of sufficient size to serve the residents of new or #enlarged buildings#. Such #open space# shall be accessible to and usable by all residents of such new or #enlarged buildings#, have appropriate access, circulation, seating, lighting and paving, and be substantially landscaped.
 Furthermore, the site plan of such #general large-scale development# shall include superior landscaping for #open space# of the new or #enlarged buildings#;
 - (7) where the Commission permits the exclusion of #lot area# or #floor area# in accordance with the provisions of paragraph (a)(5) of this Section or modification of the base and maximum #floor area ratios# or requirements regarding distribution of #affordable housing units# in accordance with paragraph (a)(8) of this Section, such modification will facilitate a desirable mix of #uses# in the #general large-scale development# and a plan consistent with the objectives of the Inclusionary Housing Program and those of Section 74-74 (General Large-Scale Development) with respect to better site planning; and
 - (8) a declaration with regard to ownership requirements in paragraph (b) of the #general large-scale development# definition in Section 12-10 (DEFINITIONS) has been filed with the Commission.

The Commission may prescribe additional conditions and safeguards to improve the quality of the #general large-scale development# and to minimize adverse effects on the character of the surrounding area.

For a phased construction program of a multibuilding complex, the Commission may, at the time of granting a special permit, require additional information, including but not limited to a proposed time schedule for carrying out the proposed #general large-scale development#, a phasing plan showing the distribution of #bulk# and #open space# and, in the case of a site plan providing for common #open space#, common open areas or common parking areas, a maintenance plan for such space or areas and surety for continued availability of such space or areas to the people they are intended to serve.

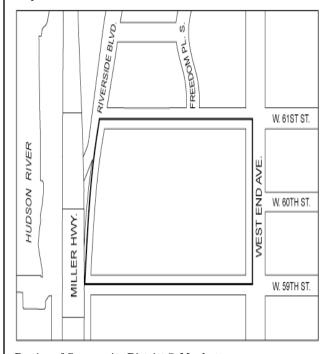
APPENDIX F: INCLUSIONARY HOUSING DESIGNATED AREAS

* * * Manhattan

* * * *
Manhattan Community District 7

In the R9A and R10 Districts within the areas shown on the following Maps 1 and 2:

<u>Map 2</u>



Portion of Community District 7, Manhattan

No. 12

CD 7 N 100295 ZRM IN THE MATTER OF an application submitted by CRP/Extell Parcel L, LP and CRP/Extell Parcel N, LP pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Section 74-74 (General Large-Scale Development) and Section 74-744 (Modification of use regulations).

Matter in <u>underline</u> is new, to be added; Matter in <u>strikeout</u> is old, to be deleted; Matter within # # is defined in Section12-10; * * * indicates where unchanged text appears in the Zoning Resolution

ARTICLE VII: ADMINISTRATION

Chapter 4 Special Permits by the City Planning Commission

74-74 General Large-Scale Development

For #general large-scale developments# involving several #zoning lots# but planned as a unit, the district regulations may impose unnecessary rigidities and thereby prevent achievement of the best possible site plan within the overall density and #bulk# controls. For these #developments#, the regulations of this Section are designed to allow greater flexibility for the purpose of securing better site planning, while safeguarding the present or future use and development of the surrounding area.

No portion of a #general large-scale development# shall contain any #use# not permitted by the applicable district regulations for such portion, except as otherwise provided in Section 74-744 (Modification of use regulations). When an existing #building# in a #general large-scale development# is occupied by a #non-conforming use#, any #enlargement# of such existing #building# shall be subject to the requirements set forth in Section 52-00 (NON-CONFORMING USES: DEFINITIONS AND GENERAL PROVISIONS).

Modification of use regulations

(a) <u>Use modifications</u>

(1) Waterfront and related #commercial uses#

In a C4 District, the City Planning Commission may modify applicable district regulations to allow certain boating and related #uses# listed in Use Group 14A, not otherwise allowed in such district, provided the Commission shall find that:

(1)(i) the #uses# are appropriate for the location and blend harmoniously with the rest of the #general large-scale development#; and

(2)(ii) the #streets# providing access to such #uses# will be adequate to handle the traffic generated thereby.

(2) Automotive sales and service #uses#

For #general large-scale developments# previously approved by the City Planning Commission in a C4-7 District within the boundaries of Manhattan Community District 7, the City Planning Commission may modify applicable district regulations to allow automotive sales and service establishments that include repair services and preparation for delivery, provided the Commission shall find that:

the portion of the establishment
used for the servicing and
preparation of automobiles is
located entirely in a #cellar#
level and below grade or
established curb level, and the
ground floor level of such
establishment is used only for
showrooms and sales;

- (ii) sufficient indoor space for storage of vehicles for sale or service has been provided; and
- (iii) such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic or adversely affect pedestrian movement.

(b) Location of #commercial uses#

For any #general large-scale development#, the City Planning Commission may permit #residential# and non-#residential uses# to be arranged within a #building# without regard for the regulations set forth in Section 32-42 (Location within Buildings), provided the Commission shall find:

- (1) the #commercial uses# are located in a portion of the #mixed building# that has separate access to the outside with no opening of any kind to the #residential# portion of the #building# at any #story#;
- (2) the #commercial uses# are not located directly over any #story# containing #dwelling units#; and
- (3) the modifications shall not have any adverse effect on the #uses# located within the #building#.

C 100296 ZSM

* * *

CD 7

No. 13

IN THE MATTER OF an application submitted by CRP/Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743* of the Zoning Resolution to allow the location of buildings without regard for the applicable court, distance between buildings, and height and setback regulations, in connection with a proposed mixed use development, on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally

 * Note: Section 74-743 is proposed to be changed under a concurrent related application (N 100294 ZRM) for a zoning text amendment.

bounded by West 72nd Street, Freedom Place, West End

Avenue, West 59th Street and Riverside Boulevard

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

No. 14

CD 7 C 100296 (A) ZSM IN THE MATTER OF an application submitted by CRP/ Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06 (c)(1) of the Uniform Land Use Review Procedure, for the grant of a special permit pursuant to Section 74-743* of the Zoning Resolution to allow the location of buildings without regard for the applicable court, distance between buildings and height and setback regulations and for purposes of applying the inclusionary housing program, the modification of the base and maximum floor area ratios based on a proportionality between affordable floor area and residential floor area in buildings containing multiple uses and the modification of the requirements regarding distribution of affordable housing units, in connection with a proposed mixed use development, on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulevard.

* Note: Section 74-743 is proposed to be changed under a concurrent related application (N 100294 (A) ZRM) for a zoning text amendment.

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

No. 15

CD 7

C 100297 ZSM
IN THE MATTER OF an application submitted by CRP/
Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant
to Sections 197-c and 201 of the New York City Charter for
the grant of a special permit pursuant to Section 74-744* of
the Zoning Resolution to allow an automotive sales and
service establishment that includes repair services and
preparation for delivery on portions of the ground floor and
cellar of a proposed mixed use development on property
bounded by West 61st Street, West End Avenue, West 59th
Street and Riverside Boulevard (Block 1171, Lots 155 & 165),
in a C4-7 District, within a general large-scale development
generally bounded by West 72nd Street, Freedom Place, West
End Avenue, West 59th Street and Riverside Boulevard.

* Note: Section 74-744 is proposed to be changed under a concurrent related application (N 100295 ZRM) for a zoning text amendment.

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

NOTICE

On Wednesday, September 15, 2010, at 10:00 A.M., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive

comments related to a Draft Supplemental **Environmental Impact Statement (DSEIS) concerning** a proposal to modify the southernmost portion of the previously approved Riverside South development project. The proposed project site, known as Riverside Center, is bounded by West End Avenue, the alignment of Riverside Boulevard, and West 59th and West 61st Streets in the Lincoln Square neighborhood of Manhattan Community District 7. The proposed project requires CPC approval to modify the previously approved general large-scale development (GLSD) special permit and restrictive declaration to reflect the current proposal; amendments to the text of the Zoning Resolution; a new special permit relating to court, distance between buildings, and height and setback regulations, a new special permit to allow automobile sales and service uses (Use Group 16B) on the project site; a new special permit to allow development within a railroad or transit right-of-way; six new special permits associated with a public parking garage(s); an authorization to allow a curb cut; and certifications to permit curb cuts and to modify certain Streetscape regulations of the Zoning Resolution.

The proposed actions would facilitate a proposal by the applicant to redevelop their project site (Block 1171, Lots 155 and 165) with a complex of five mixeduse buildings that would include residential (including market-rate and affordable housing), commercial (including hotel, retail, office, cinema, and automotive showroom and service uses), a public elementary and intermediate school, public parking, and approximately 2.75 acres of privately owned, publicly accessible open space.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 09DCP020M.

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

☞ s1-15

COMMUNITY BOARDS

■ PUBLIC HEARINGS

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 4 - Tuesday, September 7, 2010 at 7:00 P.M., Elks Lodge #878, 82-20 Queens Boulevard, Elmhurst, NY

Public Hearing Queens Center Mall area:

Queens Center Mall area: The NYC Department of Transportation will present Traffic Study Findings:

The proposal consists converting the two-way operation of 57th Avenue from 92nd Street to 90th Street to one-way west bound operation and related traffic improvements.

FY 2012 Capital and Expense Budget Requests.

● s1-

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 11 - Tuesday, September 7, 2010 at 7:00 P.M., M.S. 158, 46-35 Oceania Street, Bayside, NY

A request by the Bayside Village BID to change the parking meters on Bell Boulevard between Northern Boulevard and 38th Avenue in Bayside from one-hour to two-hour time limits.

A proposal to name 196th Place between 45th Drive and 45th Road in Flushing in honor of the late civic leaders Jack and Yolanda Norris.

A public Hearing to solicit input from the community for new capital and expense items within the district for submission in the FY 2012 City Budget.

• s1-7

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 14 - Thursday, September 2, 2010 at 7:00 P.M., 810 East 16th Street, between Ave. H and Dead End, Brooklyn, NY

BSA# 103-10-BZ/BSA# 150-10BZ Public Hearing Request for a Street Co-Naming The administration of Edward R. Murrow High School has requested community support for co-naming East 17th Street between Avenue L and Avenue M "Saul Bruckner Way" in honor of the late school's founding principal.

Special Permit

Application for special permits have been filed with the Board of Standards and Appeals (BSA), pursuant to Section 73-622 of the City of New York, to enlarge single or two-family detached or semi-detached residences within the designated R2 district bounded by Avenue I, Nostrand Avenue, Kings Highway, Avenue O and Ocean Avenue.

FRANCHISE AND CONCESSION REVIEW COMMITTEE

MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a Public Meeting on Wednesday, September 8, 2010 at 2:30 P.M., at 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan.

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

a30-s8

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **September 7, 2010 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF QUEENS 10-8887 - Block 8106, lot 5 -8 Prospect Avenue, aka 42-25 240th Street - Douglaston Hill Historic District

A Queen Anne style free-standing house designed by John A. Sinclair and built in 1899-1900. Application is to construct additions, an entrance portio, and terrace; modify masonry openings; install skylights; and alter a garage and driveway. Zoned R1-2. Community District 11.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF QUEENS 10-9509 - Block 8106, lot 69 -240-35 43rd Avenue - Douglaston Hill Historic District A neo-Colonial style free-standing house designed by D.S. Hopkins and built in 1900-1901. Application is to construct a rear addition and patio and install a roof railing. Zoned R1-2. Community District 11.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF QUEENS 10-9653 - Block 1278, lot 44 -78-01 37th Avenue - Jackson Heights Historic District A Moderne style commercial building designed by Oscar I. Silverstone and built in 1941. Application is to install new storefront openings, replace storefront infill and install a marquee and signage. Community District 3.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 10-8939 - Block 944, lot 40 -128 6th Avenue - Park Slope Historic District A neo-Grec style rowhouse designed by M. J. Morrill and built in 1876. Application is to replace the sidewalk. Community District 6.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 11-1206 - Block 942, lot 17 -102 Park Place - Park Slope Historic District A neo-Gree style rowhouse built in 1877. Application is to legalize the installation of an areaway fence without Landmarks Preservation Commission permits. Community District 6.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 10-9729 - Block 323, lot 39 -6 Strong Place - Cobble Hill Historic District A transitional Greek Revival/Italianate style townhouse built in the 19th century. Application is to legalize the installation of windows in noncompliance with Certificate of No Effect 02-6845. Community District 6.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 11-1398 - Block 1945, lot 8 -357 Waverly Avenue - Clinton Hill Historic District A vernacular 19th century carriage house and residence. Application is to modify security grilles installed without Landmarks Preservation Commission permits. Community District 2.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 10-9480 - Block 2072, lot 4 -174 Washington Place - Fort Greene Historic District An Italianate style rowhouse built c. 1868. Application is to construct rooftop and rear yard additions. Zoned R-6B. Community District 2.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 11-1511 - Block 28, lot 5 -25 Washington Street - DUMBO Historic District An American Round Arch style factory building, designed by William Higginson and built in 1901. Application is to establish a master plan governing the future installation of windows. Community District 2.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 10-8866 - Block 46, lot 9 -14 Wall Street - 14 Wall Street Building-Individual Landmark

A Classical Revival style office building designed by Trowbridge & Livingston, and built in 1910-12, with a Modern Classic style addition designed by Shreve, Lamb & Harmon and built in 1931-33. Application is to install two escalators. Community District 1.

a27-s2

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-9620 - Block 97, lot 7503 -222 Front Street - South Street Seaport Historic District A brick building built 1798-1800. Application is to legalize the installation of a sign armature without Landmarks Preservation Commissioner permits, and install new signage. Community District 1.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 11-0390 - Block 147, lot 12 - 135 West Broadway - Tribeca South Historic District A Federal style house with a commercial base built in 1810. Application is to install storefront infill and signage. Community District 1.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 10-8997 - Block 196, lot 3 -406 Broadway - Tribeca East Historic District A mid-twentieth century commercial style store and office building, designed by Frederic P. Kelley & Arthur Paul Hess and built in 1938. Application to construct a rear addition and install storefront infill. Zoned M1-5. Community District 1.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 10-9483 - Block 179, lot 68 -137 Franklin Street - Tribeca West Historic District An empty lot. Application is to construct a new building. Zoned M1-5. Community District 1.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 11-1542 - Block 497, lot 15 -558 Broadway - SoHo-Cast Iron Historic District A commercial building built in 1860 and altered in 1920. Application is to replace the storefront. Community District 2.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 11-0608 - Block 529, lot 72 -65 Bleecker Street - Bayard-Condict Building, Individual

Landmark A Sullivanesque style office building designed by Louis Sullivan and built in 1897-99. The application is to install signage. Community District 2.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 11-0087 - Block 589, lot 5 -245 Bleecker Street - Greenwich Village Extension II A Federal style row house built in 1829 with major alterations completed in 1926. Application is to install storefront infill and signage. Community District 2.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 11-1642 - Block 590, lot 1-257 Bleecker Street – Greenwich Village Historic District Extension II

An altered-Federal style brick rowhouse built in 1829 with alterations in 1921 and 1930. Application is to install new storefront infill. Community District 2.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 11-0414 - Block 590, lot 2 263 Bleecker Street - Greenwich Village Historic District Extension II

A Renaissance Revival style tenement building designed by Horenburger & Straub and built c.1904. Application is to install storefront infill and signage. Community District 2.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 11-0431 - Block 1047, lot 7502 - $300~\mathrm{West}~57\mathrm{th}~\mathrm{Street}$ - Hearst Magazine Building-Individual

Landmark An Art-Deco/Viennese Seccessionist style office building designed by Joseph Urban and Geroge B. Post and Sons, and built in 1927-1928. Application is to install signage and a marquee. Zoned C6-6. Community District 5.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 10-3999 - Block 1381, lot 7504 -21 East 66th Street - Upper East Side Historic District A neo-Gothic style apartment building designed by Fred F. French Company and built in 1921. Application is to construct a rooftop addition. Zoned C5-1. Community District 8.

a24-s7

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, September 1, 2010. Interested parties can obtain copies of proposed agreements or request sign-language interpreters 71th 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 415/22 Associates, LLC to construct, maintain and use a fenced-in area, together with planted area, on the north sidewalk of West 22nd Street, west 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 city according to the following schedule:

From the date of Approval by the Mayor to June 30, 2011

For the period July 1, 2011 to June 30, 2012 - \$1,546 For the period July 1, 2012 to June 30, 2013 - \$1,592 For the period July 1, 2013 to June 30, 2014 - \$1,638 For the period July 1, 2014 to June 30, 2015 - \$1,684 For the period July 1, 2015 to June 30, 2016 - \$1,730 For the period July 1, 2016 to June 30, 2017 - \$1,776 For the period July 1, 2017 to June 30, 2018 - \$1,822 For the period July 1, 2018 to June 30, 2019 - \$1,868 For the period July 1, 2019 to June 30, 2020 - \$1,914 For the period July 1, 2020 to June 30, 2021 - \$1,960

the maintenance of a security deposit in the sum of \$7,500 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.

#2 In the matter of a proposed revocable consent authorizing Plaxall, Inc. to continue to maintain and use a fenced-in area on and along the east sidewalk of Jackson Avenue, south of 47th Road, in the Borough of Queens. 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 condition for compensation payable to the city according to the following

For the period July 1, 2010 to June 30, 2011 - \$16,873For the period July 1, 2011 to June 30, 2012 - \$17,374 For the period July 1, 2012 to June 30, 2013 - \$17,875 For the period July 1, 2013 to June 30, 2014 - \$18,376 For the period July 1, 2014 to June 30, 2015 - \$18,877 For the period July 1, 2015 to June 30, 2016 - \$19,378 For the period July 1, 2016 to June 30, 2017 - \$19,879 For the period July 1, 2017 to June 30, 2018 - \$20,380 For the period July 1, 2018 to June 30, 2019 - \$20,881 For the period July 1, 2019 to June 30, 2020 - \$21,382

the maintenance of a security deposit in the sum of \$21,400and 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 Bloomingdale Woods Homeowners Association, Inc. to continue to maintain and use a force main, together with manholes, and a gravity sewer pipe under and along Veterans Road East, between Pitney Avenue and Poplar Avenue, in the Borough of Staten Island.

The proposed revocable consent is for a terms of ten years from July 1, 2008 to June 30, 2018 and provides among other terms and conditions for compensation payable to the city according to the following schedule:

For the period July 1, 2008 to June 30, 2009 - \$70,008 For the period July 1, 2009 to June 30, 2010 - \$72,108 For the period July 1, 2010 to June 30, 2011 - \$74,315 For the period July 1, 2011 to June 30, 2012 - \$76,522 For the period July 1, 2012 to June 30, 2013 - \$78,729 For the period July 1, 2013 to June 30, 2014 - \$80,936 For the period July 1, 2014 to June 30, 2015 - \$83,143 For the period July 1, 2015 to June 30, 2016 - \$85,350 For the period July 1, 2016 to June 30, 2017 - \$87,557 For the period July 1, 2017 to June 30, 2018 - \$89,764

the maintenance of a security deposit in the sum of \$89,800 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#4 In the matter of a proposed revocable consent authorizing Ramaz School to continue to maintain and use an electrical conduit under and along East 85th Street, west of Lexington Avenue, 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 condition for compensation payable to the city according to the following schedule:

For the period July 1, 2010 to June 30, 2011 - \$1,886 For the period July 1, 2011 to June 30, 2012 - \$1,944 For the period July 1, 2012 to June 30, 2013 - \$2,002 For the period July 1, 2013 to June 30, 2014 - \$2,060 For the period July 1, 2013 to June 30, 2015 - \$2,108
For the period July 1, 2014 to June 30, 2015 - \$2,118
For the period July 1, 2015 to June 30, 2016 - \$2,176
For the period July 1, 2016 to June 30, 2017 - \$2,234
For the period July 1, 2017 to June 30, 2018 - \$2,292
For the period July 1, 2018 to June 30, 2019 - \$2,350
For the period July 1, 2019 to June 30, 2020 - \$2,408

the maintenance of a security deposit in the sum of \$2,400 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000

a12-s1

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE **SERVICES**

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AUCTION

PUBLIC AUCTION SALE NUMBER 11001-E

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, September 1, 2010 (SALE NUMBER 11001-E). 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

> http://www.nyc.gov/autoauction OR http://www.nyc. gov/autoauctions

Terms and Conditions of Sale can be viewed at this site. For further information, please call $(718)\ 417\text{-}2155$ or $(718)\ 625\text{-}1313.$

a20-s1

■ SALE BY AUCTION

PUBLIC AUCTION SALE NUMBER 11001-F

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, September 15, 2010 (SALE

NUMBER 11001-F). 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

> http://www.nyc.gov/autoauction 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 $(718)\ 625 - 1313.$

● s1-15

SALE BY SEALED BID

SALE OF: 4 LOTS OF MISCELLANEOUS EQUIPMENT,

S.P.#: 11004

DUE: September 13, 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.

a30-s13

SALE OF: 10 USED HOPPER BARGES.

S.P.#: 11005

DUE: September 9, 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.

a26-s9

DIVISION OF REAL ESTATE SERVICES

PUBLIC NOTICE IS HEREBY GIVEN THAT the Deputy Commissioner of the Department of Citywide Administrative Services, Division of Real Estate Services, or his/her designee, will conduct a Sealed Bid Public Lease Auction pertaining to Long-Term Leases, Short-Term Leases and Licenses and Request For Bids pertaining to Occupancy Permits on Thursday, September 2, 2010, at 1 Centre Street, 20th Floor North Conference Room, New York, NY 10007. Sealed bids will be accepted from 10:00 A.M. to 11:00 A.M. and opened at 11:00 A.M.

The offerings, including Terms and Conditions and Special Terms and Conditions are set forth in a brochure. For further information, including a brochure and a bid packet, contact Valeria Vines at 1 Centre Street, 19th Floor North, New York, NY 10007, or call (212) 669-2111. This information is also posted on the DCAS website at nyc.gov/auctions.

In accordance with New York Administrative Code Section 4-203, the properties listed below will be offered at Sealed Bid Public Lease Auction:

Manhattan, Block 1485, Part of Lot 15

Property Description: Unimproved land located at the north side of East 73rd Street, approximately 384 feet east of York Avenue Minimum Monthly Bid: \$8,850

Inspection Dates:

Thursday, August 12, 2010, 1:30 P.M. to 2:30 P.M. Friday, August 20, 2010, 1:30 P.M. to 2:30 P.M.

Queens, Block 14260, Part of Lot 1

Property Description: Unimproved land located south of the south side of 146th Avenue between 153rd Court and 157th Street, starting at a point approximately 84 feet west and 50 feet south of the northwest corner of 157th Street and 146th Avenue

Minimum Monthly Bid: \$22,500

Friday, August 13, 2010, 9:30 A.M. to 10:30 A.M. Wednesday, August 18, 2010, 1:30 P.M. to 2:30 P.M.

Queens, Block 13432, Lots: Part of Lot 6, Part of Lot 20, Part of Lot 21, Part of Lot 40, Part of Lot 46, Part of Lot 49, Part of Lot 53, Part of Lot 59, Part of Lot 65, Part of Lot 67;

Block 13433, Lots: Part of Lot 2, 5, 10, 15, 20, Part of Lot 23, Part of Lot 29, Part of Lot 34, Part of Lot 36, Part of Lot 53, Part of Lot 55, Part of Lot 57, 59, 69, Part of Lot 999 (formerly known as 150th Road)

Property Description: Unimproved land located at the east side of 183rd Street, 80 feet north of Rockaway Boulevard Minimum Monthly Bid: \$21,750Inspection Dates:

Friday, August 13, 2010, 11:30 A.M. to 12:30 P.M. Wednesday, August 18, 2010, 11:30 A.M. to 12:30 P.M.

Queens, Block 13420, Lots: 8 and 999

Property Description: Unimproved land located at the west side of 183rd Street, 200 feet south of the southwest corner of 150th Drive and 183rd Street Minimum Monthly Bid: \$3,850

Inspection Dates:

Friday, August 13, 2010, 1:00 P.M. to 2:00 P.M.

Wednesday, August 18, 2010, 10:00 A.M. to 11:00 A.M. In accordance with New York City Concession Rules (Title 12 of the Rules of the City of New York), the properties listed below will be offered through Request For Bids:

Brooklyn, Block 803, Part of Lot 5

Property Description: Two story building and unimproved land located at the south side of 52nd Street, approximately 865 feet west of 1st Avenue Minimum Monthly Bid: \$4,950

Inspection Dates: Tuesday, August 10, 2010, 9:30 A.M. to 10:30 A.M. Monday, August 16, 2010, 10:00 A.M. to 11:00 A.M.

Brooklyn, Block 803, Part of Lot 5

Property Description: Unimproved land located at the south side of 52nd Street, approximately 465 feet west of 1st Avenue Minimum Monthly Bid: \$3,150 Inspection Dates:

Tuesday, August 10, 2010, 10:30 A.M. to 11:30 A.M. Monday, August 16, 2010, 11:00 A.M. to 12:00 P.M.

NOTE: Individuals requesting Sign Language Interpreters should contact Valeria Vines at 1 Centre Street, 19th Floor North, New York, NY 10007, (212) 669-2111, no later than fourteen (14) days prior to the auction. TDD users should call Verizon relay services.

jy29-s2

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

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

PROCUREMENT

"The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation 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."

BUILDINGS

■ INTENT TO AWARD

Services (Other Than Human Services)

MAINTENANCE FOR QMATIC EQUIPMENT – Sole Source – Available only from a single source - PIN# 81011OPS0083 – DUE 09-09-10 AT 3:00 P.M. – Any one firm that believe it can provide the required services may do so indicate by a letter addressed to the contact name below by the date and time indicated.

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 Buildings, 280 Broadway, 6th Floor, NY, NY 10007. Kareem Gabriel (212) 566-4473, fax: (212) 566-4090, kgabriel@buildings.nyc.gov

CITYWIDE ADMINISTRATIVE **SERVICES**

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

BARBER SHOP SUPPLIES (D.O.C.) - Competitive Sealed Bids - PIN# 8571100006 - DUE 09-28-10 AT 10:30 A.M. -● FINE AND COARSE AGGREGATES – Competitive Sealed Bids - PIN# 8571000717 - DUE 09-22-10 ÂT 10:30

- STOREHOUSE MISC. SOLVENT WIPES, RE-AD Competitive Sealed Bids – PIN# 8571100113 – DUE 09-20-10 AT 10:30 A.M.
- MSA THERMAL IMAGING CAMERAS AND GRP (BRAND SPECIFIC) – Competitive Sealed Bids PIN# 8571000652 – DUE 09-21-10 AT 10:30 A.M.
- GASOLINE AND ETHANOL BLENDS, BULK DELIVERY - Competitive Sealed Bids - PIN# 8571000577 DUE 09-16-10 AT 10:30 A.M.
 ◆ STOREHOUSE MISC. ROTARY DRUM PUMPS AND
- **FIRE PAILS** Competitive Sealed Bids PIN# 8571000731 DUE 09-16-10 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

LABORATORY COATS – Competitive Sealed Bids – PIN# 8571000729 – DUE 09-29-10 AT 10:30 A.M.
● CASSETTE; AUDIO TAPE – Competitive Sealed Bids – PIN# 8571000932 – DUE 09-27-10 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

■ VENDOR LISTS

Goods

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

- Mix, Biscuit AB-14-1:92
- Mix, Bran Muffin AB-14-2:91
- Mix, Corn Muffin AB-14-5:91
- Mix, Pie Crust AB-14-9:91
- Mixes, Cake AB-14-11:92A
- Mix, Egg Nog AB-14-19:93
- Canned Beef Stew AB-14-25:97 Canned Ham Shanks - AB-14-28:91
- Canned Corned Beef Hash AB-14-26:94
- 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.

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.

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.

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EMPLOYEES' RETIREMENT SYSTEM

■ INTENT TO AWARD

 $Goods \ \& \ Services$

IBM FILENET UPGRADE – Sole Source – Available only from a single source - PIN# 0090823101 – DUE 09-03-10 AT 5:00 P.M. – IBM will perform a required FileNet upgrade from version 3.5 to version 4.5 because version 3.5 is being discontinued.

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

bids at date and time specified above.

Employees' Retirement System, 335 Adams Street, Brooklyn,
NY 11201. Elizabeth Reyes (347) 643-3542, ereyes@nycers.nyc.gov

ENVIRONMENTAL PROTECTION

■ INTENT TO AWARD

Services (Other Than Human Services)

SCANNING ELECTRON MICROSCOPE

MAINTENANCE – Sole Source – Available only from a single source - PIN# 1018115 – DUE 09-10-10 AT 11:00 A.M. - DEP/Bureau of Water Supply intends to enter into a sole source agreement with FEI Company, for the maintenance of our scanning electron microscope. Any firm which believes it can also provide the required service is invited to do so indicate by letter or e-mail. Please respond no later than Friday, September 10, 2010 to the attention of Ira M. Elmore, Deputy Agency Chief Contracting Officer.

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 Environmental Protection

59-17 Junction Blvd., 17th Floor, Flushing, NY 11373. Ira Elmore (718) 595-3259, fax: (718) 595-3295, ielmore@dep.nyc.gov

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FINANCE

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■ INTENT TO AWARD

 $Goods \ \& \ Services$

J-INTEGRA SOFTWARE MAINT. SERVICES - Sole

Source – Available only from a single source -PIN# 83611S0002 – DUE 09-22-10 AT 3:00 P.M. – Software support and maintenance.

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 Finance, 1 Centre Street, Rm. 1040, New York, New York 10007. Raymond Matias (212) 266-9311, matiasr@finance.nyc.gov

HEALTH AND HOSPITALS CORPORATION

The New York City 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

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■ SOLICITATIONS

Goods

LED DAYLITE COMPLETE SURGICAL COAXIAL/CXL HEADSET AND TWIN BEAM LED DAYLITE COMPLETE UNIT SURGICAL COAXIAL/CXL **HEADSET** - Competitive Sealed Bids -PIN# QHN2011-1019EHC - DUE 09-24-10 AT 10:00 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above. Queens Health Network, 82-68 164th Street, "S" Building,

Jamaica, NY 11432. Monique Thomas (718) 883-6000

fax: (718) 883-6222, thomasmon@nychhc.org

EO GAS CARTRIDGES AND OTHER SUPPLIES USED FOR EO GAS STERILIZATION SYSTEM - Competitive Sealed Bids - PIN# 21111024 - DUE 09-17-10 AT 3:00 P.M. -For Metropolitan Hospital and the South Manhattan Healthcare Network. The following product listing needs to be same as or equal to Anderson and include shipping: 1. An1005, Gas Cartridges Estimated Usage 30 Cases/year 2. An1006, Gas Cartridges Estimated Usage 40 Cases/year 3. An85, Indicator Strip Estimated Usage 50 Boxes/year

4. An93, Air Scan Badge Estimated Usage 2/year Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/

blueprints; other information; and for opening and reading of bids at date and time specified above. Bellevue Hospital Center, Purchasing, 462 First Avenue, Room# 12 East 34, New York, NY 10016. Ezzat Saad (212) 562-2893, Fax: (212) 562-2779 ezzat.saad@nychhc.org

HABIB LAPORASCOPIC BIPOLAR RESECTION **DEVICE** – Competitive Sealed Bids PIN# QHN2011-1017QHC - DUE 09-22-10 AT 10:00 A.M.

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

Queens Health Network, 82-68 164th Street, "S" Building, Jamaica, NY 11432. Monique Thomas (718) 883-6000 fax: (718) 883-6222, thomasmon@nychhc.org

Goods & Services

QUADRAPLEX TYPE MOTOR CONTROLLER -**BOOSTER SYSTEM CUSTOM ENGINEERED -**Competitive Sealed Bids – PIN# 22211019 – DUE 09-14-10 AT 3:00 P.M. - (Hospital Version) Nema Type 12 Enclosure FPS-FTA-640-HG75BPS-GAFPM-HVP.

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

Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451. Junior Cooper (718) 579-5096, fax: (718) 579-5096, junior.cooper@nychhc.org

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

Services (Other Than Human Services)

MEDICAL PHYSICIST FOR FUJI COMPUTED RADIOGRAPHY/CR AND QUANTUM DIAGNOSTIC X-RAY EQUIPMENT - Competitive Sealed Bids -PIN# 08TB095101R0X00 - AMT: \$167,900.00 -TO: Radiological Physics Services, 580 Crown Street, #506, Brooklyn, NY 11213.

HOMELESS SERVICES

OFFICE OF CONTRACTS AND PROCUREMENT

■ SOLICITATIONS

Human/Client Service

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

 ${\it Use the following address}$ 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, mzmoira@dhs.nyc.gov

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HOUSING AUTHORITY

SOLICITATIONS

Construction / Construction Services

REPLACEMENT OF VACUUM PUMPS AND INSTALLATION OF CONDENSATE PUMPS Competitive Sealed Bids – PIN# HE1006554 – DUE 09-22-10

AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M. for a \$25.00 fee in the form of a money order or certified check made payable to

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

Housing Authority, 90 Church Street, 11th Floor, New York, NY 10007. Gloria Guillo, MPA, CPPO, (212) 306-3121, fax: (212) 306-5151, gloria.guillo@nycha.nyc.gov

PURCHASING DIVISION

■ SOLICITATIONS

Goods

SCO-VARIOUS SPECIAL SIGNS, ELEVATOR BRAILLE JAMB PLATES - Competitive Sealed Bids -SCO# 27187,2 MF - DUE 09-15-10 AT 10:40 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above. Housing Authority, 23-02 49th Avenue, 5th Floor Long Island City, NY 11101. Marjorie Flores (718) 707-5460.

JUVENILE JUSTICE

■ SOLICITATIONS

Human/Client Service

PROVISION OF NON-SECURE DETENTION GROUP **HOMES** – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 13010DJJ000 – DUE 06-30-11 AT 2:00 P.M. – The Department of Juvenile 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 2:00 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, 110 William Street, 14th Floor, New York, NY 10038.

Chuma Uwechia (212) 442-7716, cuwechia@djj.nyc.gov

PARKS AND RECREATION

REVENUE AND CONCESSIONS

SOLICITATIONS

Services (Other Than Human Services)

OPERATION AND MAINTENANCE OF INTERIOR FOOD CONCESSION, SEASONAL CAFES, MOBILE FOOD UNITS AT RANDALL'S ISLAND PARK, MANHATTAN - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# M104-SB - DUE 10-14-10 AT 3:00 P.M. - The City of New York Department of Parks and Recreation (Parks) requests proposals for the operation and maintenance of one (1) interior food concession at Icahn Stadium, the construction, operation and maintenance of a minimum of two (2) but no more than five (5) seasonal cafes, and the option of constructing, operating and maintaining up to five (5) mobile food units at Randall's Island Park, Manhattan. Parks is seeking proposers who can demonstrate experience in food service operations to operate and maintain the food and beverage concessions.

There will be a recommended on-site proposer meeting and site tour on Tuesday, September 21, 2010 at 1:00 P.M. We will be meeting at the proposed concession site, in front of Icahn Stadium which is located on Randall's Island Park. If you are considering responding to this RFP, please make every effort to attend this meeting and site tour.

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

Parks and Recreation, 830 5th Avenue, Room 407, New York,

NY 10065. Evan George (212) 360-3495, fax: (212) 360-3434, evan.george@parks.nyc.gov

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YOUTH AND COMMUNITY DEVELOPMENT

SOLICITATIONS

Goods & Services

GROUP PURCHASING ORGANIZATION FOR GOODS AND SERVICES FOR CLIENT AND COMMUNITY BASED SERVICE PROVIDERS - Negotiated Acquisition -Specifications cannot be made sufficiently definite PĪN# 2601100GPONA - DUE 10-08-10 ÅT 2:00 P.M. - The New York City Department of Youth and Community Development ("The City") is seeking one or more appropriately-qualified group purchasing organizations ("GPO") to provide the goods and services to Client and Community Based Service Providers that do business with the City of New York. This solicitation is a component of Mayor Michael R. Bloomberg's Nonprofit Assistance Initiatives, recognizing the City's strong partnership with the nonprofit sector which supports the efficient delivery of quality services of New Yorkers.

Potential applicants may submit questions or request a conference with representatives of the City at any time until September 24, 2010, although neither of these is required. Any inquiries regarding this solicitation should be directed to acco@dycd.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 Youth and Community Development, 156 William Street, New York, NY 10038.
Michael Owh (212) 442-5982, fax: (212) 676-8129, acco@dycd.nyc.gov

AGENCY RULES

ENVIRONMENTAL CONTROL BOARD

NOTICE

Notice of Promulgation of Rule

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board (ECB) by section 1049-a of the New York City Charter, and in accordance with section 1043(b) of the Charter, that the Environmental Control Board hereby promulgates the following rule. The rule was published in The City Record on July 9, 2010, and a Public Hearing was held on August 10, 2010.

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

Section 1. The Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended by deleting the existing penalties for sections 1-126 (a), (b), (d), (e) and (f), listed under ACM Procedures: Order of Work, and replacing them as follows:

1ST VIOLATION 2ND VIOLATION

SECTION [1-126(a)	DESCRIPTION Failed to prevent demolition from compromising abatement on lower floors	Penalty 4800	STIP. 3000	Penalty 9600	STIP. 6000
1-126(b)	Improperly routed demolition debris through removal project work area	1200	1000	2400	1500
1-126(d)	Failed to maintain proper separation between abatement and demolition areas	1200	1000	2400	1500

1-126(e)	Failed to remove ACM from underground floors in proper sequence	1200	1000	2400	1500	
1-126(f)	Failed to remove ACM from street level floor last	1200	1000	2400	1500]	
1-126	Performed concurrent abatement & demolition or story removal	4800	3000	9600	6000	

2395

Statement of Basis and Purpose of Final Rule

The Environmental Control Board (ECB) held a Public Hearing on August 10, 2010 on amendments to its Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York. Neither written comments nor oral testimony were presented.

ECB has amended its Air Asbestos Penalty Schedule in accordance with recent changes in the law. On December 7, 2009, section 24-146.1(o) of the Air Pollution Control Code became effective. This section prohibits the concurrent conduct of asbestos abatement activities with the demolition of a building, or the removal of one or more stories from a building. Previously, the rules of the Department of Environmental Protection permitted such concurrent activity as long as a two-floor buffer was maintained between the abatement and the demolition.

The enactment of section 24-146.1(o) required DEP to amend its Asbestos Rules. These amendments, which took effect on June 6, 2010, eliminate all of the existing provisions of section 1-126 and replace them with a prohibition on concurrent demolition and abatement, except pursuant to a variance issued under section 15 RCNY 1-03. Any such variance may only be approved after consultation with the Fire Department and the Department of Buildings.

Notice of Promulgation of Rule

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board by Section 1049-a of the New York City Charter, and in accordance with Section 1043(b) of the Charter, that the Environmental Control Board hereby promulgates the following rule. The rule was published in The City Record on July 9, 2010 and a Public Hearing was held on August 10,

Section 1. Buildings Penalty Schedule II, found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add two new entries immediately following the entry in that penalty schedule for BC3319.8.8, "Erection, jumping, climbing, dismantling operations of a tower or climber crane not in accordance with 3319.8.8," to read as follows:

New material is underlined.

Aggravated II Defautt – Maximum Penatty	\$10,000	\$10,000
Aggravated II Penaity	\$10,000	\$10,000
Aggravated Default Penalty	\$10,000	\$10,000
Aggravated Aggravated Aggravated III Penalty Penalty Penalty	\$10,000	\$10,000
Default Penalty	\$10.00 0	\$10.00 0
Standard Mitigated Penalty Penalty	외	왕
Standard Penalty	84 000	\$4,000
Cure Stipulation	외	প্র
Cure	원 .	2
Violation Description	Violation of discretionary Zoning conditions on privately owned public space	Misc. violation of condition on as of right privately owned public space
Section of Classification	Class 2	Class 2
Section of Law	ZR 11-62	Misc. Violation of ZR

jy1-d16

Statement of Basis and Purpose of Final Rule

The Environmental Control Board (ECB) held a Public Hearing on August 10, 2010 on amendments to ECB's Buildings Penalty Schedule II, found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York. These amendments pertain to the enforcement of the New York City Zoning Resolution (ZR) in relation to Privately Owned Public Spaces (POPS). Neither written comments nor oral testimony were presented.

ECB has added two charges to its Buildings Penalty Schedule II. The first charge is ZR 11-62(Class 2), "violation of discretionary Zoning conditions on privately owned public space" and the second charge is Misc Violation of ZR (Class 2), "Misc. violation of condition on as of right privately owned public space".

ZR 11-62 allows the Department of Buildings to issue violations if a person or entity fails to comply with any conditions or restrictions in special permits, variances, authorizations or certifications granted under the ZR.

The Department of City Planning (DCP) is the approving authority on the creation of POPS in exchange for additional floor area in certain buildings within the City's high-density commercial and residential districts. These areas typically contain some visual and functional amenities for the public use and enjoyment, and are designed to provide additional light, air, green space and breathing room to ease the hardscaped character in the densest areas of the City.

In 2007, the New York City Council adopted revised standards for all outdoor POPS, representing a significant update to and consolidation of all previous plaza design regulations into one outdoor plaza designation – the "public plaza." The 2007 text is intended to facilitate the design and construction of unique and exciting outdoor spaces. The rule changes primarily appear in Chapter 7 of Article III and in Appendix E of the Zoning Resolution.

Whenever DCP observes non-compliance through its site visit, or, receives a complaint of non-compliance with a particular POPS, it usually contacts the owner and arranges to meet in order to have them come into compliance. If this process fails, DCP will then contact the Department of Buildings to inspect and issue any violations observed.

These changes are being sought so that the Department of Buildings may effectively enforce these violations. The violations will be classified as Major (Class 2) violations. The high penalties indicated will serve as a deterrent to the likelihood of business owners ignoring these violations as a nominal cost of doing business. Additionally, because outreach is made to these property owners to resolve violating conditions prior to the issuance of violations, there will be no cure, stipulation or mitigation for these violations.

Notice of Promulgation of Rule

NOTICE IS HEREBY GIVEN PURSUANT TO THE **AUTHORITY VESTED** in the Environmental Control Board (ECB) by section 1049-a of the New York City Charter, and in accordance with section 1043(b) of the Charter, that the Environmental Control Board hereby promulgates the following rule. The rule was published in The City Record on July 9, 2010 and a Public Hearing was held on August 10, 2010.

New matter is underlined.

Section 1. The Water Penalty Schedule found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to add the following material immediately after the entry in that penalty schedule for section 15 RCNY 20-02(b), "Unlawful connection to City main," to read as follows:

SECTION	DESCRIPTION	PENALTY	DEFAUL!
15 RCNY 20-03(k)(4)	Failed to protect curb valve/box from damage	<u>250</u>	1,000
15 RCNY 20-03(w)	Failed to replace old service pipes upon establishment of new water service	<u>250</u>	1,000
15 RCNY 20-03(x)	Failed to install meter on unmetered property when service pipe is replaced/repaired/relaid installed	<u>350</u> <u>V</u>	1,000

Section 2. The Water Penalty Schedule found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to add the following material immediately after the entry in that penalty schedule for section 15 RCNY 20-05(i)(2-12), "Improper setting of meter," to read as follows:

CECOMICAL	DECCRIPMION	DENIAT (IN)	INTERNATION
SECTION	DESCRIPTION	PENALII	DEFAULT

1,000 15 RCNY 20-05(i)(12) Failed to design meter 150 setting to ensure electrical continuity

Section 3. The Water Penalty Schedule found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to add the following material immediately after the entry in that penalty schedule for section 15 RCNY 20-05(k), "Improper meter pit/box/vault construction," to read as follows:

PENALTY DEFAULT SECTION DESCRIPTION

15 RCNY 20-05(m)(1) Failed to install new 1,000 meter after unpermitted disconnection of old meter

Section 4. The Water Penalty Schedule found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of

the City of New York is amended to add the following material immediately after the entry in that penalty schedule for section 15 RCNY 20-05(p), "Inadequate protection of meter/remote receptacle/AMR transmitter/wiring," to read as

SECTION DESCRIPTION PENALTY DEFAULT

15 RCNY 20-05(p)(2) Relocated remote 2501,000 receptacle or AMR transmitter without permit

Statement of Basis and Purpose of Final Rule

The Environmental Control Board held a Public Hearing on August 10, 2010 on amendments to ECB's Water Penalty Schedule found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York.

On August 13, 2009, the Board approved a number of changes and additions to the Water Penalty Schedule in light of revisions to 15 RCNY Chapter 20. However, even with these revisions, there are still several charges that are consistently cited using the "Miscellaneous Provisions" code in the Penalty Schedule. In order to give better notice to the public of these charges, ECB has added six specific penalties to the provisions to the Water Penalty Schedule as set forth in the above rule.

Notice of Promulgation of Rule

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board (ECB) by Section 1049-(c)(3) of the New York City Charter, and by 1049-a of the New York City Charter and in accordance with Section 1043(b) of the Charter, that the Environmental Control Board hereby promulgates the following rule. The rule was published in The City Record on July 9, 2010 and a Public Hearing was held on August 10,

Section 1. Chapter 3 of Title 48, Subchapter G of the Rules of the City of New York is amended by adding a new section, 3-127, to read as follows:

New matter is underlined.

SECTION/

§3-127: Small Business Services Penalty Schedule

SMALL BUSINESS SERVICES PENALTY SCHEDULE

*For these sections, a repeat violation is a violation by the same respondent of the same section of law as the previous violation with a date of occurrence within 18 months of the date of occurrence of the previous violation.

<u>\$22-112(a)(1)*</u>	Placement, discharge or deposit of refuse, sludge, acid or any other refuse into the Port of New York	1st offense: \$1,500 2nd offense: \$5,000 3rd offense: \$10,000 4th offense: \$15,000 5th and any subsequent offense: \$20,000	1st offense: \$10.000 2nd offense: \$20.000 3rd offense: \$20.000 4th offense: \$20,000 5th and any subsequent offense: \$20,000
§22-112(a)(2)*	Discharging, causing or permitting oil, oil refuse or other inflammable matter from any ship or yessel into the Port of New York ment, of Basis an	1st offense: \$1,500 2nd offense: \$5,000 3rd offense: \$10,000 4th offense: \$15,000 5th and any subsequent offense: \$20,000	1st offense: \$10,000 2nd offense: \$20,000 3rd offense: \$20,000 4th offense: \$20,000 5th and any subsequent offense: \$20,000

The Environmental Control Board held a Public Hearing on August 10, 2010 regarding the addition of a new penalty schedule to ECB Penalty Schedules. This Penalty Schedule will cover violations issued by the Department of Small Business Services (SBS). Neither written comments nor oral testimony were presented.

On March 18, 2010, Mayor Bloomberg signed Intro. No. 54-A into law as Local Law No. 4 of 2010. Local Law No.4 implements a change to the New York City Administrative Code by providing for a civil penalty to be recovered through an action brought before the Environmental Control Board (ECB) for illegal dumping into the Port of New York. Although violations of these sections may be issued by the Department of Sanitation and the Department of Environmental Protection, primary enforcement will be by SBS. As a result, ECB has added a Penalty Schedule for the SBS, including violations of Local Law No. 4 of 2010 to ECB's Penalty Schedules found in Subchapter G of Chapter 3 of Title 48 antitled "Penaltics" Title 48 entitled "Penalties".

The penalty provisions, set forth in \$22-112(c), allow for the imposition of a penalty of not less then \$1,500 nor more then \$10,000 for the first violation and not less then \$5,000 nor more then \$20,000 for each subsequent violation.

Notice of Promulgation of Rule

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board by Section 1049-a of the New York City Charter, and in accordance with Section 1043(b) of the Charter, that the Environmental Control Board hereby promulgates the following rule. The rule was published in The City Record on June 9, ž010 and a Public Hearing was held on July 13, 2010.

Section 1. Section 3-108 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, setting forth the penalty schedule for violation of laws and rules governing the Fulton Fish Market and Other Public Markets contained in Title 22 of the Administrative Code of the City of New York and Title 66 of the RCNY, is REPEALED.

Section 2. Subchapter G of chapter 3 of Title 48 of the Rules of the City of New York is amended by adding a new section 3-108, to read as follows:

§ 3-108 FULTON FISH MARKET/OTHER SEAFOOD MARKETS/PUBLIC WHOLESALE MARKETS VIOLATIONS

Note: All penalties are in dollar amounts. Repeat penalties apply for violations of the same subsection penalty schedule description.

2nd, 3rd, 4th, 5th and subsequent (subs.) violations are defined as a violation by the same respondent

with a date of occurrence within five years of the date of occurrence of the previous violation.

*Mail-in penalties are only available for a first offense. Where a mail-in penalty exists in this penalty schedule for the cited violation, a respondent may admit to the violation charged and pay the penalty by mail in the manner and time directed by the notice of violation. Payment in full is deemed an admission of liability and no further hearing or appeal will be allowed.

Pursuant to 48 RCNY section 3-81 (b), where respondent is permitted to admit and pay by mail but fails to do so before the original hearing date written on the violation, the respondent will have the option of paying the mail in penalty, plus a late admit fee of \$30.00, within 30 days of the mailing date of the default order issued against respondent.

TITLE 17 RCNY CHAPTER 2 SUBCHAPTER A: PUBLIC WHOLESALE MARKETS

MAIL-IN 1st OFFENSE REPEAT PENALTY PENALTY

PENALTY

CODE/RULE SECTION	DESCRIPTION	PENALTY	PENALTY	PENALTY	PENALTY
17 RCNY \$11-06(a)*	Failed to obtain identification card as per subsec.	500	750	2 nd 1.000 3 rd 2.500 4 th 5.000 Subs. 10.000	10.000
17 RCNY \$11-08(c)*	Failed to produce ID card upon demand	250	500	2 nd 500 3 rd 1,000 4 ^{rs} 2,500 5th 5,000 Subs 10,000	10.000
17 RCNY §11-09(a)*	Improper transfer of registration number	3,000	5.000	Subs. 10,000	10,000
17 RCNY \$11-09(b)*	Failed to effix & prominently display registration certificate	500	1000	2 nd 1500 3 rd 2,500 4 ^{rh} 5,000 Subs. 10,000	10.000
17 RCNY \$11-09(c)*	Failed to maintain books.	1.500	2.500	2 nd 3.000 3 rd 5.000 Subs. 10.000	10.000
17 RCNY \$11-09(c)*	Failed to retain books, records, etc., and make available for inspection	500	750	2 nd 1.000 3 nd 2.500 4 nd 5.000 Subs. 10.000	10.000
17 RCNY §11-15(a)*	Failed to notify Commir of material changes of info submitted in application	1,500	2.500	2 rd 5,000 Subs. 10,000	10.000
17 RCNY \$11-15(b)*	Failed to notify Commission of ownership changes as per subsec.	1.500	2.500	2 nd 5,000 Subs. 10,000	<u>10,000</u> -
17 RCNY \$11-16(c)*	Unauthorized sublease of registration number, premises and/or business	3.000	5.000	Subs. 10,000	10,000
17 RCNY \$11-19 (a)(1)*	Interfered with lawful duties of Market Manager or his staff	7.500	10.000	Subs. 10,000	10.000
17 RCNY \$11-19 (a)(1)*	Interfered with/obstructed orderly function of Market	3.000	5.000	Subs. 10,000	10.000
17 RCNY \$11-19 (a)(2)*	Interfered with/obstructed any operation, etc., of mkt. registrant	750	1.000	2 nd 2,500 3 rd 5,000 Subs. 10,000	10.000
17 RCNY \$11-19(a)(10)*	Misrepresentation of merchandise offered for sale	500	1.000	2 rd 2,500 3 rd 5,000 Subs. 10,000	10,000
17 RCNY §11-19 (b)(3)*	Conducted business using unregistered name	3,000	5.000	Subs. 10,000	10.000
17 RCNY §11-19 (bX4)*	Violeted any applicable federal, state or city law or regulation	1.000	1.500	2 nd 2,500 3 rd 5,000 Subs. 10,000	10,000
17 RCNY \$11-19 (b)(8)*	Threatened or attempted to intimidate any customer	1,500	3.000	2 nd 5,000 3 rd 7,500 Subs. 10,000	10.000
17 RCNY \$11-19 (b)(1)*	Employed individuals without approved ID cards	3.000	5.000	Subs. 10,000	10,000
17 RCNY §11-19 (bX12)*	Use of unregistered/uninsured vehicle	500	750	2 nd 1.000 3 rd 2.500 4 th 5.000 Subs. 10.000	10.000
17 RCNY §11-19 (b)(13)*	Engaged in an unfair labor practice as per subsec.	1.000	1,500	2 nd 2,500 3 rd 5,000 SUBS. 10,000	10,000
17 RCNY \$11-19(b)(15)*	Violated or failed to comply with any order or directive of the Commission	375	500	2 Nd 750 Subs 1000	10.000
17 RCNY \$11-25(a)*	Failed to obey and/or comply w/traffic directions	250	500	2 ⁻⁶⁰ 1,000 3 ⁻⁷⁰ 2,500 4 ⁻⁷⁰ 5,000 Subs. 19,000	10,000
17 RCNY \$11-25(b)*	Obstruction of Traffic	250	500	2 nd 750 3 rd 1,000 4 ^h 2,500 5th 5,000 Subs 10,000	10.000
17 RCNY §11-25(c)*	Failure to remove disabled yehiçle as per subsec.	250	500	2 nd 750 3 rd 1,000 4 th 2,500 5th 5,000 Subs 10,000	_10.000
17 RCNY §11-25(e)*	Failed to comply with traffic laws	500	1.000	2 ^{net} 2,500 3 rd 5,000 Subs. 10,000	10.000
17 RCNY §11-26(b)*	Falled to maintain bidg., stores stc., in good repair condition as per subsec.	1.000	2.500	2 nd 3,000 3 rd 5,000 Subs. 10,000	10,000
ADMIN. CODE §22-252(a)	Failure to obtain identification card as per subsec.	None	500 per day	2 nd 1,500 per day 3 rd 2,500 per day Subs. 5,000 per day	5.000 per day
ADMIN. CODE \$22-253(a)	Failure to register wholesals and/or market businesses, as per subsec.	None	1,000 per 	2 nd 2,500 per day Subs. 5,000 per day	5,000 per day
ADMIN. CODE 522-262	Failure to surrender and/or cease using regis, certif, and/or number	None	5,000 per day	SUBS. 5.000 PER DAY	5,000 per day
ADMIN. CODE \$22-262	Failure to surrender and/o cease using identification card	None	1,500 per day	2 nd 2,500 per day Subs. 5,000 per day	5.000 per day
	R 2 SUBCHAPTER B: FULTON FI			Lacoc	I per
CODE/RULE SECTION	DESCRIPTION	1st OFFENS PENALTY	<u> </u>	REPEAT PENALTY	DEFAULT PENALTY
17 RCNY \$12-04(a)	Failed to obtain identification card as per subsec.	350		2 ^{nst} 750 3 ^{nst} 1,500 Subs. 3,000	10,000

WEDNESI	DAY, SEPTEM	IBER 1, 201	10	
17 RCNY \$12-04(f)	Failed to display identification card as per subsec.	250	2 nd 500 3 rd 750 Subs. 1.000	10,000
17 RCNY §12-06(a)	Operated an unloading business without a license	2.500	2 nd 5,000 Subs. 7,500	10.000
17 RCNY \$12-06(b)	Operated a loading business without a license	2.500	2 rd 5.000 Subs. 7.500	10,000
17 RCNY \$12-10(a)	Failed to maintain required insurance (Licensee)	500	2 nd 750 3 rd 1,000 Subs. 3,000	10,000
17 RCNY \$12-10(b)	Unauthorized transfer of license	1.500	2 nd 3.000 Subs. 5.000	_10.000
17 RCNY \$12-11 .	Failed to comply with conditions in unloading license	500	2 nd 750 3 rd 1,000 Subs. 2,500	_10.000
17 RCNY_\$12- 11(a)(3)(b)(1)	Unloaded outside approved, designated and/or assigned areas	100	2 rd 250 3 rd 500 Subs. 1.000	10.000
17 RCNY \$12-11(bx3)	Feiled to unload in required order, as per subsec.	500	2 nd 750 3 rd 1.000 Subs. 2.500	_10.000
17 RCNY \$12-11(b)(4)	Refused to unload trucks in approved or assigned unloading area	500	2 nd 750 3 rd 1,000 Subs. 2,500	10,000
17 RCNY §12-11(c)(1)	Charged rates in excess of those specified in unloading license (Unloader)	1.000	2 nd 1,500 3 rd 2,000 Subs. 3,000	10.000
17 RCNY \$12-11(c)(1) 17 RCNY \$12-11(c)(2)	Failed to post rates in appropriate locations (Unloader) Failed to verify bill of	250	2 nd 500 3 ^{nt} 570 Subs. 1,000	10,000
	lading/obtain signature/record license # (Unloader)		3 rd 750 Subs. 1,000	
17 RCNY \$12-11(gX3) 17 RCNY \$12-11(gX1)	Failed to keep/make available weekly records (Unloader) Unloader engaged in	1.000	2 nd 1.000 3 rd 1.500 Subs. 3.000 2 nd 1.500	10.000
	business/activity interfering with untoading business (Unloader)	1.500	3 rd 2,500 Subs. 5,000	10,000
17 RCNY \$12-11 (d)(2) 17 RCNY \$12-11 (d)(2)	as per subsec. (Unloader) Obstructed unloading process	1.500	Subs. 5.000 2 rd 3.000 Subs. 5.000	10.000
17 RCNY \$12-11 (dX3)	es per subsec. (Unloader) Requested/accepted unauthorized fees and/or	500	2 rd 750 3 rd 1,000 Subs. 3,000	10.000
17 RCNY §12-11 (dX3)	gratuities (Unioader) Charged unauthorized fees (Unioader)	500	2 rd 750 3 rd 1,000	10,000
17 RCNY \$12-11(d)(5)xi	Violated or failed to comply with any order or directive of the Commission	500	Subs. 3.000 2 nd 750 Subs. 1000	10.000
17 RCNY §12-12	(Unloader) Ealled to comply with leading license conditions (Leader)	500	2 nd 1,000 3 nd 1,500 Subs. 3,000	10.000
17 RCNY \$12-12 (a)(1)	Failed to post copies of rates (Loader)	250	2 ^{ns} 500 3 rd 750 Subs. 1,000	10.000
17 RCNY §12-12 (e)(2)	Charged rates in excess of those specified in loading license (Loader)	500	2 nd 1,000 3 nd 1,500 Subs. 3,000	10.000
17 RCNY \$12-12 (b)(1)	Unauthorized use of a loading area (Loader)	250	2 ^{ns} 500 3 ^{ns} 750 Subs. 1.000	10.000
17 RCNY \$12-12 (bX2)	Loaded outside designated hours (Loader)	250	2 nd 500 3 rd 750 Subs. 1,000	10,900
17 RCNY §12-12 (c)(3)	Charged fees not specified in icense (Loader)	500	2 nd 750 3 rd 1,000 Subs. 3,000	10.000
17 RCNY §12-12 (CY3)	Solicited or accepted unauthorized gratuities (Loader)	500	2 nd 750 3 rd 1.000	10,000
17 RCNY \$12-12 (GV5)	Refused to perform loading services when space is	250	Subs. 3.000 2 nd 500 3 nd 750	_10.000
17 RCNY \$12-12 (c)(6)	available (Loader) Forced another to use or prevented another from using	500	Subs. 1,000 2 nd 750 3 nd 1,000	10,000
17 RCNY \$12-12 (c)(6)	Solicited threatened and/or agreed to refuse loading	500	Subs. 3.000 2 nd 750 3 rd 1.000	10.000
17 RCNY \$12-12 (c)(7)	services (Loader) Moved or interfered with any vehicle, as per subsec. (Loader)	250	Subs. 3,000 2 rd 500 3 rd 1,000	10,000
17 RCNY §12-12(c)(9)xd	Violated or falled to comply with any order or directive of the	500	Subs. 3,000 2 ⁷⁶ 750 Subs 1000	10.000
17 RCNY \$12-13(eV(b)	Commission (Loader) Operated wholesale seafood or seafood delivery business	2.500	2 rd 5,000 Subs. 7,500	10.000
17 RCNY \$12-15(b)(2)	without registration from Comm'r Failed to affix and prominently display name and/or red, number (Wholesaler)	250	2 ^{rid} 500 3 rd 750 Subs. 1,000	10,000
17 RCNY \$12-15 (c)(1)	Failed to keep and/or make available records, bills, etc. as	500	2 nd 750 3 rd 1,000	10.000
17 RCNY \$12-15 (d)	per subsec. (Wholesaler) Falled to submit proof of worker's comp. coverage as per	500	Subs. 3.000 2 rd 750 3 rd 1.000	10.000
17 RCNY 12-15 (a)	subsec. (Wholesaler) Failed to procure/maintain payment bond (Wholesaler)	500	Subs. 3.000 2 rd 750 3 rd 1,000	10,000
17 RCNY §12-18(a)	Operated a seafood delivery operation in non-designated	250	Subs. 3,000 2 ^{od} 500 3 rd 750	10,000
17 RCNY \$12-16 (bX1)	Failed to cossess a valid driver's license as required by Vehicle and Traffic Law (Deliverer)	250	Subs. 1.000 2 nd 500 3 nd 750 Subs. 1.000	10,000
17 RCNY \$12-16 (b)(2)	Operated vehicle without a valid registration inspection	250	2 nd 500 3 nd 750 Subs. 1,000	10.000
17 RCNY \$12-15 (bK2)	sticker and/or insurance card (Deliverer) Falled to display sticker on vehicle, as per subsec. (Deliverer)	250	2 rd 500 3 rd 750 Subs. 1,000	10.000
17 RCNY \$12-16 (eV(f)	Falled to maintain required liability insurance (Wholesaler/Deliverer)	500	2 nd 750 3 rd 1,000 Subs. 3,000	10,000
17 RCNY \$12-16 (c)	Offered seafood for resale to public without wholesale registration (Deliverer)	1.500	2 nd 2.500 Subs. 5.000	10.000
17 RCNY \$12-17(a)	Falled to comply with order of market manager regarding safety/order/health in market	1,500	2 nd 2,500 Subs. 5,000	10,000
17 RCNY \$12-18(a)(1)	area Committed an act prohibited in the seafood distribution area	1.000	2 rd 2.500 Subs. 5.000	10.000
17 RCNY \$12-19	Committed an act prohibited to wholesalers and seafood deliverers in the seafood distribution area	1.500	2 rd 3,000 Subs. 7,500	10.000
17 RCNY \$12-19(a)	Solicited unloader to unload out of order (Wholesaler)	250	2 rd 500 3 rd 750 Subs. 1.000	_10.000
17 RCNY \$12-19(c)	Authorized another to use business name (Wholesaler)	1.500	2 nd 3,000 Subs. 5,000	10.000

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	17 RCNY §12-19(c)	Unauthorized transfer of registration number (Wholeseler)	1.000	2 nd 2.500 Subs. 5.000	_10.000
2	17 RCNY \$12-19 (f)	Conducted business under unregistered name (Wholesaler)	1.500	2 rd 3,000 Subs. 5,000	10.000
2 —	17 RCNY \$12-19(d)	Authorized another to use registration number (Wholessier)	1,500	2 nd 3,000 Subs. 5,000	10.000
_	17 RCNY §12-19 (e)	Subleased or allowed use of premises by unregistered person (Wholeseler)	1.500	2 nd 3,000 Subs. 5,000	10.000
-	17 RCNY \$12-19(e)	Allowed another to place seafood in stand space (Wholesaler)	1.000	2 rd 2,500 Subs. 5,000	10.000
_	17 RCNY \$12-19 (a)	Discarded seafood contrary to requirements of subsec. (Wholeseler)	1.500	2 nd 3,000 Subs. 5,000	10.000
_	17 RCNY \$12-19(o)	Violated or failed to comply with any order or directive of the Commission (Wholesaler/Deliverer)	500	2 nd 750 Subs 1000	10,000
-				2 ⁰⁴ 1,000	
2	17 RCNY \$12-21(a)	Failed to notify Comm'r of changes in registration information. (Wholesaler/Deliverer)	500	3 rd 2,500 Subs. 5,000	10,000
-	17 RCNY \$12-21(a)(b)	Failed to notify Comm'r of materiel change in license info. (Licensee)	1,000	2 nd 1,500 3 rd 2,500 Subs. 5,000	10.000
-	17 RCNY \$12-21(g)	Licenses failed to provide notice of addition of principal	1.000	2 rd 2,000 3 rd 3,000 Subs. 5,000	10.000
2	17 RCNY \$12-21(c)	Failed to notify Comm'r of proposed addition of principal	1.000	2 nd 1,500 3 rd 2,500 Subs. 5,000	10.000
	17 RCNY §12-18 (G)	Offered seafgod for resale to public without wholesale registration (Deliverer)	1.500	2 rd 2,500 Subs. 5,000	10.000
! !	17 RCNY \$12-23(c)	Failed to surrender license upon suspension or revocation	2,500	Subs. 5.000	10.000
_	17 RCNY \$12-23(c)	Failed to surrender identification card upon suspension/revocation of registration (Whokeseter/Deliverer)	1.000	2 nd 2.500 Subs. 5.000	10.000
-	17 RCNY \$12-23(d)	Failed to surrender photo identification card as per subsection	1,000	2 nd 2,500 3 rd 5,000	10,000
-	17 RCNY §12-30(a)	Failure to obey and comply with any traffic direction of any police officer or employee of the Comm'r	250	2 nd 500 3 rd 750 Subs 1.000	10.000
-	17 RCNY §12-30(b)	Obstructed the movement of traffic within the market and/or stopped a vehicle or other conveyance in a non-designated place	250	2 ^m 500 3 ^m 750 Subs 1,000	10,000
	17 RCNY \$12-30(c)	Faiture to remove disabled vehicle as per subsec.	250	2 rd 500 3 rd 750 Subs 1,000	10.000
-	17 RCNY \$13-04(a)	Operated a seafood wholesale business outside the market area without registration from the Comm'r	2.500	2 rd 5.000 Subs. 7.500	10.000
_	TITLE 22 ADMINISTRATIV	E CODE CHAPTER 1-B: OTHER F	PUBLIC MARKETS		
_	CODE/RULE SECTION	DESCRIPTION	1st OFFENSE PENALTY	REPEAT PENALTY	DEFAULT PENALTY
_	Admin, Code \$22-252(a)	Daily failure to obtain identification card, as per subsec, (between 11 and 30 days)	2,500	Subs. 5.000	5.000
	Admin, Code \$22-253(a)	Daily failure to register wholesale and/or market businesses, as per subsec. (single day)	1.000	2 rd 2,500 Subs. 5,000	5.000
				<u> </u>	
_	Admin. Code \$22-253(a)	Daily failure to register wholesale and/or market businesses as per sunsec. (between 2 and 10 days)	2.500	Subs. 5,000	5.000
-	Admin, Code \$22-253(a) Admin, Code \$22-262	Daily failure to register wholesale and/or market businesses as per subsec. (between 11 and 30 days) Daily failure to surrender and/or	3,500	Subs. 5.000	5.000
_	Zamini, Cong SEC. SVE	cease to use registration, certification and/or number (einsta day)	2,500	Subs. 5.000	5.000
_	Admin Code \$22-262	Dajly failure to surrender and/or cease to use registration, certification and/or number (between 2 and 10 days)	3,500	Subs. 5.000	5,000
_	Admin, Code \$22-282	Daily failure to surrender and/or case to use registration, certification and/or number (between 11 and 30 days)	5,000	Subs. 5.000	5,000
	Admin, Code §22-262	Daily failure to surrender and/or cease to use identification card (single day)	1.000	2 rd 2,500 Subs 5,000	5,000
-	Admin. Code \$22-282 Admin Code \$22-282	Delly failure to surrender and/or cease to use identification card (between 2 and 10 days) Daily failure to surrender and/or	2.500	Subs. 5,000	5.000
_		cease to use identification card (between 11 and 30 days)	3.500	Subs. 5.000	5.000

Statement of Basis and Purpose of Final Rule

The Environmental Control Board (ECB) held a Public Hearing on July 13, 2010 concerning repeal of its current Fulton Fish Market/Other Seafood Markets/Public Wholesale Markets Penalty Schedule found in Section 3-108 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York and enactment of a new Fulton Fish Market/Other Seafood Markets/Public Wholesale Markets Penalty Schedule, Neither written comments nor oral testimony were presented.

Violations under this penalty schedule are written by the Business Integrity Commission. The Commission is responsible for the regulation of the trade waste industry (Local Law 42 of 1996), the shipboard gambling industry (Local Law 57 of 1997), the Fulton Fish Market (now known as the "New Fulton Fish Market at Hunts Point") (Local Law 50 of 1997), and the public wholesale markets (Local Law 28 of 1997)

The rules implementing Local Law 50 and Local Law 28 are codified in Chapter 1 of Title 66 of the Rules of the City of New York, the rules of the Department of Small Business Services. The Commission has finalized a rule change that moved all the market rules into Title 17 of the RCNY, the rules of the Commission. Therefore, ECB has also codified the penalties for violations of these rules under Title 17 of the Rules of the City of New York.

The separate fine schedules for the Fulton Fish Market and other public wholesale markets have remained in their original form since enacted in 2003. Therefore, ECB has amended the fine schedules to account for changes in the economy and to increase fines for those sections which the Commission deems particularly important to the successful regulation of the market businesses. The Commission has also requested the insertion of additional charges to allow for more effective enforcement

Amendments to the fine schedule for the Fulton Fish Market are:

- Increase in the Penalty for Default: The penalty for defaulting on violations for any section of the rules will be increased to the statutory maximum penalty of ten thousand dollars (\$10,000).
- Increase in Penalties: In light of the fact that no increases have been undertaken in the mail in penalty, first offense penalty, and repeat penalties since the original fine schedule was established eight years ago, the penalties for most sections have been increased.

Amendments to the fine schedule for the public wholesale markets are:

- Increase in the Penalty for Default: The penalty for defaulting on violations for any section of the rules will be increased to the statutory maximum penalty of ten thousand dollars (\$10,000).
- Fines for Violations of Anti-Gambling Rules: In light of prior Commission investigations that have determined gambling to be a problem in the public wholesale markets the fines for violation of antigambling rules have been increased.
 - gambling rules have been increased.

 Fines for Unfair Labor Practices: In light of prior Commission investigations that have established gambling as a problem in the public wholesale markets, the fines for violation of rules pertaining to fair labor practices have been increased.

 Other Fines Increased: In addition to those increases in fines that have been made primarily due to the passage of time since the original schedule was devised, particular attention has been paid to increasing the penalties for those violations which involve misrepresentations or omissions to the Commission, and that involve impropriety in

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HEALTH AND MENTAL HYGIENE

dealings with market personnel.

NOTICE

NOTICE OF INTENTION TO AMEND CHAPTER 23 OF TITLE 24 OF THE RULES OF THE CITY OF NEW YORK

IN COMPLIANCE WITH SECTION 1043(a) OF THE NEW YORK CITY CHARTER NOTICE IS HEREBY GIVEN OF THE PROPOSED INTENTION TO AMEND CHAPTER 23 ("FOOD SERVICE ESTABLISHMENT SANITARY INSPECTION PROCEDURES") OF TITLE 24 OF THE RULES OF THE CITY OF NEW YORK.

NOTICE IS HEREBY GIVEN THAT THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE (THE "DEPARTMENT") WILL HOLD A PUBLIC HEARING ON THE PROPOSAL FROM 10:00 A.M. TO 12:00 P.M. ON TUESDAY, OCTOBER 5, 2010 IN THE THIRD FLOOR BOARD ROOM AT 125 WORTH STREET, NEW YORK, NEW YORK,

PERSONS INTERESTED IN PRE-REGISTERING TO SPEAK AT THE HEARING SHOULD NOTIFY RENA BRYANT, SECRETARY TO THE DEPARTMENT, IN WRITING, BY MAIL TO 125 WORTH STREET, CN-31, NEW YORK, NEW YORK 10013, OR BY FAX TO (212) 788-4315 BY MONDAY OCTOBER 4, 2010. PLEASE INCLUDE A TELEPHONE NUMBER WHERE, IF NECESSARY, YOU MAY BE REACHED DURING NORMAL WORKING HOURS. SPEAKERS WILL BE LIMITED TO FIVE (5) MINUTES.

REGISTRATION OF PERSONS WHO WISH TO SPEAK AT THE HEARING WILL BE ACCEPTED AT THE DOOR ON THE DATE OF HEARING. HOWEVER, PREFERENCE WILL BE GIVEN TO THOSE WHO REGISTER BEFORE THE HEARING DATE.

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 RENA BRYANT, SECRETARY TO THE DEPARTMENT, 125 WORTH STREET, CN-31, NEW YORK, NEW YORK 10013, (212) 788-5242, BY TUESDAY, SEPTEMBER 21, 2010.

WRITTEN COMMENTS REGARDING THE PROPOSAL MUST BE SUBMITTED TO RENA BRYANT, SECRETARY, BY MAIL TO 125 WORTH STREET CN-31, NEW YORK, NEW YORK 10013, BY FAX TO (212) 788-4315, BY E-MAIL TO RESOLUTIONCOMMENTS@HEALTH.NYC.GOV OR ONLINE (WITHOUT ATTACHMENTS) TO www.nyc.gov/nycrules OR TO

http://www.nyc.gov/html/doh/html/notice/notice.shtml ON OR BEFORE 5:00 P.M., TUESDAY, OCTOBER 5, 2010. ATTACHMENTS TO ONLINE COMMENTS MUST BE MAILED OR FAXED. COMMENTS RECEIVED AFTER OCTOBER 5, 2010 WILL BE CONSIDERED TO THE EXTENT POSSIBLE.

WRITTEN COMMENTS RECEIVED BY THE SECRETARY AND A TRANSCRIPT OF THE PUBLIC 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 SECRETARY. THE DEPARTMENT'S GENERAL POLICY IS TO MAKE WRITTEN COMMENTS AVAILABLE FOR PUBLIC VIEWING ON THE INTERNET. ALL COMMENTS RECEIVED, INCLUDING ANY PERSONAL INFORMATION PROVIDED, WILL BE POSTED WITHOUT CHANGE TO

http://www.nyc.gov/html/doh/html/comment/comment.shtml.

Statutory Authority

Amendment of Chapter 23 of Title 24 of the Rules of the City of New York is authorized by §§389(b) and 1043 (a) of the New York City Charter (the "Charter"). Charter §389(b) provides that "heads of mayoral agencies shall have the power to adopt rules to carry out the powers and duties delegated to the agency head or the agency by or pursuant to federal, state or local law." Charter §1043(a) authorizes each agency to "adopt rules necessary to carry out the powers and duties delegated to it by or pursuant to federal, state or local

STATEMENT OF BASIS AND PURPOSE

Effective July 15, 2010, the Department of Health and Mental Hygiene (the "Department") repealed and recodified rules in Chapter 23 of Title 24 of the Rules of the City of New York for food service establishment sanitary inspection procedures. At its meeting on March 16, 2010, the Board of Health amended §81.51 of the New York City Health Code, authorizing the Department to establish a letter grading program for food service establishments. The Board determined that providing restaurant grading information is feasible, will inform consumer choice and is likely to improve restaurants' compliance with Health Code requirements and thereby reduce the burden of food borne illness in New York City.

Chapter 23 includes two appendices demonstrating how a sanitary inspection's violations are weighted and scored according to their severity: Appendix 23-A: "Food Service Establishment Sanitary Inspection Score Worksheet" and Appendix 23-B: "Food Service Establishment Sanitary Inspection Scoring Parameters—A Guide to Conditions." When the Chapter was recodified, changes were made to Appendix 23-A and Appendix 23-B. After the rules were printed, however, typographical errors were noted in the texts for violation conditions 4H, 10F and 10H in Appendix 23-B. The proposed rule consists of Appendix 23-B with corrections in the examples of violation conditions for violation codes 4H and 10F and the descriptions of violations that constitute condition levels II and III of violation code 10H.

In printing violation code 10H ("Proper sanitization not provided for utensil ware washing operation"), the error resulted in omission of text describing the violations that contribute to scoring condition level II and III, all ware washing violations set forth in Health Code §81.37. No error was identified in the description of condition level I or IV violations. The Department is proposing to correct this error in the rule and include the omitted text. Until the error is corrected and the final corrected rule is effective, the Department will score 10H violations as either condition I or condition IV violations. Until the amendment is final, violations that would have been scored as condition II or III violations will be scored as condition I violations and contribute two points to the total score. In addition, during this interim period, the Department will recommend a \$200 per violation penalty for any 10H condition I, II and III violation sustained by hearing examiners at the Administrative Tribunal. For violation codes 4H and 10F, however, no accommodation is necessary because the error did not relate to the substance of the violation, but rather consisted of the omission of illustrative examples. As such, the citation of 4H and 10F violations and the scoring based on such violations is not affected by the typographical error or by the correction made by this rule.

Statement Pursuant to Charter §1043

This proposed rule was not included in the Regulatory Agenda because the need for the rule did not become known until after the Regulatory Agenda was published.

The proposed rule is as follows.

Deleted matter is in brackets [].

New matter is <u>underlined</u>.

§1. Appendix 23-B "Food Service Establishment Sanitary Inspection Scoring Parameters—A Guide to Conditions" of Chapter 23 of Title 24 of the Rules of the City of New York is hereby amended, to be printed to read as follows:

APPENDIX 23-B FOOD SERVICE ESTABLISHMENT SANITARY INSPECTION SCORING PARAMETERS – A GUIDE TO CONDITIONS

	Violation	Condition I	Condition II	Condition III	Condition IV	Condition V
			Critical Violat	ions	<u></u>	<u> </u>
2 A *	Food not cooked to required minimum temperature.		STATE OF THE STATE		Failure to properly cook meats, comminuted meats, and other potentially hazardous foods (PHFs), unless a consumer specifically asks for a serving of item ordered to be cooked below the minimum temperature.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing of other enforcement measures.
28*	Hot food item not held at or above 140° F.	One hot food item out of temperature in one area. Example: One tray of chicken wings held at 115° F.	Two hot food items out of temperature or the same type of food out of temperature in two different areas. Example: One tray of chicken wings and a pot of rice held at 115° F; or one tray of chicken wings on the steam table and one tray of chicken wings in the food preparation area held at 115° F.	Three hot food items out of temperature or the same type of food out of temperature in three different areas. Example: One tray of chicken wings, a pot of rice and platter of roast beef held at 115° F; or one tray of chicken wings on the steam table, one tray of chicken wings in the food preparation area and one basket of chicken near the deep fryer held at 115° F.	Four or more hot food items out of temperature or the same type of food out of temperature in four or more different areas. Example: One tray of chicken wings, a pot of rice, platter of roast beef and tureen of beef stew held at 115° F; or one tray of chicken wings on the steam table, one tray of chicken wings in the food preparation area, one basket of chicken near the deep fryer and a rotisserie machine filled with eleven chickens held at 115° F.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing o other enforcement measures.
2C	Hot food item that has been cooked and refrigerated is being held for service without first being reheated to 165° F or above within 2 hours.	One cooked and refrigerated hot food item not reheated to 165° F before service. Example: chicken soup.	Two cooked and refrigerated hot food items not reheated to 165° F before service. Example: chicken soup and baked ham.	Three cooked and refrigerated hot food items not reheated to 165° F before service. Example: chicken soup, baked ham and sliced turkey.	Four or more cooked and refrigerated hot food items not reheated to 165° F before service. Example: chicken soup, baked ham, sliced turkey, meatloaf and lobster bisque.	
2D	Precooked potentially hazardous food from commercial food processing establishment that is supposed to be heated, but is not heated to 140° F within 2 hours.	One precooked commercially prepared food not heated to 140° F. Example: beef patties.	Two pre- cooked commercially prepared foods not heated to 140° F. Example: beef patties and clam chowder.	Three pre- cooked commercially prepared foods not heated to 140° F. Example: beef patties, clam chowder and smoked turkey.	Four or more pre- cooked commercially prepared foods not heated to 140° F. Example: beef patties, clam chowder, smoked turkey, corned beef and gyros.	
2E	Whole frozen poultry or poultry breasts, other than a single portion, are being cooked frozen or partially thawed.	One whole poultry or poultry breast being cooked from a frozen	Two or more whole poultry or poultry breasts being cooked from a		1	1

		state. Example: chicken breast.	frozen state. Example: chicken breast, whole chicken, turkey breast and duck.		ilure to properly co minimum temperat	
2F	Meat, fish or molluscan shellfish served raw or undercooked without prior notification to customer.				Failure to properly cook meats, comminuted meats, fish, shellfish and other PHFs, unless a consumer specifically asks for their order to be cooked below the minimum temperature.	
2G*	Cold food item held above 41° F (smoked fish and Reduced Oxygen Packaged food above 38° F), except during necessary preparation.	One cold food item out of temperature in one area. Example: one slab of unsliced smoked salmon or packet or tray of smoked salmon slices above 38° F or one tray of potato salad above 41° F in service display case.	Two cold food items out of temperature or the same food item out of temperature in 2 different areas. Example: one slab of smoked salmon above 38° F and one tray of sliced tomatoes above 41° F, or one bowl of potato salad in the service display case, and one bowl of potato salad in the food preparation area above 41° F.	Three cold food items out of temperature. Example: one slab of smoked salmon above 38° F and tray of sliced tomatoes and platter of tuna salad above 41° F; or one bowl of potato salad in the service display case and one bowl of potato salad in the food preparation area and garlic in oil mixture above 41° F.	Four cold food items out of temperature. Example: one slab of smoked salmon above 38° F and tray of sliced tomatoes, bowl of garlic in oil mixture, and bowl of cooked collard greens above 41° F; or one tray of potato salad in the service display case, one tray of potato salad in the reach-in refrigerator, and one tray of potato salad on the food preparation table above 41° F.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.
2H*	Food not cooled by an approved method whereby the internal product temperature is reduced from 140° F to 70° F or less within 2 hours and from 70° F to 41° F or less within 4 additional hours.	One food item not cooled by approved method. Example: one whole, cooked turkey.	Two food items not cooled by approved method. Example: two whole, cooked turkeys.	Three food items not cooled by approved method. Example: two whole, cooked turkeys and one container of deep pot chicken stew.	Four or more food items not cooled by approved method. Example: two whole, cooked turkeys, one container of deep pot chicken stew and 10 pounds of cooked rice.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.
21	Food prepared from ingredients at ambient temperature not cooled to 41° F or below within 4 hours.	One food item prepared from ambient temperature ingredients not cooled to 41° F. Example: tuna salad prepared with canned tuna above 41° F.	Two food items prepared from ambient temperature ingredients not cooled to 41° F. Example: tuna and salmon salads prepared with canned tuna and salmon above 41° F.	Three food items prepared from ambient temperature ingredients not cooled to 41° F. Example: tuna and salmon salads prepared with canned tuna and salmon, and open can of sardines above 41° F.	Four or more food items prepared from ambient temperature ingredients not cooled to 41° F. Example: tuna and salmon salads prepared with canned tuna and salmon, and open cans of sardines and anchovies above 41° F.	
2J*	Reduced Oxygen Packaged (ROP) food not cooled by an approved method whereby the internal product temperature is reduced to 38° F within two hours of cooking and if necessary further cooled to a temperature of 34° F within six hours of reaching 38° F.	One ROP food item not cooled by approved method. Example: ROP beef stew (twelve 4 oz packages).	Two ROP food items not cooled by approved method. Example: ROP beef stew (twelve 4 oz packages) and ROP chicken fricassee (two – 2 lb packages).	Three ROP food items not cooled by approved method. Example: ROP beef stew (twelve 4 oz packages), ROP chicken fricassee (two 2 lb packages) and ROP pork tenderloin (sixteen 8 oz packages).	Four ROP food items not cooled by approved method. Example: ROP beef stew (twelve 4 oz packages), ROP chicken fricassee (two 2 lb packages), ROP pork tenderloin (sixteen 8 oz packages) and meat sauce (six 1lb packages).	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.
3A*	Food from unapproved or unknown source or home canned; Reduced Oxygen Packaged (ROP) fish not frozen before processing; or ROP food prepared on premises transported to another site.				One or more food items not from an approved source, or home canned. Example: wild mushrooms or home canned jellies or ROP fish not frozen before processing.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.
38*	Shellfish not from approved source, improperly tagged/labeled; tags not retained for 90 days.	,			One or more containers or kinds of shellfish not from an approved source, improperly tagged/labeled; tags not retained for 90 days. Example: clams not tagged, oyster tags not retained for 90 days, mussels improperly labeled and mussels not tagged.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or- other enforcement measures.
3C*	Eggs found dirty/cracked; liquid, frozen or powdered eggs not pasteurized.	l-6 dirty/cracked eggs or liquid, frozen, or powdered eggs not pasteurized. Example: 4 dirty and/or cracked eggs; or one container of unpasteurized liquid eggs.	7-12 dirty/cracked eggs; or 2 containers of liquid, frozen, or powdered eggs not pasteurized. Example: 9 dirty and/or cracked eggs; or 2 containers of unpasteurized liquid eggs.	dirty/cracked eggs; or three containers of liquid, frozen, or powdered eggs not pasteurized. Example: 16 dirty and/or cracked eggs; or 14 dirty and/or cracked eggs and 2 containers of unpasteurized liquid eggs.	25 or more dirty/cracked eggs; or four containers of liquid, frozen, or powdered eggs not pasteurized. Example: 25 or more dirty and/or cracked eggs; or 18 dirty and/or cracked eggs and one container of unpasteurized liquid eggs.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.
3D*	Cans of food products swollen, leaking or rusted and not segregated from consumable food.	1-6 cans of food products swollen, leaking or rusted, and not segregated from consumable	7-12 cans of food products swollen, leaking or rusted not segregated from consumable	13-18 cans of food products swollen, leaking or rusted and not segregated from consumable food. Example: 10 cans of	19 or more cans of food products swollen, leaking or rusted and not segregated from consumable food. Example: 10 cans of tomato	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other

35*	Potable water supply	one can of tomato paste swollen and one can of salmon rusted and stored on food storage shelf.	food. Example: three cans of tomato paste swollen, and two cans of salmon and two cans of mushrooms rusted and stored on food storage shelf.	tomato paste swollen, two cans of salmon and two cans of mushrooms rusted and stored on food storage shelf	paste swollen, two cans of salmon and two cans of mushrooms rusted, and 15 cans of baked beans leaking and stored on food storage shelf.	enforcement measures.			with HACCP plan.	sausage and fish; or ROP beef stew and ROP chicken fricassee not discarded in accordance with HACCP Plan.	contaminated by non-potable water; or ROP beef stew, ROP chicken fricassee and ROP pork tenderloin not discarded in accordance with HACCP Plan; or a tray of chicken contaminated with mice droppings in	fricassee, ROP pork tenderloin and meat sauce not discarded in accordance with HACCP Plan; or a tray of chicken contaminated with mice droppings in an upper level walk-in refrigerator, a basket of chicken under the deep fat fryer	
31	inadequate. Water or ice not potable or from unapproved source. Cross connection in potable water supply system.	,			supply inadequate. Water or ice not potable or from unapproved source. Cross connection in potable water supply system.	any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.			,		walk-in refrigerator, a basket of chicken under the deep fat fryer contaminated with dust and debris, and a pan of chicken	contaminated with dust and debris, a pan of chicken on the service counter cross- contaminated with raw beef drippings and	
3F*	Unpasteurized milk or milk product present.				Unpasteurized milk or milk product present.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement	41	Unprotected food reserved.	One unprotected	Two unprotected	on the service counter cross- contaminated with raw beef drippings. Three unprotected food	chicken contaminated by mice droppings in the basement walk-in refrigerator. Four or more unprotected food	
3G*	Raw food not properly washed prior to serving.	1 kind of raw food type not properly washed prior to serving. Example: 2 heads of	2 kinds of raw food types not properly washed prior to serving. Example: two heads of	3 kinds of raw food types not properly washed prior to serving. Example: 2 heads of lettuce, 1 bunch of	4 or more kinds of raw food types not properly washed prior to serving. Example: 2 heads of lettuce.	measures.	4.1	Appropriately scaled metal stem-type	food item re- served. Example: unwrapped crackers.	foods items re-served. Example: unwrapped crackers and bread.	items re-served. Example: unwrapped crackers, bread and pickles.	items re-served. Example: unwrapped crackers, bread, pickles and breadsticks. Appropriate thermometer(s)	
4A	Food Protection Certificate (FPC) not held by supervisor of food operations.	lettuce.	lettuce and 1 bunch of carrots.	carrots and 1 bunch of broccoli.	1 bunch of carrots, 1 bunch of broccoli and 1 head of cabbage.	FPC not held by the supervisor of food operations.		thermometer or thermocouple not provided or used to evaluate temperatures of potentially hazardous foods during cooking, cooling, reheating and holding.				or themocouple not provided or used to measure the temperature of potentially hazardous foods.	
4B*	Food worker prepares food or handles utensil when ill with a disease transmissible by food or has exposed infected cut or burn on hand.				Food worker prepares food or handles utensil when ill with a disease transmissible by food or has exposed infected cut or burn on hand.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.	4K	Evidence of rats or live rats present in facility's food and/or non-food areas.	Rats present in the facility's food or non- food areas. Example: 1-10 fresh rat droppings in one area.	Rats present in the facility's food or non- food areas, demonstrated by 11-30 fresh rat droppings in one area or 1-10 fresh or rat droppings in two areas. Example: 25 fresh rat droppings in	Rats present in the facility's food or non-food areas, demonstrated by 31-70 rat droppings one area; 11-30 fresh rat droppings in two areas; or 1-10 fresh rat droppings in three areas.	Rats present in the facilities food or non-food areas, demonstrated by 1-2 live rats and/or 71-100 rat droppings in one area; 31-70 fresh rat droppings in two areas; 11-30 fresh rat droppings in three areas; or 1-	Three or more live rats and/or greater than 100 rat droppings; and/or other conditions conducive to infestation of rats, i.e. holes/openings, water, food, unused equipment/materi al. Inspector
4C°	Food worker does not use proper utensil to eliminate bare hand contact with food that will not receive adequate additional heat treatment.	One food worker preparing ready-to-eat food with bare hands. Example: one food worker at front food preparation area preparing a sandwich.	Two food workers preparing ready-to-eat foods with bare hands. Example: one food worker at front food preparation area preparing a sandwich and one food worker in kitchen preparing Caesar salad.	Three food workers preparing ready-to-eat foods with bare hands. Example: one food worker at front food preparation area preparing a sandwich, one food worker in kitchen preparing Caesar salad and one food worker in basement	Four or more food workers preparing ready-to-eat foods with bare hands. Example: two food workers at front food preparation area preparing sandwiches, one food worker in kitchen preparing Caesar salad and one food worker in basement preparing shrimp cocktail.	Failure to correct any condition of a PHH at the time of Inspection. Inspector must call office to discuss closing or other enforcement measures.	4L	Evidence of mice or live	Mice present in	the food preparation area; or 10 fresh rat droppings in dry food storage area and 10 fresh rat droppings in the basement, food preparation area, bathroom and garbage disposal area. Mice present	Example: 55 fresh rat droppings in food preparation area; or 14 fresh rat droppings in dry food storage area and 16 in basement; or less than 10 fresh rat droppings in the basement, food preparation area and bathroom. Mice present in	10 fresh droppings in four areas. Example: 80 fresh rat droppings in food preparation area; or 30 fresh rat droppings in dry food storage area and 16 in basement or less than 10 fresh rat droppings in basement, food prep.	must call office to discuss closing or other enforcement measures.
4D*	Food worker does not wash hands thoroughly after using the toilet, coughing, sneezing, smoking, eating, preparing raw foods or otherwise contaminating hands.			preparing shrimp cocktail.	Food worker does not wash hands after visiting the toilet, coughing, sneezing, smoking, preparing raw foods or otherwise contaminating hands.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.		mice present in facility's food and/or non-food areas.	the facility's food or non- food areas; 1- 10 fresh mice droppings in one area. Example: 8 fresh mice droppings found in pantry.	in the facility's food or non- food areas. 11-30 fresh mice droppings in one area; or 1-10 in two areas. Example: 25 fresh mice droppings in the food preparation area; or 10 fresh mice	the facility's food or non-food areas. 31-70 mice droppings in one areas, 11- 30 in two areas; or 1-10 in three areas. Example: 55 fresh mice droppings in food preparation area; 14 fresh mice droppings in dry food storage area and	the facility's food or non-food areas; 1-2 live mice and/or 71-100 mice droppings in one area; 31-70 in two areas, 11-30 in three areas, or 1-10 in four areas. Example: 80 fresh mice droppings in food preparation area; 30 fresh mice droppings in dry	mice and/or greater than 100 fresh mice droppings; and/or other conditions exist conducive to infestation of mice. Example: holes/openings, water, food, unused equipment/materi al. Inspector must call office to discuss closing or other
4E*	Toxic chemical improperly labeled, stored or used so that contamination of food may occur.	One toxic chemical improperly labeled, stored or used so that contamination of food may occur. Example: roach spray.	Two toxic chemicals improperly labeled, stored or used so that contamination of food may occur. Example:	Three toxic chemicals improperly labeled, stored or used so that contamination of food may occur. Example: roach spray, bleach and butane.	Four or more toxic chemicals improperly labeled, stored, or used so that contamination of food may occur. Example: roach spray, bleach, butane and rat	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.				droppings in dry food storage area and 10 in the basement.	16 in basement; or fewer than 10 fresh mice droppings in the basement, food preparation area and bathroom.	food storage area and 16 in basement; or fewer than 10 fresh mice droppings in basement, food preparation area, bathroom and garbage disposal	enforcement measures.
4F*	Food, food preparation area, food storage area or area used by employees or patrons contaminated by sewage or liquid waste.		roach spray and bleach.		Food, food preparation area, food storage area or area used by employees or patrons contaminated by sewage or liquid waste.	of inspection. Inspector must call office to	4M	Live roaches present in facility's food and/or non-food areas.	Roaches present in the facility's food and non-food aréas. Example: 2 live roaches in the dry-food area.	one area; or 1-5 in two areas. Example: 7 live roaches in the food preparation	area; 4 roaches in the dry food	two areas; 6-10 in three areas; or 1-5 in four areas. Example: 17 live roaches in the food preparation area; 10 roaches	Greater than 20 live roaches and/or other conditions exist conducive to infestation of roaches. Example: 45 live roaches and condition conducive to infestation such as
4G*	Unprotected potentially hazardous food reserved.				Unprotected potentially hazardous food re-served. Example: bowl of cooked rice reserved.	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.				area; or 2 roaches in the dry food storage area and 1 in the basement.	basement; or 1 live roach observed in walk-in, food preparation area and dry storage.	storage area and 5 roaches in the basement; or 1 live roach observed in walk- in, food preparation area, garbage area and dry storage area.	holes/openings, water, food, unused equipment/materi al. Inspector must call office to discuss closing or other enforcement measures.
4H*	Raw, cooked or prepared food is adulterated, contaminated or cross-contaminated, or not discarded in accordance with HACCP plan.	One food item is spoiled, adulterated, contaminated or cross-contaminated. Example: lettuce contaminated by raw chicken or custard cream contaminated by mice droppings; or one package of ROP chicken not discarded in accordance	Two food items or two batches of same food located in two areas noted spoiled, adulterated, contaminated or cross-contaminated. Example: lettuce and cooked chicken contaminated by raw chicken; or adulterated	Three food items or three batches of the same food type located in three areas noted spoiled, adulterated, contaminated or cross-contaminated. Example: lettuce, cooked chicken and raw eggs contaminated by raw chicken; or lettuce, tomatoes and figs	Four or more food items or four or more batches of the same food type in different areas noted spoiled, adulterated, contaminated or cross-contaminated. Example: lettuce, cooked chicken, raw eggs and cooked rice contaminated by raw chicken; or ROP beef stew, ROP chicken	Failure to correct any condition of a PHH at the time of Inspection. Inspector must call office to discuss closing or other enforcement measures.	4N	Filth flies or food/refuse/sewage/asso ciated (FRSA) flies in facility's food and/or nonfood areas. Filth flies include house flies, little house flies, blow flies, bottle flies and flesh flies. Food/refuse/sewage/associated flies include fruit flies, drain flies and Phorid flies.	the food preparation or food storage area during November 1 through March 1.	6-10 filth flies or FRSA flies in one area; o 2-5 filth flies in two areas. Example: 7 live flies in food preparation area; or 2 flies in the dry foot storage area and 1 in basement.	two areas; or 2-5 flies in three areas. Example: 12 live flies in food preparation area; 4 flies in	at two areas; 6-10 filth flies in three areas; or 1-5 in four areas. Example: 17 filth flies in food preparation area; 10 filth flies in dry food storage area and 5 filth flies in basement; or 2 filth flies observed in walk-	More than 30 filth flies, FRSA flies and/or other conditions exist conducive to infestation of filth flies. Example: 40 flies in the basement garbage area; and other conditions exist conducive to filth fly infestation, i.e. openings to the outer air, water, food, decaying matter, and/or sewage.

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				storage area.	preparation area, garbage area and dry storage area.	Inspector must call office to discuss closing or other enforcement measures.	6A	Personal cleanliness inadequate. Outer garment soiled with possible contaminant. Effective hair restraint not worn in an area where food is prepared.	One food worker observed without clean outer garment or hair restraint.	Two food workers observed without clean outer garments and/or hair	Three food workers observed without clean outer garments and/or hair restraints.	Four or more food workers observed without clean outer garments and/or hair restraints.	
40	Live animal other than fish in tank or service animal present in facility's food and/or non- food areas.	Live animal in establishment.	Two live animals in establishment.	Three live animals in establishment.	Four or more live animals in establishment.		6B	Tobacco use, eating, or drinking from open container in food preparation, food storage	One food worker eating, smoking and/or drinking from open container	restraints. Two food workers eating, smoking and/or	Three food workers eating, smoking and/or drinking from open container	Four or more food workers eating, smoking and/or drinking from open	
5A*	Sewage disposal system improper or unapproved.				Sewage or liquid waste is not disposed of in an approved or sanitary manner; or sewage or liquid waste contaminating food, food storage area, food preparation area, or area	Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.		or dishwashing area.	open container in food or ware washing areas or evidence of tobacco use, eating or drinking in food preparation, food storage and dishwashing area.	drinking from open container in food or ware washing areas.	in food or ware washing areas.	container in food or ware washing areas.	
50*	Lambil povinus que or				frequented by consumers or employees or used as a storage, preparation or utility area. Harmful, noxious	Failure to correct	6C	Food not protected from potential source of contamination during strange, preparation, transportation, display or service.	One food item not protected during storage, preparation, transportation, display or service.	Two food items not protected during storage, preparation, transportation, display or service.	Three food items not protected during storage, preparation, transportation, display or service.	Four or more food items not protected during storage, preparation, transportation, display or service.	
5B*	Harmful, noxious gas or vapor detected. CO ≥13 ppm.				gas or vapor detected. CO equal to or greater than 13ppm.	any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.	6D	Food contact surface not washed, rinsed and sanitized after each use and following any activity when contamination may have occurred.	One food contact surface not washed. rinsed or sanitized after any activity when contamination may occurred. Example: Meat	Two food contact surfaces not washed, rinsed or sanitized after any activity when contamination may have	Three food contact surfaces not properly washed, rinsed or sanitized after any activity when contamination may have occurred.	Four or more food contact surfaces not properly washed, rinsed or sanitized after any activity when contamination may have occurred.	
5C+	Food contact surface improperly constructed or located; or unacceptable material used.	One food contact surface or piece of equipment improperly constructed, located and/or unacceptable material used. Example: painted shelves in a walk-in unit.	Two food contact surfaces or pieces of equipment improperly constructed, located and/or unacceptable material used. Example: painted shelves in a	Three food contact surfaces or pieces of equipment improperly constructed, located, and/or unacceptable material used. Example: painted shelves of a walk-in unit, cutting board	Four or more contact surfaces or pieces of equipment improperly constructed, located, and/or unacceptable material used. Example: painted shelves in a walkin unit, cutting board made from	Failure to correct as pre-permit serious (PPS) on an initial inspection, re-inspection, or compliance inspection results in a follow up inspection, and/or closure. Inspector must call office to			slicer encrusted with old food debris.	occurred. Example: Meat slicer and cutting board encrusted with old food debris.	Example: Meat slicer, wooden cutting board, and can opener encrusted with old food debris.	Example: Meat slicer, wooden cutting board, can opener, and food preparation table encrusted with old food debris, and the interior of the ice machine observed with mold.	
			walk-in unit and cutting board made from untreated wood.	made from untreated wood and acidic foods placed in pewter bowl.	untreated wood, acidic food placed in pewter bowl and solder and flux used to repair food contact equipment.	discuss closing or other enforcement measures.	6E	Sanitized equipment or utensil, including in-use food dispensing utensil, improperly used or stored.	One sanitized piece of equipment or utensil improperly used or stored	Two sanitized pieces of equipment or utensils improperly used or stored.	Three sanitized pieces of equipment or utensils improperly used or stored.	Four or more sanitized pieces of equipment or utensils improperly used or stored.	
5D+	Hand washing facility not provided in or near food preparation area and toilet room. Hot and cold running water at adequate pressure to enable cleanliness of employees not provided at facility. Soap and an acceptable hand-drying device not provided.				Fully equipped hand wash sinks, to include soap and paper towels not provided or conveniently located in all food preparation areas.	Failure to correct as pre-permit serious (PPS) on an initial inspection, or compliance inspection results in a follow up inspection, and/or closure. Inspector must call office to discuss closing or other enforcement measures.	6F	Wiping cloths soiled or not stored in sanitizing solution.	Two or more wiping cloths used to clean food contact surfaces not stored in sanitizing solution; or test kit to measure sanitizing solution to ensure proper sanitization of wiping cloths not provided; or sanitizer solution not at appropriate	Two or more wiping clothes used to clean food contact surfaces not stored in sanitizing solution; and the test kit to measure sanitizing solution to ensure proper sanitization of wiping cloths used to	Two or more wiping cloths used to clean food contact surfaces are not stored in sanitizing solutions, the test kit to measure sanitizing solution to ensure proper sanitization of wiping cloths not provided and sanitizer solution not at		
5E+	Toilet facility not provided for employees or for patrons when required				Toilet facility not provided for employees or for patrons when required.	Failure to correct as pre-permit serious (PPS) on an initial inspection, reinspection, or compliance inspection results in a follow up inspection, and/or closure. Inspector must call office to discuss closing or other enforcement	6G	HACCP plan not	level to effectively remove contaminates from wiping cloths.	clean food contact surfaces not stored in sanitizing solution and test kit to measure sanitizing solution to ensure proper sanitization of wiping cloths not provided.	appropriate level to effectively remove contaminates from wiping cloths.	Approved	HACCP plan not
5F+	Insufficient or no refrigerated or hot holding equipment to keep potentially				Refrigerated or hot holding equipment for PHFs not provided.	reasures. Failure to correct as pre-permit serious (PPS) on an initial inspection, re-		approved or approved HACCP plan not maintained on premises.				HACCP plan not maintained on premises.	approved. Inspector must call office to discuss enforcement measures.
50	hazardous foods at required temperatures.				Separate,	inspection, or compliance inspection results in a follow up inspection, and/or closure. Inspector must call office to discuss closing or other enforcement measures.	6H	Records and logs not maintained to show HACCP plan has been properly implemented.					Record and logs not maintained to show HACCP plan has been properly implemented. Inspector must call office to discuss corrective action or other enforcement measures.
5G +	Separate, enclosed, properly equipped cleaning and service area not provided. (Mobile Vending Commissary)				enclosed, properly equipped cleaning and service area not provided.	as pre-permit serious (PPS) on an initial inspection, re-inspection, or compliance inspection results in a follow up inspection, and/or closure. Inspector must call office to discuss closing or other	6I 7A	Food not labeled in accordance with HACCP plan. Duties of an officer of the department interfered with or obstructed.				Food not labeled in accordance with HACCP plan.	Inspector must call office to discuss corrective action or other enforcement measures. Duties of an officer of the department interfered with or obstructed.
5H+	No facilities available to wash, rinse, and sanitize utensils and/or equipment.				No facility available to wash, rinse, and sanitize utensils and equipment.	enforcement measures. Failure to correct. Inspector must call office to discuss enforcement	8A	Facility not vermin proof. Harborage or conditions conducive to attracting vermin to the premises and/or allowing vermin to		General Viol	Doors and door thresholds not adequately pest proofed, and/or one or two	Doors and door thresholds not adequately pest proofed, with quality materials, and/or three or	
51+	Refrigeration used to implement HACCP plan not equipped with an electronic system that continuously monitors time and temperature.				Refrigeration used to implement HACCP plan not equipped with an electronic system that continuously monitors time and temperature.	Inspector must call office to discuss closing or other enforcement measures.		exist.			openings in the facility façade (walls, floors, ceilings) and/or other condition conducive to pest entry or breeding.	and/or three or more openings in the facility façade (walls, floors, ceilings) or other condition conducive to pest entry or breeding.	

8B	Covered garbage receptacle not provided or inadequate, except that garbage receptacle may be uncovered during active use. Garbage storage area not properly constructed or maintained; grinder or compactor dirty.	Garbage equipment and facilities not maintained or provided. Example: tight fitting lid not provided for 32-gallon garbage can used to put garbage out overnight.	Garbage equipment and facilities not maintained or provided. Example: tight-fitting lids not provided for 32-gallon garbage can used to put garbage out overnight and garbage grinder encrusted with old food.	Garbage equipment and facilities not maintained or provided. Example: tight- fitting lids not provided for two 32-gallon garbage cans used to put garbage out overnight and garbage grinder encrusted with old food.	Garbage equipment and facilities not maintained or provided. Example: tight- fitting lids not provided for two 32-gallon garbage cans used to put garbage out overnight, garbage grinder encrusted with old food and cardboard boxes, food wrappers and 15 empty	,	10E	not provided in	inadequate. Example: no ventilation provided in bathroom. One refrigeration or	inadequate. Example: no ventilation provided in bathroom and exhaust hood not sufficient to remove excess fumes in kitchen.	inadequate. Example: no ventilation provided in bathroom, exhaust hood not sufficient to remove excess fumes in kitchen and grease collecting on walls. Three refrigeration or	Example: no ventilation provided in bathroom, exhaust hood not sufficient to remove excess fumes in kitchen, grease collecting on walls, and smoke from smokehouse drifting into dining area.	
8C	Pesticide use not in accordance with label or applicable laws. Prohibited chemical used/stored. Open bait station used.	One prohibited pesticide, chemical or bait station not used in accordance with label or applicable laws.	Two types of prohibited pesticides, chemicals or bait stations not used in accordance with label or applicable laws. 7-12 cans	Three types of prohibited pesticides, chemicals or bait stations not used in accordance with label or applicable laws.	carton of milk strewn in the backyard. Four or more types of prohibited pesticides, chemicals or bait stations not used in accordance with label or applicable laws.	Failure to correct. Inspector must call office to discuss enforcement measures.		refrigerated or hot holding equipment.	hot holding unit not provided with accurate thermometer to measure the temperature in the warmest part of the refrigerator or coolest part of the hot storage facility.	or hot holding units not provided with accurate thermometers to measure the temperature in the warmest part of the refrigerator or coolest part of the hot storage facility.	hot holding units not provided with accurate thermometers to measure the temperature in the warmest part of the refrigerator or coolest part of the hot storage facility.	units not provided with accurate thermometers to measure the temperature in the warmest part of the refrigerator or coolest part of the hot storage facility.	
98	Canned root product dented and not segregated from consumable food. Thawing procedures	I-o cans dented. Example: one dented can of tomato paste stored on food storage shelf not segregated.	dented. Example: seven dented cans of tomato paste stored on food storage shelf not segregated.	dented. Example: seven dented cans of tomato paste and six dented cans of soy sauce stored on food storage shelf not segregated. Three frozen	dented. Example: seven dented cans of tomato paste, ten dented cans of soy sauce, and five dented cans of tuna fish stored on food storage shelf not segregated.		10F	Non-food contact surface improperly constructed. Unacceptable material used. Non-food contact surface or equipment improperly maintained and/or not properly sealed, raised, spaced or movable to allow accessibility for cleaning on all sides, above and underneath the unit.	One non-food contact surface improperly constructed. Unacceptable material used. Non-food contact surface or equipment improperly maintained and/or not properly sealed, raised,	Two Non-food contact surfaces improperly constructed. Unacceptable material used. Non-food contact surfaces or equipment improperly maintained and/or not	Three non-food contact surfaces improperly constructed. Unacceptable material used. Non-food contact surfaces or equipment improperly maintained and/or not properly sealed, raised, spaced	Four non-food contact surfaces improperly constructed. Unacceptable material used. Non-food contact surfaces or equipment improperly maintained and/or not properly sealed, raised, spaced or	
	improper.	food item improperly thawed. Example: whole chicken or beefsteak improperly thawed.	food items improperly thawed or the same type of food improperly thawed in two different areas. Example: two chickens and beefsteak improperly thawed or chicken breast improperly thawed in sink and chicken legs thawed on kitchen counter.	food items improperly thawed or the same type of food improperly thawed in three different areas. Example: three chickens, beefsteak, and pork shoulder improperly thawed; or chicken breast improperly thawed in sink, chicken legs improperly thawed on kitchen counter, and chicken breast improperly thawed on kitchen counter, and chicken breast improperly thawed in food or constraint of the same area to the same area.	frozen food item improperly thawed or the same type of food improperly thawed in four different areas. Example: four chickens, chicken breast, beefsteak, and shrimp improperly thawed; or chicken breast improperly thawed in sink, chicken legs improperly thawed on kitchen counter, chicken breast improperly thawed in bowl in food preparation area, and chicken improperly				sealed, falsed, sealed, falsed, spaced or movable to allow accessibility for cleaning on all sides, above and underneath the unit. Example: wall in food preparation area made of material not easily cleaned.	properly sealed, raised, spaced or movable to allow accessibility for cleaning on all sides, above and underneath the unit. Example: wall in food preparation area made of material not easily cleaned and build-up of grease on on the wall adjacent to permanently	or movable to allow accessibility for cleaning on all sides, above and underneath the unit. Example: wall in food preparation area made of material not easily cleaned, build-up of grease on the wall adjacent to permanently installed convection oven which is not easily moveable or properly spaced to allow cleaning, dried	movable to allow accessibility for cleaning on all sides, above and underneath the unit. Example: wall in food preparation area made of brick a material not easily cleanable, buildup of grease on on the wall adjacent to permanently installed convection oven which is not easily moveable or properly spaced to allow cleaning, dried encrusted grease	
9C	Food contact surface not properly maintained.	One food contact surface not properly maintained. Example: one cutting board	Two food contact surfaces not properly maintained. Example: one	Three food contact surfaces not properly maintained. Example: three cutting boards	wings improperly thawed near the deep fat fryer. Four or more contact surfaces not properly maintained. Example: three cutting board					installed convection oven which is not easily moveable or properly spaced to allow cleaning.	encrusted grease and old food debris under the walk- in refrigerator which is not properly sealed to the floor.	and old food debris under the walk-in refrigerator which is not properly sealed to the floor, and a rug in the food storage area.	
		discolored.	cutting board discolored and one plastic cutting board pitted and scratched.	pitted and scratched.	pitted and scratched and four cutting boards at the bar area discolored.			Food service operation occurring in room used as living or sleeping quarters.	Food service operation occurring in one room used as living or sleeping quarters.	Food service operation occurring in two rooms used as living or sleeping quarters	Food service operation occurring in three rooms used as living or sleeping quarters.	Food service operation occurring in four or more rooms used as living or sleeping quarters.	
10A	Toilet facility not maintained and provided with toilet paper, waste receptacle and self-closing door. Plumbing not properly	One toilet facility not maintained and provided with toilet paper, waste receptacle and self-closing door.	Two toilet facilities not maintained and provided with toilet paper, waste receptacle and a self-closing door.	Three toilet facilities not maintained and provided with toilet paper, waste receptacle and a self-closing door.	Four or more toilet facilities not maintained and provided with toilet paper, waste receptacle and a self-closing door.	Sewage disposal	10+	Proper sanitization not provided for utensil ware washing operation.	Manual ware washing inadequate in that one immersion basket not provided or of incorrect size.	Manual ware washing inadequate in that one immersion basket not provided or of incorrect size and manual ware washing procedure	Manual ware washing inadequate in that one immersion basket not provided or of incorrect size, manual ware washing procedure	Minimum final rinse temperature of 170° F not maintained or mechanical dishwasher is not operated as per manufacturer's specifications (time or temperature or	
	installed or maintained; anti-siphonage or backflow prevention device not provided where required; equipment or floor not properly drained; sewage disposal system in disrepair or not functioning properly.	prevention device not installed, or equipment or floor not properly drained. Example: refrigerator condensation draining into a bucket.	prevention devices not installed, or equipment or floor not properly drained. Example: refrigerator condensation drained into a bucket and air conditioner draining onto sidewalk.	prevention devices not installed, or equipment or floor not properly drained. Example: refrigerator condensation draining into bucket, air conditioner draining onto sidewalk and no vacuum breaker provided on the hose connected to faucet.	backflow prevention devices not installed or equipment or floor not properly drained. Example: refrigerator condensation draining into bucket, two air conditioners draining onto sidewalk and no vacuum breaker provided on the hose connected to faucet or ice machine.	system in disrepair or not functioning properly, 5A also cited.	101	Single service item reused, improperly stored, dispensed; not used when required.	Single service item reused, improperly stored, dispensed or not used when required. Example: drinking straws not protected from contamination.	Single service item reused, improperly stored, dispensed or not used when required. Example: drinking straws not properly dispensed and paper plates not protected from contamination.	incorrect and sanitizing test kit or thermometer not provided. Single service item reused, improperly stored, dispensed, not used when required. Example: drinking straws not properly dispensed, paper plates not protected from contamination and forks not protected from contamination contamination	chemical concentration). Single service item reused, improperly stored, dispensed, not used when required. Example: drinking straws not properly dispensed, paper plates not protected from contamination, forks not protected from contamination contamination	
	Lighting inadequate; permanent lighting not provided in food preparation areas, ware washing areas, and storage rooms. Mechanical or natural	One instance of inadequate lighting.	Two instances of inadequate lighting.	Three instances of inadequate lighting.	Four or more instances of inadequate lighting.		103	"Wash hands" sign not posted at hand wash facility.	"Wash hands" sign not posted at hand wash facility.			and plastic forks reused.	
	ventilation system not provided, improperly installed, in disrepair and/or fails to prevent excessive build-up of	mechanical or natural ventilation system not provided or	mechanical or natural ventilation systems not provided or	mechanical or natural ventilation systems not provided or	or natural ventilation systems not provided or inadequate.		998	General other.	†		1_		☞ s

PROBATION

NOTICE

NOTICE OF PUBLIC HEARING AND OPPORTUNITY TO COMMENT

Notice of Public Hearing and Opportunity to Comment on a Proposed Rule Relating to a Probation Administrative Fee NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the Department of Probation by Section 255 of the Executive Law and Section 1043 of the New York City Charter that the Department proposes to promulgate a new rule relating to a probation administrative fee.

Written comments regarding this proposed rule may be sent to the office of Margaret DiGiovanna, Acting General Counsel, New York City Department of Probation, 33 Beaver Street, 21st Floor, New York, N.Y. 10004 on or before October 8, 2010.

A public hearing on the proposed rule shall be held on October 8, 2010 at 9:00 A.M., at 33 Beaver Street, 18th Floor hearing room, New York, N.Y. 10004. 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 the Office of the General Counsel at the foregoing address by October 1, 2010.

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 Margaret DiGiovanna, Acting General Counsel, New York City Department of Probation, 33 Beaver Street, 21st Floor, New York, N.Y. 10004.

As the rule is new, the entire text is underlined. Section 1. Title 42 of the Rules of the City of New York is amended by adding a new chapter 3 to read as follows:

$\S 3-01$ Probation Administrative Fee

(a) General. Pursuant to section 257-c of the Executive Law and section 9-201 of the Administrative Code of the City of New York, any individual currently serving or who shall be sentenced to a period of probation in New York City upon conviction of any crime under article thirty-one of the Vehicle and Traffic Law shall pay an administrative fee of thirty dollars per month to the New York City Department of

(b) Collection of the Probation Administrative Fee. The probation administrative fee shall be paid on the first of every month, commencing on November 1, 2010. The fee shall be payable by money order, certified check or cashier's check and shall be made out to the New York City. Department of Probation. The probationer shall include his or her case name and case number on the money order or check. The fee shall be sent to: check. The fee shall be sent to:

> New York City Department of Probation 33 Beaver Street, 21st Floor New York, New York 10004 Attn: Financial Operations

(c) Enforcement. Failure to pay the probation administrative fee in full, unless the fee has been waived pursuant to subdivision d of this section, shall subject the probationer to collection pursuant to all applicable laws.

(d) Waiver. (1) Definitions. As used in this subdivision, the following terms shall have the following meanings:

"Department" means the Department of Probation.

"Dependent" means a person who resides in the probationer's household and has any of the following relationships with the

probationer:
(i) Husband, wife, or registered domestic partner; (ii) Minor child of the probationer or sibling of the minor child who is also a minor child (including half and step-siblings); or (iii) Non-minor child of the probationer or a descendant of such a child, brother or sister of the probationer or his or her descendant, or parent or grandparent of the probationer: (A) whose income is less than \$3650 and

(B) with respect to whom the probationer provides over one half of the individual's support for the calendar year.

"Federal Poverty Guidelines" are the annual guidelines prepared by the United States Department of Health and Human Services and published in the Federal Register. The Federal Poverty Guidelines are available at http://aspe.hhs.gov/poverty/. These guidelines are based on household income and number of dependents.

"Income" means all income before taxes and other deductions. Income shall include but not be limited to wages, salary, tips from work, self-employment income (after business expenses), unemployment compensation, workers' compensation, Social Security, Supplemental Security Income, public assistance, veterans' payments, survivor benefits, pension or retirement income, interest, dividends rents, royalties, income from estates or trusts, alimony, child support, and assistance from outside the household.

"Minor child" is a child who is under eighteen years of age or is under nineteen years of age and attending a secondary school (high school) or an equivalent level of vocational or

(2) Eligibility. The Department shall grant a temporary waiver of all of the probation administrative fee when a probationer has provided proof that (i) his or her combined household income is less than 200% of the Federal Poverty Guidelines or (ii) there exist additional financial circumstances that would render the probationer indigent, such that the payment of the administrative fee would work an unreasonable hardship on the probationer, his or her immediate family, or any other person who is dependent on such person for financial support.

(3) Application. (i) A probationer applying for a waiver or the renewal of a waiver shall mail a signed and dated "Request for Temporary Waiver" form, including an explanation of any additional financial circumstances that would render the probationer indigent, to the address below:

New York City Department of Probation 33 Beaver Street, 23rd Floor New York, New York 10004. Attn: "DWI Fee Review Officer"

shall attach proof of income and proof of dependants with the "Request for Temporary Waiver" form.
(A) Proof of income shall include but not be limited to all of the following documentation that are applicable: income tax returns, paystubs, pay checks, public assistance, Supplementary Security Income, Social Security Disability, unemployment benefits, workers' compensation, veteran payments, and pension or retirement income.
(B) Proof of dependents shall include but not be limited to any of the following documentation: birth certificate, letters or certificates of guardianship, marriage certificate, and domestic partner registration certificate.

(4) Department determinations. The Department shall review the application and determine whether to issue a waiver or to return the application with a request for further

documentation. If the Department denies the application for a waiver, written notice shall be mailed or sent electronically to the probationer at the address in the Department's records informing the probationer of the reasons for denial and of the probationer's right to appeal the determination in writing within fifteen calendar days of the date of the notice. The commissioner or his or her designee shall review the probationer's written appeal and shall issue a determination, which shall be final.

(5) Duration of waiver. (i) A waiver shall remain in effect for one year.
(ii) A probationer who has been granted a waiver shall inform

the Department of Probation immediately upon a change of his or her circumstances affecting the probationer's eligibility

(iii) The Department may terminate the waiver upon a determination that the probationer is no longer eligible for the waiver. Written notice of the proposed termination shall be mailed or sent electronically to the probationer at the address in the Department's records and shall inform the probationer of the reasons for the proposed termination and that the probationer has the right to appeal the determination in writing with fifteen calendar days of the date of notice. The commissioner or his or her designee shall review the probationer's written appeal and shall issue a determination, which shall be final.

(iv) A probationer may apply to renew a waiver by submitting an application as provided in paragraph 3 of this subdivision.

STATEMENT OF BASIS AND PURPOSE

Executive Law § 257-c authorizes every county and the City of New York to adopt a local law requiring any individual serving a period of probation for a conviction of any crime under article thirty-one of the Vehicle and Traffic Law to pay an administrative fee of thirty dollars per month to the local probation department with responsibility for supervising the probationer. In New York City, Local Law No 29 of 2010, which took effect on July 13, 2010, mandates the probation administrative fee starting on November 1, 2010. The local law requires that the Department of Probation waive the fee where, because of the indigence of the probationer, payment of the fee would cause an unreasonable hardship on the probationer, his or her immediate family, or any other dependent. This rule would establish the method of collection and provisions for waiver of the fee. Probationers whose household income is less than 200% of the federal poverty level or who otherwise can show additional financial circumstances to meet the statutory standard qualify for a waiver. Proof of income and of dependents must be provided to be considered for such a waiver.

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SPECIAL MATERIALS

COMPTROLLER

■ NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on September 9, 2010 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels,

Damage Parcel No.	Block	Lot
11	146	17
12	146	29
16 and 17	146	41 and 42
A	ontitled, Eifth	Amandad

Acquired in the proceeding, entitled: Fifth Amended Brooklyn Center Urban Renewal Project, Phase 2, subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

> John C. Liu Comptroller

a25-s9

NOTICE OF ADVANCE PAYMENT OF AWARDS
PURSUANT TO THE STATUTES IN SUCH cases made and
provided, notice is hereby given that the Comptroller of the
City of New York, will be ready to pay, at 1 Centre Street,
Rm. 629, New York, NY 10007 on September 16, 2010 to the
person or persons legally entitled an amount as certified to
the Comptroller by the Corporation Counsel on damage
parcels as follows: parcels, as follows:

Block 13427

Acquired in the proceedings, entitled: 149th Avenue from 183rd to 184th Street subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

> John C. Liu Comptroller

ROBERT

STEPHEN

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NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on September 8, 2010 to the person

KLEIN

MAESE

or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
1 and 1A	8114	160
2	8114	187
3 and 3A	8116	130

Acquired in the proceeding, entitled: Udall's Cove Ravine Addition subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

> John C. Liu Comptroller

a24-s8

OFFICE OF THE MAYOR

NOTICE

PROCLAMATION OF ELECTION

As a result of the death of Council Member Thomas White, Jr. on August 27, 2010, a vacancy has been created in the seat he held as a Council Member for the twenty-eighth Council district. Accordingly, pursuant to the authority vested in me by Section 25(b)(1) and 25(b)(6) of the New York City Charter, I hereby proclaim that a special election shall be held in the twenty-eighth Council district on November 2, 2010, the date of the regularly scheduled general election, to elect a Council Member to serve until December 31, 2011. Pursuant to Section 25(b)(7) of the Charter, nomination of candidates in this election shall be by independent nominating petition. Subsequent to such election, pursuant to Section 25(b)(2) of the Charter, the seat for such district shall be filled for the remainder of Council Member White's unexpired term by the person duly elected at the general election to be held in November 2011.

DATED: August 30, 2010

 $_{\rm S/S}$

Michael R. Bloomberg

a31-s3

TRANSPORTATION

NOTICE

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF A PEDESTRIAN PLAZA LOCATED AT THIRD AVENUE, EAST 149TH STREET, WILLIS AVENUE AND EAST 148TH STREET, BOROUGH OF THE BRONX

Pursuant to the Concession Rules of the City of New York, the Department of Transportation ("DOT") intends to enter into a concession for the operation, management, and maintenance of a pedestrian plaza located at Third Avenue, East 149th Street, Willis Avenue and East 148th Street in the Bronx ("Licensed Plaza"), including through DOT-approved events, sponsorships, and subconcessions including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that helps brand or promote the neighborhood or the concessionaire, and other similar

Subconcessions would be awarded based on solicitations issued by the concessionaire in the basic form of Request for Proposals or Request for Bids, subject to DOT's prior written approval of both solicitation and award. The concession agreement will provide for one (1) five-year

term, with four (4) one-year renewal options. The renewal options shall be exercisable at DOT's sole discretion.

DOT has identified the South Bronx Overall Economic Corporation as a potential concessionaire, but DOT will consider additional expressions of interest from other potential not-for-profit concessionaires for the operation, management, and maintenance of the Licensed Plaza. In order to qualify, interested organizations should be active in the neighborhood of the Licensed Plaza and have demonstrated experience in the management, operation and maintenance of publicly accessible facilities, including but not limited to programming/events management and concession or retail operation/management.

Not for profit organizations may express interest in the proposed concession by contacting Andrew Wiley-Schwartz, Assistant Commissioner for Public Spaces, by email at awileyschwartz@dot.nyc.gov or in writing at 55 Water Street, 9th Floor, New York, NY 10041 by September 7, 2010. Mr. Wiley-Schwartz may also be contacted with any questions relating to the proposed concession by email or by telephone at (212) 839-6678.

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

APPOINTED

RETIRED

YES

NO

\$10.2600

\$42384.0000

a16-s7

07/13/10

07/04/10

A M 10209 \$9.4100 07/11/10 CHANGES IN PERSONNEL NICHOLLS GARY A 92510 \$292.0800 RESIGNED NO 07/08/10 10209 07/14/10 PALUCH KEVIN т \$10.2600 APPOINTED YES A F DEPARTMENT OF SANITATION FOR PERIOD ENDING 07/23/10 RIVERA DECEASED 07/06/10 GARY 70150 \$89552.0000 NO DEPARTMENT OF FINANCE FOR PERIOD ENDING 07/23/10 ACTION EFF DATE NAME NUM SALARY PROV \$9.4100 \$66672.0000 \$10.2600 07/11/10 07/11/10 BELGRAVE MANITA 10209 APPOINTED YES NO YES CASSETTA DOMINICK SALARY \$57000.0000 \$125000.0000 EFF DATE 07/04/10 07/06/10 APPOINTED NAME NUM 10124 ACTION PROV JUDY 07/11/10 CHAN 10209 RESIGNED APPOINTED CHASE STEVEN 07/14/10 07/02/10 COYNE PATRICK 10209 \$10 2600 APPOINTED YES YES CRAVOTTA DETOMMASO JAMES RONALD NO YES LOFTIN ARLENE 10251 \$36275.0000 RETIRED NO 07/14/10 \$14.2700 INCREASE 12200 07/06/10 07/13/10 07/13/10 MARTIN SHARMAIN 56057 \$43200.0000 INCREASE YES NO NO 07/12/10 07/15/10 JOHN DWYER 70196 \$108859,0000 RETIRED FAGGIANO GOLDBERG \$292.0800 \$53059.0000 MICHAEL MCEACHIN SAMANTHA S 10251 \$35285.0000 APPOINTED NO 07/13/10 MURIEL 07/08/10 12626 RETIRED MORGENSTERN BRETT 1002A \$70000.0000 INCREASE 07/04/10 HAMPTON TIY 10209 \$9.4100 APPOINTED YES 07/06/10

WEDNESDAY	Y, SEPT	EN	IBER	1, 2010		T	HE CIT
				MENT OF TRANSPORTA			
			FOR PE	RIOD ENDING 07/23	/10		
NAME AHMET	ROALT	_	NUM 10209	<u>SALARY</u> \$9.3100	ACTION APPOINTED	PROV YES	EFF DATE 07/13/10
ALS ALTMIX	DAVID NICOLE	M	10124 22122	\$51445.0000 \$46550.0000	INCREASE APPOINTED	YES YES	07/11/10 07/06/10 07/04/10
BLAKELEY BURDESS CHOWOHURY	MANZELL ANDREW TANVEER	R G A	22122 95005 10209	\$46550.0000 \$102667.0000 \$9.4100	INCREASE INCREASE APPOINTED	YES YES YES	07/04/10 07/04/10 07/06/10
CLARE DAVIDSON	THOMAS MALCOLM	s	90910 91556	\$53923.0000 \$57875.0000	RESIGNED RESIGNED	NO NO	06/25/10 07/08/10
HARVEY HUGHES	STEVEN PHILIP	L M	10251	\$35285.0000 \$12.3800	INCREASE APPOINTED	NO YES	03/14/10 06/27/10
KILINSKI KLEIN LI	RICHARD SARAH-AN YI		92010 20210 20202	\$336.0800 \$58961.0000 \$43349.0000	RETIRED APPOINTED APPOINTED	NO YES YES	07/17/10 07/11/10 07/06/10
MESSINA MITCHELL	SALVATOR WILLIE	D L	90692 31715	\$19.1700 \$56888.0000	APPOINTED DECEASED	YES NO	07/11/10 07/01/10
NARAINE SAMUEL	ALICIA DUAYNE	R J	10209 90642	\$10.3600 \$36840.0000	APPOINTED INCREASE	YES	07/06/10 06/27/10
SPRINGER TROLLOPE WILSON	DENYS SARAH AMINA	S S K	90751 13632 56056	\$385.9200 \$95962.0000 \$17.2500	RESIGNED RETIRED RESIGNED	YES NO YES	07/15/10 07/13/10 07/11/10
ZAK	YULIY	K	20210	\$66151.0000	RETIRED	NO	07/08/10
				OF PARKS & RECREAT PRIOD ENDING 07/23			
NAME			TITLE NUM	SALARY	ACTION	PROV	EFF DATE
ABBEY ABDO	ABIGAIL GLEN	D I	06664 71205	\$14.9000 \$13.5700	APPOINTED APPOINTED	YES YES	07/14/10 07/07/10
ABDUL MALIK ABDUR-RAHIM ABEL	NAIM JAMIL STANLEY	M	06070 90641 71205	\$18.2100 \$33662.0000 \$13.5700	APPOINTED DISMISSED APPOINTED	YES YES YES	07/01/10 07/16/10 07/08/10
ACOSTA ACOSTA	CARMEN ELVIS		80633 71205	\$9.2100 \$13.5700	APPOINTED APPOINTED	YES YES	07/02/10 07/10/10
ACOSTA ACOSTA	MARY NANCY	K	60421 80633	\$37907.0000 \$9.2100	TERMINATED APPOINTED	NO YES	07/10/10 06/03/10
AGARD ALBA ALCANTARA	ERIC MAT XABIER LUIS	A	71205 71205 80633	\$13.5700 \$13.5700 \$9.2100	APPOINTED APPOINTED APPOINTED	YES YES YES	07/07/10 07/07/10 06/25/10
ALESE ALFORD	OBAFEMI SHAI DAE	D	52406 71205	\$13.5500 \$13.5700	APPOINTED APPOINTED	YES YES	06/30/10 07/09/10
ALLEYNE ALMEIDA	BRITTANY WYNETTE	K	06070 71205	\$18.2100 \$18.2100	APPOINTED INCREASE	YES	07/03/10 07/03/10
ALMODOVAR ALMODOVAR-MONTE ALSTON	EVELYN SAMUEL FERN		91406 90641 80633	\$14.9800 \$14.0200 \$9.2100	DECREASE APPOINTED	YES YES YES	06/22/10 07/08/10 06/10/10
ALVES AMANTE	KENNY SHATEMA	N	71205 80633	\$13.5700 \$13.2100	APPOINTED APPOINTED APPOINTED	YES YES	07/07/10 07/03/10
AMAO ANAIS	AYODELE ALICEA		06070 06664	\$18.2100 \$14.9000	APPOINTED APPOINTED	YES YES	07/03/10 07/02/10
ANDERSON APONTE	RORY ASHLEY	D R	80633 81307	\$9.2100 \$7.2500	APPOINTED APPOINTED	YES YES	06/24/10 07/01/10
AQUINO ARANGO BEDOYA ARCHER	REYNALDO DANIELA ANIQUE	r	71205 06070 91406	\$13.5700 \$18.2100 \$11.1100	APPOINTED APPOINTED APPOINTED	YES YES YES	07/09/10 07/03/10 07/01/10
ARCHIE ARDON	TAMERA KEVIN	G	80633 71205	\$9.2100 \$13.5700	APPOINTED APPOINTED	YES YES	07/02/10 07/07/10
ARIAS ARO	D'JOHN FLORENCE	0	71205 91406	\$13.5700 \$11.1100	APPOINTED APPOINTED	YES YES	07/09/10 07/10/10
ARROYO ARRUFAT ARTIS	BENJAMIN MARY LINDA		90641 80633	\$14.0200 \$9.2100	APPOINTED APPOINTED	YES YES YES	07/09/10 06/28/10
AKIIS ASKEW AZZOPARDI	RUDY MATTHEW	L J L	91406 80633 71205	\$15.7800 \$9.2100 \$13.5700	INCREASE APPOINTED APPOINTED	YES YES	06/20/10 06/25/10 07/07/10
BALDASSANO BALKCON	ADRIENNE VINCENT		06070 80633	\$18.2100 \$9.2100	APPOINTED APPOINTED	YES YES	07/03/10 06/25/10
BANGARU BANNER	CHRISTIN DONALD		06664 80633	\$14.9000 \$9.2100	INCREASE APPOINTED	YES YES	07/01/10 06/04/10
BARDINA BARR BARRIENTOS	MARIA MEAGHAN ALICIA	C	06070 06070 06070	\$18.2100 \$18.2100 \$18.2100	APPOINTED APPOINTED APPOINTED	YES YES YES	07/03/10 07/03/10 07/03/10
BASKIN BATISTA	BATHESHE SAONI	L	80633 80633	\$9.2100 \$9.2100 \$9.2100	APPOINTED APPOINTED	YES YES	07/03/10 07/01/10 06/02/10
BEACH BELLO	DWAYNE GABRIELL	J	06070 06070	\$18.2100 \$18.2100	APPOINTED APPOINTED	YES YES	07/03/10 07/03/10
BENIGNO BERMUDEZ	ALYSSA SHARON	T A C	06070 80633 71205	\$18.2100 \$9.2100	APPOINTED APPOINTED APPOINTED	YES YES YES	07/03/10 07/01/10
BIDDISCOMBE BISHOP BITAR	ALEXANDR CORTRELL CHADI	R	52406 06070	\$14.4900 \$13.5500 \$18.2100	APPOINTED APPOINTED	YES YES	07/01/10 06/28/10 07/03/10
BORRELL BOYCE	KRISTOFF JONATHAN	A	71205 71205	\$13.5700 \$13.5700	APPOINTED APPOINTED	YES YES	07/10/10 07/07/10
BOYD BRADSHAW BRADY	TAYWANNA CARLINE MATTHEW	т	80633 06664 71205	\$9.2100 \$14.9000 \$16.4100	APPOINTED APPOINTED RESIGNED	YES YES YES	06/11/10 07/01/10 07/06/10
BRATCHER BRIGGS	LENORA MICHELLE	A	80633 80633	\$16.4100 \$9.2100 \$9.2100	APPOINTED RESIGNED	YES YES	06/25/10 07/11/10
BRODSKIY BROOKS	RACHEL JAMES	С	71205 81111	\$13.5700 \$61287.0000	APPOINTED INCREASE	YES YES	07/10/10 06/22/10
BROWN BROWN	DOROTHEA FATIMA	L	52406 81307	\$13.5500 \$10.3900	APPOINTED APPOINTED	YES YES	06/30/10 07/01/10
BROWN BROWN BROWN	KENNETH LAKESHA NYEMA	L	80633 80633 06664	\$9.2100 \$9.2100 \$14.9000	APPOINTED APPOINTED APPOINTED	YES YES YES	06/25/10 07/08/10 07/02/10
BROWN BROWN	RAKYA SASHA	Т	80633 80633	\$9.2100 \$9.2100	APPOINTED APPOINTED	YES YES	06/25/10 07/08/10
BRUCE BRYANT	KAYLIE CORETHIU	s	71205 52406	\$13.5700 \$13.5500	APPOINTED APPOINTED	YES YES	07/07/10 06/28/10
BURGOS BURGOS BURGOS	ALEXIS GERMAN	М	71205 71205 60421	\$13.5700 \$13.5700	APPOINTED APPOINTED	YES YES	07/07/10 07/07/10 07/06/10
BURKE BURKE	JEFFERSO KEVIN WILLIAM	M A	71205 71205	\$18.0500 \$13.5700 \$13.5700	RESIGNED APPOINTED APPOINTED	YES YES YES	07/08/10 07/07/10 07/09/10
BURNETT BURTON	STEPHEN LESLIE		71205 80633	\$13.5700 \$9.2100	APPOINTED APPOINTED	YES YES	07/17/10 06/25/10
BUSH BUTERA	NATAIJA PATRICK	F C	81307 71205	\$9.1000 \$13.5700	APPOINTED APPOINTED	YES YES	07/01/10 07/09/10
BUTTS CABRERA CABRERA CASTANO	ZINA BERNICE LUIS	N A	80633 06070 71205	\$9.2100 \$18.2100 \$13.5700	APPOINTED APPOINTED APPOINTED	YES YES YES	06/28/10 07/03/10 07/07/10
CAINE CALDERON	AKEEM JEANNIDA		81307 06070	\$10.1600 \$18.2100	APPOINTED APPOINTED	YES YES	07/03/10 07/06/10
CAMERON CAMINO	OLLIE YANIRA		91406 06070	\$15.7800 \$18.2100	INCREASE INCREASE	YES YES	06/20/10 07/16/10
CAMPUZANO CAPUTO CARABALLO JR	TONIANNE DANIEL ROBERTO	J	06664 06070 90641	\$14.9000 \$18.2100 \$33662.0000	APPOINTED APPOINTED RESIGNED	YES YES YES	07/01/10 07/03/10 07/06/10
CARMICHAEL CARRENO	IAN CAROLINE	A	80633 06070	\$9.2100 \$18.2100	APPOINTED APPOINTED	YES YES	05/21/10 05/03/10
CASSIDY CASTRO	DIANA SALYNA	T C	10124 81307	\$25.0000 \$7.2500	APPOINTED APPOINTED	YES YES	07/12/10 07/01/10
CERRONE CHAMPAGNE	MICHAEL KEVIN		71205 80633	\$13.5700 \$9.2100	APPOINTED APPOINTED	YES YES	07/07/10 07/01/10
CHANG CHAO CHAPPELL	MICHAEL MIN HUA BARON	т	71205 06664 06664	\$13.5700 \$14.9000 \$14.9000	APPOINTED APPOINTED APPOINTED	YES YES YES	07/10/10 07/01/10 07/02/10
CHAVIS CHEN	TIERRA KENNY	Ċ	52406 06070	\$13.5500 \$18.2100	APPOINTED APPOINTED	YES YES	06/28/10 07/03/10
CHERKALIN CHERRY	DENIS DARYL	A	71205 06664	\$13.5700 \$14.9000	APPOINTED APPOINTED	YES YES	07/07/10 07/02/10
CHERRY CHIGUICHON CHIN	ZAKYYA EDGARDO DANIEL	A C	80633 71205 71205	\$9.2100 \$13.5700 \$16.4100	APPOINTED APPOINTED RESIGNED	YES YES YES	06/25/10 07/08/10 07/06/10
CLARK CLARK	HENRY JESSICA	L J	90641 71205	\$16.4100 \$14.0200 \$13.5700	APPOINTED APPOINTED	YES YES	07/06/10 06/14/10 07/10/10
COAXUM COLLADO	RAYMOND MARIA	Ĺ	80633 56057	\$9.2100 \$23.7100	APPOINTED APPOINTED	YES YES	06/25/10 07/01/10
COLLAZO COLORUNDO	JULIETTE CHRISTIN	A A	71205 06664 60430	\$13.5700 \$14.9000 \$40273.0000	APPOINTED APPOINTED INCREASE	YES YES YES	07/07/10 07/02/10 07/01/10
COOPER COPELAND CORNIEL	JEFFREY LYVONNIA ALEXANDR	A	80633 06070	\$40273.0000 \$9.2100 \$20.9400	INCREASE APPOINTED APPOINTED	YES YES YES	07/01/10 07/08/10 07/03/10
COSENZA COUSINS	JOSEPH LAKAZIER	A O	81111 90641	\$69561.0000 \$14.0200	INCREASE APPOINTED	NO YES	06/13/10 07/10/10
CREEL CROSS	CAROL TANEKA	A	80633 80633	\$9.2100 \$9.2100	APPOINTED APPOINTED	YES YES	06/14/10 06/02/10
CRUICKSHANK CRUZ CRUZ JIMENEZ	JOAN JOSEPHIN GEURY		80633 81111 71205	\$9.2100 \$61287.0000 \$13.5700	APPOINTED INCREASE APPOINTED	YES YES YES	06/04/10 06/27/10 07/07/10
CRUZADO CUCCHIARA	CARLY CORINNE	A	81307 91406	\$7.2500 \$11.1100	APPOINTED APPOINTED	YES YES	07/09/10 07/01/10
CUTKELVIN D'AMORE	ABIGAIL MICHAEL	R R	80633 71205	\$9.2100 \$16.4100	APPOINTED APPOINTED	YES YES	07/08/10 06/29/10
D'OLIVEIRA DANIELS	HUGO ADRIEEN		06070 80633	\$18.2100 \$9.2100	APPOINTED APPOINTED	YES YES	07/03/10 06/02/10

DANIELS	CHARLES	н	80633	\$9.2100	APPOINTED	YES	06/28/10
DANIELS	FREDDIE		80633	\$9.2100	APPOINTED	YES	05/28/10
DARDEN DARNS	YVONNE LISA	м	80633 80633	\$9.2100 \$9.2100	APPOINTED APPOINTED	YES YES	06/03/10 06/25/10
DAVAN	CONNOR	W	71205	\$13.5700	APPOINTED	YES	07/07/10
DAVIS	DAWN	Т	06070	\$18.2100	APPOINTED	YES	07/03/10
DAVIS DE LA ROSA	TRACEY MAXIMO	J	80633 71205	\$9.2100 \$13.5700	APPOINTED APPOINTED	YES YES	07/02/10 07/08/10
DEJESUS	NAYDA		80633	\$9.2100	APPOINTED	YES	06/25/10
DELEON DELLARUSSO	NIGEL POMPEII	F A	71205 80633	\$13.5700 \$9.2100	APPOINTED APPOINTED	YES YES	07/10/10 06/28/10
DEMOS	CHARLES	А	91406	\$11.1100	APPOINTED	YES	06/30/10
DERIGGS	ANTHONY		80633	\$9.2100	APPOINTED	YES	06/25/10
DERRICO DESJARLAIS	JESSICA EMILY	J J	80633 06070	\$9.2100 \$18.2100	APPOINTED APPOINTED	YES YES	07/01/10 07/03/10
DEVIRGILIO	JOSEPH	٠	81307	\$10.1600	APPOINTED	YES	07/03/10
DIAMOND	HERMAN		06070	\$18.2100	APPOINTED	YES	07/03/10
DIEZ DIXON	FRANK ASHLEY	A C	81307 52406	\$9.1000 \$13.5500	APPOINTED APPOINTED	YES YES	07/01/10 06/28/10
DIXON	ASHLEY	ĸ	06664	\$14.9000	APPOINTED	YES	07/01/10
DOOKRAN	VIDYA	J	06664	\$14.9000	INCREASE	YES	07/02/10
DOROZHYNSKYY DOYLE	OLEKSAND JONATHAN	V M	71205 06070	\$13.5700 \$81.2100	APPOINTED APPOINTED	YES YES	07/10/10 07/03/10
DRAPKIN	JEFFERSO	M	71205	\$13.5700	APPOINTED	YES	07/07/10
DUARTE DUNLOP	MANAURY	J	71205	\$13.5700	APPOINTED	YES	07/07/10
DUNIN	DYESHA MEGAN	S E	80633 71205	\$9.2100 \$13.5700	APPOINTED APPOINTED	YES YES	06/02/10 07/07/10
DUPREE	CRAIG		80633	\$9.2100	APPOINTED	YES	05/21/10
DURAN DURAN-LLANO	RAFAEL DENISSE		71205 71205	\$13.5700 \$13.5700	APPOINTED APPOINTED	YES YES	07/07/10 07/09/10
DURAN-LLANO	MELISSA		71205	\$13.5700	APPOINTED	YES	07/10/10
DURANTE	LARRY		81111	\$69561.0000	INCREASE	YES	06/20/10
EAKER EARL	REBECCA SANDRA	K L	06070 80633	\$18.2100 \$9.2100	APPOINTED APPOINTED	YES YES	07/03/10 06/25/10
EBRON	ANTHONY	_	80633	\$9.2100	APPOINTED	YES	05/21/10
ECHEVARRIA	GLENN	A	06664	\$18.2100	APPOINTED	YES	07/02/10
EDELMAN EISMANN	RONEN SARAH	E	71205 06070	\$13.5700 \$18.2100	APPOINTED APPOINTED	YES YES	07/10/10 07/03/10
ELIE	KEENAN	D	06664	\$14.9000	APPOINTED	YES	07/02/10
ELLIS	SHARIF	В	52406	\$13.5500	APPOINTED	YES	06/30/10
EPPS EVANS	CHRISTOP JOHN	w	52406 71205	\$13.5500 \$13.5700	APPOINTED APPOINTED	YES YES	07/01/10 07/07/10
FARIAS	CHRISTOP		06070	\$18.2100	APPOINTED	YES	07/03/10
FARMER	MATHEW		90641	\$14.0200	APPOINTED	YES	07/03/10
FAY FELDMAN	BRIAN ARIEL	s	06070 71205	\$18.2100 \$13.5700	APPOINTED APPOINTED	YES YES	07/03/10 07/07/10
FELIX	JOSEPH	J	71205	\$13.5700	APPOINTED	YES	07/10/10
FELLS-BELL	LINDA	R	80633	\$9.2100	APPOINTED	YES	06/03/10
FERNANDEZ FERNANDEZ	SANDRA STEVEN		90641 52406	\$33662.0000 \$13.5500	DISMISSED APPOINTED	YES YES	05/15/10 06/30/10
FIELDS	ANDRE	E	80633	\$9.2100	APPOINTED	YES	06/02/10
FIGUEROA	SOPHIA	M	06664	\$14.9000	APPOINTED	YES	07/01/10
FINLEY FISHER	MICHAEL HATHER	A	90641 80633	\$33662.0000 \$9.2100	APPOINTED APPOINTED	YES YES	06/22/10 07/06/10
FLEMING	SHANTELL		80633	\$9.2100	APPOINTED	YES	06/25/10
FLEMMING	KEVON	R	81307	\$10.2900	APPOINTED	YES	07/02/10
FLORES FLYNN	ANIBAL TIMOTHY	J M	71205 71205	\$13.5700 \$13.5700	APPOINTED APPOINTED	YES YES	07/07/10 07/07/10
FOLDS	DAYMICHA		80633	\$9.2100	APPOINTED	YES	06/04/10
FORESTIER FRANCIS	DANIEL		81106 06664	\$53903.0000 \$14.9000	APPOINTED	NO YES	06/20/10
FREEMAN	DIMECIA EBONY		80633	\$9.2100	APPOINTED APPOINTED	YES	07/01/10 07/02/10
FRIZALONE	THOMAS		71205	\$13.5700	APPOINTED	YES	07/07/10
FULLER GALBREITH	DON LEEROY	S	80633 80633	\$9.2100 \$9.2100	APPOINTED APPOINTED	YES YES	06/03/10 07/02/10
GANUSHCHAK	IVANNA		06070	\$18.2100	APPOINTED	YES	07/02/10
GARCIA	BERNARDO		71205	\$13.5700	APPOINTED	YES	07/10/10
GARCIA GARNER JR	KENNY WILLIE	F	71205 80633	\$13.5700 \$9.2100	APPOINTED APPOINTED	YES YES	07/09/10 06/28/10
GAUNTLETT	ARLENE	G	80633	\$9.2100	APPOINTED	YES	05/28/10
GAYNOR	RAUL		06070	\$18.2100	APPOINTED	YES	07/03/10
GAYSENKO GIL	KARINA HERBERT	A	71205 71205	\$13.5700 \$13.5700	APPOINTED APPOINTED	YES YES	07/09/10 07/10/10
GIRALDO	GEORGE	Н	06070	\$18.2100	APPOINTED	YES	07/03/10
GODINEZ	ALEJANDR		71205	\$13.5700	APPOINTED	YES	07/08/10
GOLD GOMEZ MALDONADO	ZACHARY JUAN	R A	71205 71205	\$13.5700 \$13.5700	APPOINTED APPOINTED	YES YES	07/07/10 07/09/10
GONZALEZ	CIRLENY		81307	\$10.1600	APPOINTED	YES	07/03/10
GONZALEZ GONZALEZ	JESSICA	M	06664 60440	\$14.9000 \$23.7100	APPOINTED	YES YES	07/02/10 06/22/10
GONZALEZ GONZALEZ	LINA NATALIE		60440 60421	\$23.7100 \$32963.0000	APPOINTED TERMINATED	NO	06/22/10
GONZALEZ RODRIG	DIORVIC		06070	\$18.2100	APPOINTED	YES	07/03/10
GOODMAN GORMLEY	NAOMI SHANE	м	91406 71205	\$11.1100 \$13.5700	APPOINTED APPOINTED	YES YES	06/14/10 07/07/10
GOULBOURNE	WARREN	G	71205	\$13.5700 \$13.5700	APPOINTED	YES	07/07/10
GRAHAM	DAWN	A	91406	\$15.7800	INCREASE	YES	06/20/10
GRAHAM GRANT	JAMES FAWN	м	80633 52406	\$9.2100 \$13.5500	APPOINTED APPOINTED	YES YES	06/11/10 06/28/10
GRANT	KASHIMA	J	06664	\$14.9000	APPOINTED	YES	07/02/10
GREEN	DEBORAH		80633	\$9.2100	APPOINTED	YES	07/01/10
GREENAWAY GRIFFIN	DENNIS ADANTA	A	80633 52406	\$9.2100 \$13.5500	APPOINTED APPOINTED	YES YES	06/21/10 07/08/10
GRIFFIN	SHAWN		80633	\$9.2100	APPOINTED	YES	07/02/10
GRIFFITH	CAMILLE	M	06070	\$38257.0000	INCREASE	YES	06/28/10
GRULLON GUZMAN	FRANCISC LEONEL	A	81111 90641	\$69561.0000 \$44051.0000	INCREASE RETIRED	YES YES	06/25/10 07/10/10
HAMILTON	JESSIE	W	90641	\$14.0200	APPOINTED	YES	07/08/10
HAMLIN	RAYMOND	2	80633	\$9.2100	APPOINTED	YES	06/25/10
HAMM HAMPTON	CHAD QUASAR	A E	52406 81307	\$13.5500 \$7.2500	APPOINTED APPOINTED	YES YES	06/30/10 07/01/10
HANNA	VIVIAN	_	80633	\$9.2100	APPOINTED	YES	06/18/10
HARGRAVE	FELICIA	Т	52406 80633	\$13.5500	APPOINTED	YES YES	07/01/10 07/01/10
HARRIS HARRIS	LYNDA REGINA		80633	\$9.2100 \$9.2100	APPOINTED APPOINTED	YES	06/21/10
HAXHAJ	SHPRESIM	-	71205	\$13.5700	APPOINTED	YES	07/10/10
HAYES HAYLOCK	KYLE NICHELLE	A D	06664 10251	\$14.9000 \$19.4300	APPOINTED APPOINTED	YES YES	07/01/10 07/07/10
HEADLEY	ANTHONY	ע	91406	\$19.4300 \$11.1100	APPOINTED	YES	07/07/10
HERNANDEZ	EDUARDO	R	71205	\$13.5700	APPOINTED	YES	07/07/10
HERRERA HEYWARD	VANESSA DARRYL	R	06664 81111	\$14.9000 \$69561.0000	APPOINTED INCREASE	YES YES	07/01/10 06/13/10
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LATE NOTICE

COMMUNITY BOARDS

■ PUBLIC HEARINGS

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

BOROUGH OF STATEN ISLAND

COMMUNITY BOARD 01 Tuesday, September 7, 2010 at 8:00 P.M., 1 Edgewater Plaza -Suite #217, Staten Island, NY $\,$

AGENDA N 100324ZAR

252 Victory Boulevard

To develop a multi-family building with 15 units and 23 parking spaces within the Special Hillsides Preservation District.

Victory Boulevard residential development e/s north of Cebra Avenue To facilitate a two-family building within the Special Hillsides Preservation District.

$\mathbf{BSA\#\ 855\text{-}87\text{-}BZ}$

15 Irving Place

Request to permanently remove the term of a variance.

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READER'S GUIDE

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

NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

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

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination.

VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$7 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. To register for these lists--free of charge-, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application.

- Online at http://nyc.gov/selltonyc
- To request a hardcopy application, call the Vendor Enrollment Center at (212) 857-1680.

Attention Existing Suppliers:

Even if you already do business with NYC agencies, be sure to fill out an application. We are switching over to citywide, centralized Bidders Lists instead of the agency-specific lists previously used to issue notices about upcoming contract opportunities. To continue receiving notices of New York City contract opportunities, you must fill out and submit a NYC-FMS Vendor Enrollment application.

If you are uncertain whether you have already submitted an application, call us at (212) 857-1680.

SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services, 110 William Street, New York, NY 10038. Morning and afternoon sessions are convened on the first Tuesday of each month. For more information, and to register, call (212) 618-8845.

PRE-QUALIFIED LIST

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstance. When it is decided by an agency to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR.

Information and qualification questionnaires for inclusion on such list may be obtained directly from the Agency Chief Contracting Officer at each agency, (see Vendor Information Manual). A completed qualification Questionnaire may be submitted to the Chief Contracting Officer at any time, unless otherwise indicated and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings, (OATH), Section 3-11 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists.

NON-MAYORAL ENTITIES

The following agencies are not subject to Procurement Policy Board rules and do not follow all of the above procedures: City University, Department of Education, Metropolitan Transportation Authority, Health & Hospitals Corporation, Housing Authority. Suppliers interested in applying for inclusion on bidders list should contact these entities directly (see Vendor Information Manual) at the addresses given.

PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 10:00 A.M to 3:00 P.M. For information, contact the Mayor's Office of Contract Services at (212) 788-0010.

ATTENTION: NEW YORK CITY MINORITY AND WOMEN OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about the program, contact the New York City Department of Small Business Services, 110 William Street, 2nd Floor, New York, New York 10038 (212) 513-6311.

PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City now pays interest on all late invoices. The grace period that formerly existed was eliminated on July 1, 2000. However, there are certain types of payments that are not eligible for interest. These are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year, in January and in July.

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City Website, $\label{eq:http://nyc.gov/selltonyc} http://nyc.gov/selltonyc$

COMMON ABBREVIATIONS USED IN THE CR

The CR contains many abbreviations. Listed below are simple explanations of some of the most common ones appearing in the CR:

appearing	in the CR:
AB	. Acceptable Brands List
AC	.Accelerated Procurement
AMT	.Amount of Contract
BL	.Bidders List
CSB	.Competitive Sealed Bidding
	(including multi-step)
CB/PQ	.CB from Pre-qualified Vendor List
CP	.Competitive Sealed Proposal
	(including multi-step)
CP/PQ	.CP from Pre-qualified Vendor List
CR	The City Record newspaper

CRThe City Record newspaper
DADate bid/proposal documents available
DUEBid/Proposal due date; bid opening date
EMEmergency Procurement

IGIntergovernmental Purchasing
LBE.........Locally Based Business Enterprise
M/WBEMinority/Women's Business Enterprise
NA Nogotioted Acquisition

NA......Negotiated Acquisition
NOTICE....Date Intent to Negotiate Notice was published in CR
OLB......Award to Other Than Lowest Responsible &

Responsive Bidder/Proposer
PIN......Procurement Identification Number

PPBProcurement Policy Board
PQPre-qualified Vendors List

RS.....Source required by state/federal law or grant SCE....Service Contract Short-Term Extension

 ${\bf ST/FED.....Subject\ to\ State\ \&/or\ Federal\ requirements}$

KEY TO METHODS OF SOURCE SELECTION

The Procurement Policy Board (PPB) of the City of New York has by rule defined the appropriate methods of source selection for City procurement and reasons justifying their use. The CR procurement notices of many agencies include an abbreviated reference to the source selection method utilized. The following is a list of those methods and the abbreviations used:

${\bf CSB}.....{\bf Competitive~Sealed~Bidding}$

(including multi-step)

Special Case Solicitations/Summary of Circumstances:

CP/1Specifications not sufficiently definite
CP/2Judgement required in best interest of City
CP/3Testing required to evaluate

CB/PQ/4 CP/PQ/4 CB or CP from Pre-qualified Vendor List/

Advance qualification screening needed
DP......Demonstration Project

SS.....Sole Source Procurement/only one source
RS....Procurement from a Required Source/ST/FED
NA....Negotiated Acquisition

For ongoing construction project only: NA/8.......Compelling programmatic needs

NA/9......New contractor needed for changed/additional work

NA/10.......Change in scope, essential to solicit one or limited number of contractors

NA/11......Immediate successor contractor required due to termination/default

For Legal services only:

NA/12......Specialized legal devices needed; CP not advantageous

WASolicitation Based on Waiver/Summary of
Circumstances (Client Services/BSB or CP
only)

WA1Prevent loss of sudden outside funding
WA2Existing contractor unavailable/immediate need
WA3Unsuccessful efforts to contract/need continues

IG.....Intergovernmental Purchasing (award only)

IG/F....Federal

IG/S.....State

IG/OOther

EMEmergency Procurement (award only) An unforeseen danger to:

EM/A....Life

EM/B.....Safety

EM/C.....Property

EM/D.....A necessary service

ACAccelerated Procurement/markets with

necessary service; fair price

 ${\bf significant\ short\text{-}term\ price\ fluctuations}$ ${\bf SCE}.....{\bf Service\ Contract\ Extension/} insufficient\ time;}$

Award to Other Than Lowest Responsible & Responsive Bidder or Proposer/Reason (award only)

OLB/a.....anti-apartheid preference

OLB/b......local vendor preference OLB/c.....recycled preference

OLB/d.....other: (specify)

HOW TO READ CR PROCUREMENT NOTICES

Procurement Notices in the CR are arranged by alphabetically listed Agencies, and within Agency, by Division if any. The notices for each Agency (or Division) are further divided into three subsections: Solicitations, Awards; and Lists & Miscellaneous notices. Each of these subsections separately lists notices pertaining to Goods, Services, or Construction.

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section. At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified UNLESS a different one is given in the individual notice. In that event, the directions in the individual notice should be followed. The following is a SAMPLE notice and an explanation of the notice format used by the CR.

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

 $Services\ (Other\ Than\ Human\ Services)$

BUS SERVICES FOR CITY YOUTH PROGRAM – Competitive Sealed Bids – PIN# 056020000293 – DUE 04-21-03 AT 11:00 A.M.

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

NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New

York, NY 10007. Manuel Cruz (646) 610-5225.

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ITEM

DEPARTMENT OF YOUTH SERVICES

SOLICITATIONS

POLICE DEPARTMENT

Services (Other Than Human Services)

BUS SERVICES FOR CITY YOUTH PROGRAM CSB PIN # 056020000293 DUE 04-21-03 AT 11:00 am

Use the following address unless otherwise specified in notice, to secure, examine-submit bid/proposal documents; etc.

EXPLANATION

Name of contracting division

Type of Procurement action

Category of procurement

Short Title

Method of source selection Procurement identification number Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.

Paragraph at the end of Agency Division listing giving contact information, or submit bid/information or and Agency Contact address

NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.

Indicates New Ad

Date that notice appears in City Record

NUMBERED NOTES

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Numbered Notes are Footnotes. If a Numbered Note is referenced in a notice, the note so referenced must be read as part of the notice. **1.** All bid deposits must be by company certified check or money order made payable to Agency or Company.