



# THE CITY RECORD

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## TABLE OF CONTENTS

### PUBLIC HEARINGS & MEETINGS

City Council	.3341
City Planning Commission	.3341
Education	.3343
Mayor's Office of Contract Services	.3343
Board of Standards and Appeals	.3343
Transportation	.3343

### PROPERTY DISPOSITION

Citywide Administrative Services	.3344
----------------------------------	-------

Division of Municipal Supply Services .3344

Police .3344

Auction .3344

### PROCUREMENT

Citywide Administrative Services .3344

Division of Municipal Supply Services .3344

Vendor Lists .3344

Economic Development Corporation .3344

Contracts .3344

Employees' Retirement System .3345

Health and Hospitals Corporation .3345

Materials Management .3345

Homeless Services .3345

Office of Contracts and Procurement .3345

Housing Authority .3345

Housing Preservation and Development .3345

Juvenile Justice .3345

Parks and Recreation .3345

Revenue and Concessions .3345

Transportation .3346

Bridges .3346

### AGENCY RULES

Office of Administrative Trials and

Hearings .3346

### SPECIAL MATERIALS

City Planning Commission .3346

City Planning .3349

Comptroller .3350

Housing Preservation and Development 3350

Changes In Personnel .3351

READERS GUIDE .3352

## THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

MARTHA K. HIRST, Commissioner, Department of Citywide Administrative Services.  
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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### CITY COUNCIL

#### HEARINGS

#### HEARING BY THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS

THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS WILL HOLD A HEARING ON THURSDAY, AUGUST 20, 2009, AT 11:00 A.M. IN THE COUNCIL CHAMBERS, CITY HALL, NEW YORK, NEW YORK 10007 ON THE FOLLOWING MATTERS:

#### Advice and Consent

- **M-1509**, Communication from the Mayor submitting the name of Ernest J. Cavallo for appointment as a member of the New York City Environmental Control Board pursuant to §§31 and 1049-a of the *New York City Charter*. Should Mr. Cavallo receive the advice and consent of the Council, he will fill a vacancy and be eligible to serve the remainder of a four-year term that expires on March 5, 2011.
- **M-1510**, Communication from the Manhattan Borough President submitting the name of Anna Hayes Levin for appointment as a member of the New York City Planning Commission pursuant to §§31 and 192 of the *New York City Charter*. Should Ms. Levin receive the advice and consent of the Council, she will replace Angela Cavaluzzi and be eligible to serve the remainder of a five-year term that expires on June 30, 2014.

#### AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

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

Michael M. McSweeney  
City Clerk, Clerk of the Council

a13-20

### 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, August 19, 2009, commencing at 10:00 A.M.

#### BOROUGH OF BROOKLYN

Nos. 1 & 2

#### ELDERT LANE RESIDENTIAL DEVELOPMENT

No. 1

CD 5 C 090307 MMK

IN THE MATTER OF an application submitted by Eldert Lane Development Ltd. and the Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- the establishment and realignment of Eldert Lane between Conduit Boulevard and Sutter Avenue;
- the elimination of a portion of Robert Venable Park;
- the extinguishment of a permanent access easement;
- the adjustment of grades necessitated thereby,

and any acquisition or disposition of real property related thereto all within an area generally bounded by Belmont Avenue, Conduit Boulevard, Forbell Street, Sutter Avenue and Sheridan Avenue, in accordance with Map No. X-2714, dated June 5, 2009, and signed by the Borough President.

No. 2

CD 5 C 090308 ZMK

IN THE MATTER OF an application submitted by Eldert Lane Development Ltd. and the Department of Parks and Recreation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 18a changing from an R5 District to an R6A District property bounded Belmont Avenue, South Conduit Avenue, Eldert Lane\*, Sutter Avenue, as shown on a diagram (for illustrative purposes only) dated June 15, 2009.

\*Note: Eldert Lane is proposed to be widened and a portion is proposed to be established

No. 3

#### CORETTA SCOTT KING APARTMENTS

CD 5 C 090467 HAK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of property located at 660 Jerome Street and 741 Barbey Street (Block 4309, Lots 1 and 46) as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate a four-story, 51-unit development, tentatively known as Coretta Scott King Apartments, to be developed under the U.S. Department of Housing and Urban Development's Section 202 Supportive Housing Program for the Elderly.

No. 4

#### CARROLL GARDENS REZONING

CD 6 C 090462 ZMK

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 16a and 16c:

1. eliminating from within an existing R6 District a

C1-3 District bounded by:

- a. Kane Street, a line 100 feet southeasterly of Columbia Street, Degraw Street, a line 150 feet southeasterly of Columbia Street, a line midway between Sackett Street and Union Street, Hick Street (westerly portion), a line midway between Union Street and President Street, a line 150 feet southeasterly of Columbia Street, Carroll Street, and Columbia Street;
- b. Sackett Street, a line 150 feet southeasterly of Henry Street, a line midway between Union Street and President Street, Hicks Street (easterly portion), Union Street, and a line 150 feet northwesterly of Henry Street;
- c. Degraw Street, Court Street, Warren Street, a line 150 feet southeasterly of Court Street, President Street, Court Street, 1st Place, a line 150 feet southeasterly of Court Street, Luquer Street, Court Street, 4th Place, and a line 150 feet northwesterly of Court Street;
- d. Warren Street, a line 150 feet southeasterly of Smith Street, Butler Street, and a line 150 feet northwesterly of Smith Street, and
- e. Warren Street, Hoyt Street, Douglass Street, and a line 150 feet northwesterly of Hoyt Street;

2. eliminating from within an existing R6 District a C2-3 District bounded by:
  - a. Sackett Street, Columbia Street, Carroll Street, a line 150 feet southeasterly of Columbia Street, Woodhull Street, Columbia Street, Summit Street, a line 100 feet northwesterly of Columbia Street, Union Street, a line 150\* feet northwesterly of Columbia Street, a line midway between Sackett Street and Union Street, and a line 100 feet northwesterly of Columbia Street;
  - b. Butler Street, a line 150 feet southeasterly of Smith Street, President Street, and a line 150 feet northwesterly of Smith Street;
  - c. a line 100 feet southwesterly of 3rd Street, a line 100 feet southeasterly of Smith Street, a line midway between 4th Street and 5th Street, and Smith Street;
  - d. 4th Place, Court Street, Nelson Street, a line 150 feet southeasterly of Court Street, Huntington Street, Court Street, a line 110 feet northeasterly of West 9th Street, a line 65 feet southeasterly of Court Street, West 9th Street, a line 100 feet southeasterly of Court Street, a line midway between Garnet Street and Centre Street, a line 275 feet northwesterly of Smith Street, Centre Street, Hamilton Avenue (northeast portion), Court Street, Garnet Street, Hamilton Avenue (northeast portion), a line 100 feet northeasterly of Garnet Street, a line 100 feet northwesterly of Court Street, Huntington Street, and a line 150 feet northwesterly of Court Street;
  - e. Huntington Street, a line perpendicular to the southwesterly street line of Huntington Street distant 115 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of Huntington Street and the northeasterly street line of Hamilton Avenue (northeast portion), a line midway between Huntington Street and West 9th Street, a line perpendicular to the northeasterly street line of West 9th Street
  - f. distant 85 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of West 9th Street and the northeasterly street line of Hamilton

- Avenue (northeast portion), and Hamilton Avenue (northeast portion); and
- g. a line 105 feet northeasterly of West 9th Street, Smith Street, Garnet Street, and a line 80 feet northwesterly of Smith Street;
3. changing from an R6 District to an R6A District property bounded by:
- a. Kane Street, Tiffany Place, Degraw Street, a line 100 feet southeasterly of Columbia Street, Woodhull Street, Columbia Street, Union Street, a line 150 feet northwesterly of Columbia Street, a line midway between Sackett Street and Union Street, a line 100 feet northwesterly of Columbia Street, Sackett Street, and Columbia Street
- b. Degraw Street, a line 100 feet southeasterly of Henry Street, Union Street, Henry Street, President Street, a line 100 feet southeasterly of Henry Street, Carroll Street, Henry Street, a line 75 feet northeasterly of Carroll Street, a line 100 feet northwesterly of Henry Street, President Street, Brooklyn-Queens Connecting Highway, Union Street, a line 100 feet northwesterly of Henry Street, a line midway between Degraw Street and Sackett Street, and Henry Street; and
- c. Warren Street, a line 100 feet southeasterly of Court Street, Butler Street, a line 80 feet southeasterly of Court Street, President Street, Court Street, Carroll Street, a line 50 feet southeasterly of Court Street, 1st Place, a line 100 feet southeasterly of Court Street, a line 100 feet northeasterly of 2nd Place, a line 50 feet southeasterly of Court Street, 3rd Place, a line 80 feet southeasterly of Court Street, 4th Place, a line 100 feet southeasterly of Court Street, Nelson Street, a line 80 feet southeasterly of Court Street, Huntington Street, Smith Street, West 9th Street, a line 100 feet southeasterly of Court Street, a line midway between Garnet Street and Centre Street, a line 275 feet northwesterly of Smith Street, Centre Street, Hamilton Avenue (northeast portion), a line 80 feet northwesterly of Court Street, West 9th Street, a line 125 feet northwesterly of Court Street, a line midway between Huntington Street and West 9th Street, a line 80 feet northwesterly of Court Street, Luquer Street, a line 50 feet northwesterly of Court Street, 3rd Place, a line 50 feet northwesterly of Court Street, a line midway between 1st Place and 2nd Place, Clinton Street, 1st Place, a line 80 feet northwesterly of Clinton Street, a line 50 feet southwesterly of Degraw Street, Clinton Street, Degraw Street, a line 100 feet southeasterly of Clinton Street, Sackett Street, a line 190 feet southeasterly of Clinton Street, Union Street, a line 100 feet southeasterly of Clinton Street, President Street, a line 265 feet southeasterly of Clinton Street, a line midway between President Street and Carroll Street, a line 100 feet southeasterly of Clinton Street, a line midway between Carroll Street and 1st Place, a line 50 feet northwesterly of Court Street, Carroll Street, a line 100 feet northwesterly of Court Street, a line midway between President Street and Carroll Street, a line 50 feet northwesterly of Court Street, President Street, a line 100 feet northwesterly of Court Street, Degraw Street, and Court Street;
4. changing from an R6 District to an R6B District property bounded by:
- a. Warren Street, a line 150 feet southeasterly of Columbia Street, Baltic Street, Hicks Street (easterly portion), Kane Street, and Columbia Street;
- b. Union Street, Columbia Street, Summit Street, a line 100 feet northwesterly of Columbia Street, a line midway between Carroll Street and Summit Street, a line 200 feet northwesterly of Columbia Street, Summit Street, a line 350 feet northwesterly of Columbia Street, a line midway between Carroll Street and Summit Street, a line 260 feet northwesterly of Columbia Street, Carroll Street, a line 240 feet northwesterly of Columbia Street, a line midway between President Street and Carroll Street, a line 367 feet northwesterly of Columbia Street, President Street, a line 350 feet northwesterly of Columbia Street, a line midway between Union Street and President Street, a line 120 feet northwesterly of Columbia Street, a line 130 feet northeasterly of President Street, and a line 100 feet northwesterly of Columbia Street,
- c. Degraw Street, Henry Street, a line midway between Degraw Street and Sackett Street, a line 100 feet northwesterly of Henry Street, Union Street, Brooklyn-Queens Connecting Highway, President Street, a line 100 feet northwesterly of Henry Street, Union Street, a line 100 feet southeasterly of Henry Street, Union Street, a line 75 feet northeasterly of Carroll Street, a line 100 feet northwesterly of Henry Street, President Street, Brooklyn-Queens Connecting Highway, Union Street, a line 100 feet northwesterly of Henry Street, a line midway between Degraw Street and Sackett Street, and Henry Street; and
- d. Warren Street, a line 100 feet southeasterly of Court Street, Butler Street, a line 80 feet southeasterly of Court Street, President Street, Court Street, Carroll Street, a line 50 feet southeasterly of Court Street, 1st Place, a line 100 feet southeasterly of Court Street, a line 100 feet northwesterly of 2nd Place, a line 50 feet southeasterly of Court Street, 3rd Place, a line 80 feet southeasterly of Court Street, 4th Place, a line 100 feet southeasterly of Court Street, Luquer Street, Court Street, Nelson Street, a line 80 feet southeasterly of Court Street, Huntington Street, Court Street, a line 110 feet northeasterly of West 9th Street, a line 65 feet southeasterly of Court Street, West 9th Street, a line 100 feet southeasterly of Court Street, a line midway between Garnet Street and Centre Street, a line 275 feet northwesterly of Smith Street, Centre Street, Hamilton Avenue (northeast portion), Court Street, Garnet Street, a line 80 feet northwesterly of Court Street, West 9th Street, a line 125 feet northwesterly of Court Street, a line midway between Huntington Street and West 9th Street, a line 80 feet northwesterly of Court Street, Luquer Street, a line 50 feet northwesterly of Court Street, 4th Place, a line 80 feet northwesterly of Court Street, a line midway between 3rd Place and 4th Place, Court Street, 3rd Place, a line 50 feet northwesterly of Court Street, a line midway between President Street and Carroll Street, a line 100 feet northwesterly of Court Street, Carroll Street, a line 100 feet northwesterly of Court Street, a line midway between President Street and Carroll Street, a line 50 feet northwesterly of Court Street, President Street, a line 100 feet northwesterly of Court Street, Degraw Street, and Court Street; and
- e. a line 105 feet northeasterly of West 9th Street, Smith Street, West 9th Street, and a line 80 feet northwesterly of Smith Street;
7. establishing within a proposed R6B District a C2-4 District bounded by:
- a. Union Street, Columbia Street, Summit Street, and a line 100 feet northwesterly of Columbia Street;
- b. a line midway between Sackett Street and Union Street, Hicks Street (westerly portion), a line midway between Union Street and President Street, and a line 100 feet southeasterly of Columbia Street;
- c. Degraw Street, Henry Street, a line midway between Degraw Street and Sackett Street, and a line 100 feet northwesterly of Henry Street;
- d. Union Street, a line 100 feet southeasterly of Henry Street, a line 100 feet southwesterly of Union Street, and Henry Street;
- e. Carroll Street, a line 100 feet southeasterly of Henry Street, a line midway between Carroll Street and 1st Place, and Henry Street;
- f. Summit Street, a line 100 feet southeasterly of Hicks Street (easterly portion), Woodhull Street, and Hicks Street (easterly portion);
- g. Huntington Street, a line perpendicular to the southwesterly street line of Huntington Street distant 115 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of Huntington Street and the northeasterly street line of Hamilton Avenue (northeast portion), a line midway between Huntington Street and West 9th Street, a line perpendicular to the northeasterly street line of West 9th Street distant 85 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of West 9th Street and the northeasterly street line of Hamilton Avenue (northeast portion); and Hamilton Avenue (northeast portion);
- h. a line 100 feet northeasterly of Garnet Street and its northwesterly prolongation, a line 80 feet northwesterly of Court Street, Garnet Street, and Hamilton Avenue (northeast portion);
- i. West 9th Street, Smith Street, Garnet Street, and a line 80 feet northwesterly of Smith Street;
- j. Warren Street, a line 100 feet southeasterly of Smith Street, Baltic Street, a line 80 feet southeasterly of Smith Street, 2nd Street, a line 50 feet southeasterly of Smith Street, 3rd Street, a line perpendicular to the southwesterly street line of Huntington Street distant 115 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of Huntington Street and the northeasterly street line of Hamilton Avenue (northeast portion), a line midway between Huntington Street and West 9th Street, a line perpendicular to the northeasterly street line of West 9th Street distant 85 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of West 9th Street and the northeasterly street line of Hamilton Avenue (northeast portion); and Hamilton Avenue (northeast portion);
- Highway, President Street, a line 100 feet northwesterly of Henry Street, a line 75 feet northeasterly of Carroll Street, Henry Street, Carroll Street, a line 100 feet southeasterly of Henry Street, President Street, Henry Street, Union Street, a line 100 feet southeasterly of Henry Street, Degraw Street, Clinton Street, a line 50 feet southwesterly of Degraw Street, a line 80 feet northwesterly of Clinton Street, 1st Place, Clinton Street, a line midway between 1st Place and 2nd Place, a line 50 feet northwesterly of Court Street, 3rd Place, Court Street, a line midway between 3rd Place and 4th Place, a line 80 feet northwesterly of Court Street, 4th Place, a line 50 feet northwesterly of Court Street, Luquer Street, a line 80 feet northwesterly of Court Street, a line midway between Huntington Street and West 9th Street, a line 125 feet northwesterly of Court Street, West 9th Street, a line 80 feet northwesterly of Court Street, Hamilton Avenue (northeast portion), Clinton Street, Hamilton Avenue (northeast portion), Henry Street, Coles Street, Hamilton Avenue (northeast portion), Hicks Street (westerly portion), Woodhull Street, and a line 100 feet southeasterly of Columbia Street;
- d. Degraw Street, a line 100 feet northwesterly of Court Street, President Street, a line 50 feet northwesterly of Court Street, a line midway between President Street and Carroll Street, a line 100 feet northwesterly of Court Street, Carroll Street, a line 50 feet northwesterly of Court Street, a line midway between Carroll Street and 1st Place, a line 100 feet southeasterly of Clinton Street, a line midway between President Street and Carroll Street, a line 265 feet southeasterly of Clinton Street, President Street, a line 100 feet southeasterly of Clinton Street, Union Street, a line 190 feet southeasterly of Clinton Street, Sackett Street, and a line 100 feet southeasterly of Clinton Street;
- e. Warren Street, Hoyt Street, Douglass Street, Bond Street, 3rd Street, Hoyt Street, a line midway between 3rd Street and 4th Street, a line perpendicular to the northeasterly street line of 4th Street distant 365 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 4th Street and the northwesterly street line of Hoyt Street, 4th Street, a line perpendicular to the northeasterly street line of 5th Street distant 220 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 5th Street and the northwesterly street line of Hoyt Street, a line midway between 4th Street and 5th Street, Smith Street, Huntington Street, a line 80 feet southeasterly of Court Street, Nelson Street, a line 100 feet southeasterly of Court Street, 4th Place, a line 80 feet southeasterly of Court Street, 3rd Place, a line 50 feet southeasterly of Court Street, a line 100 feet northeasterly of 2nd Place, a line 100 feet southeasterly of Court Street, 1st Place, a line 50 feet southeasterly of Court Street, Carroll Street, Court Street, President Street, a line 80 feet southeasterly of Court Street, Butler Street, and a line 100 feet southeasterly of Court Street; and
- f. West 9th Street, Smith Street, Garnet Street, a line 100 feet northwesterly of Smith Street, a line midway between Garnet Street and Centre Street, and a line 100 feet southeasterly of Court Street;
5. changing from an R6 District to an R7A District property bounded by Kane Street, Hicks Street (easterly portion), Degraw Street, and Tiffany Place;
6. establishing within a proposed R6A District a C2-4 District bounded by:
- a. Kane Street, a line 100 feet southeasterly of Columbia Street, Woodhull Street, Columbia Street, Union Street, a line 150 feet northwesterly of Columbia Street, a line midway between Sackett Street and Union Street, a line 100 feet northwesterly of Columbia Street, Sackett Street, and Columbia Street;
- b. a line midway between Degraw Street and Sackett Street, Henry Street, Sackett Street, a line 100 feet southeasterly of Henry Street, Union Street, Henry Street, a line 100 feet southwesterly of Union Street, and a line 100 feet northwesterly of Henry Street;
- c. Union Street, a line 120 feet southeasterly of Hicks Street, President Street, and Hicks Street (easterly portion);

street line of 3rd Street distant 50 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of 3rd Street and the southeasterly street line of Smith Street, a line 80 feet southwesterly of 3rd Street, a line perpendicular to the northeasterly street line of 4th Street distant 80 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of 4th Street and the southeasterly street line of Smith Street, 4th Street, a line 100 feet southeasterly of Smith Street, a line midway between 4th Street and 5th Street, Smith Street, 2nd Place, a line 100 feet northwesterly of Smith Street, a line midway between 1st Place and 2nd Place, Smith Street, President Street, a line 100 feet northwesterly of Smith Street, a line midway between Union Street and President Street, a line 50 feet northwesterly of Smith Street, Union Street, a line 80 feet northwesterly of Smith Street, Sackett Street, a line 50 feet northwesterly of Smith Street, Butler Street, and a line 100 feet northwesterly of Smith Street; and

- k. Warren Street, Hoyt Street, Douglass Street, a line 80 feet northwesterly of Hoyt Street, Butler Street, and a line 50 feet northwesterly of Hoyt Street;

as shown on a diagram (for illustrative purposes only) dated June 1, 2009.  
 \* Note: The area between 100 feet and 150 feet northwesterly of Columbia Street and northeasterly of Union Street, is proposed to be rezoned by establishing a C2-3 District within the existing R6 District under a related application C 070504 ZMK.

**BOROUGH OF MANHATTAN**  
**No. 5**  
**46-48 LISPENARD STREET**

**CD 1 C 040455 ZSM**  
**IN THE MATTER OF** an application submitted by Lispenard Group 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 use regulations of Sections 111-02, 111-101 and 111-102(b)(1) to allow twelve loft dwellings on the 1st through 7th floors of an existing seven-story building that was designed for non-residential use, erected prior to December 15, 1961, and that have since been enlarged, on property located at 46-48 Lispenard Street (Block 194, Lot 26), in an M1-5 District, within the Special Tribeca Mixed Use District (Area B1).

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.

**BOROUGH OF QUEENS**  
**No. 6**  
**POLICE ACADEMY**

**CD 7 C 090403 PSQ**  
**IN THE MATTER OF** an application submitted by the Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection of property generally bounded by 28th Avenue, Ulmer Street, 31st Avenue, and College Point Boulevard:

BLOCK	LOTS
4301	p/o 1
4321	48
4323	19
4324	1
4325	1
4326	1
4327	p/o 1
4328	p/o 1
4329	1, 7, 10, 75
4359	p/o 1
4358	p/o 1
4357	p/o 1
4356	p/o 30
4354	50

including all portions of the former streets located within the boundaries of the project site that are shown on the available tax maps (including portions of the following streets which were demapped on City Map 4700 as of February 28, 1977: 124th Street, 125th Street, 126th Street, 127th Street, 128th Street, 129th Street/20th Street, 130th Street/21st Street, 22nd Street) for use as a police academy.

**NOTICE**

**On Wednesday, August 19, 2009, 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 Police Department in conjunction with the above ULURP hearings to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning the site selection of property related to the Police Academy.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 07NYP003Q.**

**No. 7**  
**COLLEGE POINT CORPORATE PARK DISPOSITION**  
**CD 7 C 090470 PPG**  
**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one (1) city-owned property located on Block 4208, p/o Lot 1 in the College Point Corporate Park, pursuant to zoning.

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

a6-19

**EDUCATION**

■ **NOTICE**

**Agenda**

The Department of Education's (DOE) Committee on Contracts has been asked for approval to enter into contract negotiations with the following organization(s) for the services described below. Other organizations interested in providing these services to the DOE are invited to indicate their ability to do so by writing to Jay G. Miller at 65 Court Street, Room 1201, Brooklyn, NY 11201. Responses should be received no later than 9:00 AM, Tuesday, August 25, 2009.

**ITEM(S) FOR CONSIDERATION:**

1. JP Morgan Chase **Service(s):** The Division of School Facilities (DSF) is seeking to extend Contract #9300974 with JP Morgan Chase to provide banking services for Custodial Engineers enabling them to pay for labor, services and supplies. Chase will continue to provide services at the same rates, terms and conditions until transition to a new contract/vendor is complete.

Term: 9/1/09 - 12/31/09 Estimated Contract Cost: \$160,000

a19

**MAYOR'S OFFICE OF CONTRACT SERVICES**

**FRANCHISE AND CONCESSION REVIEW COMMITTEE**

■ **PUBLIC MEETING**

**NOTICE OF SPECIAL MEETING**

**PUBLIC NOTICE IS HEREBY GIVEN THAT** the Franchise and Concession Review Committee will hold a Special Public Meeting on Wednesday, August 19, 2009 at 2:30 P.M. at 22 Reade Street, 2nd Floor Conference Room (Barish Room), Borough of Manhattan in the following matters: (1) Intent to seek Franchise & Concession Review Committee (FCRC) approval to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York (Concession Rules), for the New York City Department of Transportation (DOT) to enter into a Sole Source License Agreement with the Chelsea Improvement Company, Inc. to provide for the operation, management, and maintenance of a pedestrian plaza located between West 14th and West 15th Streets and 9th Avenue and Hudson Street; (2) intent to seek FCRC approval to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules, for DOT to enter into a Sole Source License Agreement with the Flatiron/23rd Street Partnership to provide for the operation, management, and maintenance of a pedestrian plaza located on 5th Avenue and Broadway between 22nd and 24th Streets in Manhattan; (3) intent to seek FCRC approval to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules for DOT to enter into a Sole Source License Agreement with the Fashion Center District Management Association, Inc. to provide for the operation, management, and maintenance of pedestrian plazas located on Broadway between 41st and 36th Streets in Manhattan; (4) intent to seek FCRC approval to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules for DOT to enter into a Sole Source License Agreement with the 34th Street Partnership, Inc. to provide for the operation, management, and maintenance of pedestrian plazas located on Broadway and 6th Avenue between West 33rd and West 36th Streets in Manhattan; (5) intent to seek FCRC approval to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules for DOT to enter into a Sole Source License Agreement with the Times Square District Management Association, Inc. to provide for the operation, management, and maintenance of pedestrian plazas located on Broadway and 7th Avenue between West 41st and West 47th Streets in 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.

a10-19

**BOARD OF STANDARDS AND APPEALS**

■ **PUBLIC HEARINGS**

**AUGUST 25, 2009, 10:00 A.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, Tuesday morning, August 25, 2009, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

**SPECIAL ORDER CALENDAR**

**416-87-BZ**  
**APPLICANT** – Slater & Beckerman, LLP for Trustees of Columbia University in the City of New York, owners.  
**SUBJECT** – Application June 29, 2009 – Extension of Term of a previously granted Variance (72-21) for the continued UG16 automobile repair shop in an R7-2/C6-1 zoning district, which expired on June 27, 2009 and an Extension of Time to obtain a Certificate of Occupancy which expired on February 26, 2009.  
**PREMISES AFFECTED** – 547-551 West 133rd Street, interior lot north side of 133rd Street, between Broadway and Amsterdam Avenue, Block 1987, Lot 9, Borough of Manhattan.  
**COMMUNITY BOARD #9M**

**194-97-BZ**  
**APPLICANT** – Sheldon Lobel, P.C., for Auto Service Management Corporation, owner.  
**SUBJECT** – Application April 22, 2009 – Extension of Term to permit the continued operation of an automotive repair facility (UG 16B) (164th Street Auto Service), granted pursuant to §72-21, which expired on November 29, 2007. The application also seeks an Extension of Time to obtain a certificate of occupancy which expired on December 22, 1999. The subject application is located within a R4B zoning district.  
**PREMISES AFFECTED** – 84-12 164th Street, northwest corner of 84th Road and 164th Street, Block 9792, Lot 31,137, Borough of Queens.  
**COMMUNITY BOARD #8Q**

**APPEALS CALENDAR**

**159-09-A**  
**APPLICANT** – Rothkrug Rothkrug & Spector, LLC, for 2nd Street Development Corp., owner.  
**SUBJECT** – Application April 16, 2009 – Proposed construction of a single family home located within the bed of a mapped street (Doane Avenue ) contrary to General City Law Section 35. R2 zoning district.  
**PREMISES AFFECTED** – 85 Woodland Avenue, 175' east of the intersection of Colon Avenue and Woodland Avenue, Block 5442, Lot 44, Borough of Staten Island.  
**COMMUNITY BOARD #3SI**

**178-09-A**  
**APPLICANT** – Marvin B. Mitzner, Esq., for 120 St. Marks LLC, owner;  
 O. Moscovich, D.V.M., P.C., lessee.  
**SUBJECT** – Application June 1, 2009 – Appeal contesting an Order of Closure issued by the Department of Buildings that the use of the cellar at the subject premises as a Veterinarian's Office (UG6) constitutes an illegal use in a residential district pursuant to Administrative Code Section 28-212.1 . R8B Zoning district.  
**PREMISES AFFECTED** – 120 St. Marks Place (East 8th street), south side of St. Marks Place, Block 435, Lot 24, Borough of Manhattan.  
**COMMUNITY BOARD #3M**

**AUGUST 25, 2009, 1:30 P.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, Tuesday afternoon, August 25, 2009, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

**ZONING CALENDAR**

**37-09-BZ**  
**APPLICANT** – Law Office of Fredrick A. Becker, for Shirley Ades and Moshe Ades, owners.  
**SUBJECT** – Application March 3, 2009 – Special Permit (§73-622) for the In-Part Legalization and enlargement of an existing single family home. This application seeks to vary floor area, open space and lot coverage (ZR 23-141(b)); side yard (ZR 23-461(a)) & (ZR 23-48); rear yard (ZR 23 -47) and increases the degree of non-compliance to perimeter wall height in an R3-2 zoning district.  
**PREMISES AFFECTED** – 3950 Bedford Avenue, Bedford Avenue between Avenue R and Avenue S, Block 6830, Lot 26, Borough of Brooklyn.  
**COMMUNITY BOARD #15BK**

**54-09-BZ**  
**APPLICANT** – Juan D. Reyes, III/Riker Danzig et al, for Lord Shivas Properties, LLC, owner; Gab & Aud, Inc., lessee.  
**SUBJECT** – Application April 8, 2009 – Special Permit (§73-36) to allow a physical culture establishment on the cellar level of a four-story mixed-use building. The proposal is contrary to ZR Section 42-10. M1-5B district.  
**PREMISES AFFECTED** – 150 Mercer Street (aka 579 Broadway) Mercer Street between Prince and Houston in SoHo, block 512, Lot 20, Borough of Manhattan.  
**COMMUNITY BOARD #2M**

**166-09-BZ**  
**APPLICANT** – Slater & Beckerman, for Harry J. Brainum, Jr., Inc., owner.  
**SUBJECT** – Application May 4, 2009 – Special Permit (§75-53) to permit the enlargement of a manufacturing building contrary to floor area and height and setback regulations (43-12, 43-43). M1-1 District.  
**PREMISES AFFECTED** – 360-366 McGuinness Boulevard and 237 Freeman Street, northeast corner of Freeman Street and McGuinness Boulevard, Block 2506, Lots 2, 4, 5, 52, Borough of Brooklyn.  
**COMMUNITY BOARD #1BK**

*Jeff Mulligan, Executive Director*

a18-19

**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 2, 2009. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

**#1** In the matter of a proposed revocable consent authorizing Consolidated Edison Company of New York, Inc. to maintain and use five sections of guard rail on the north sidewalk of Plymouth Street, between Gold and Bridge Streets, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

- For the period July 1, 2008 to June 30, 2009 - \$5,418
- For the period July 1, 2009 to June 30, 2010 - \$5,581
- For the period July 1, 2010 to June 30, 2011 - \$5,744
- For the period July 1, 2011 to June 30, 2012 - \$5,907
- For the period July 1, 2012 to June 30, 2013 - \$6,070
- For the period July 1, 2013 to June 30, 2014 - \$6,233

For the period July 1, 2014 to June 30, 2015 - \$6,396  
 For the period July 1, 2015 to June 30, 2016 - \$6,559  
 For the period July 1, 2016 to June 30, 2017 - \$6,722  
 For the period July 1, 2017 to June 30, 2018 - \$6,885  
 For the period July 1, 2018 to June 30, 2019 - \$7,048

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

**#2** In the matter of a proposed revocable consent authorizing Third & Bond Condominium to construct, maintain and use a fenced-in planted area on the northeast sidewalk of 3rd Street, northwest of Bond Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2020, and provides among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period from the date of final approval to June 30, 2020 - \$2,520/annum

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

**#3** In the matter of a proposed revocable consent authorizing 540 Land Partners LLC to maintain and use a sidewalk clock, together with an electrical conduit on the south sidewalk of East 55th Street, west of Madison Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2019 - \$300/annum

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

**#4** In the matter of a proposed modification of revocable consent authorizing New York University so as to construct, maintain and use additional conduits under and across Washington Square West, Washington Square South and West 3rd Streets, in the Borough of Manhattan. The proposed revocable consent is for a term of five years from the Date of Approval by the Mayor and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$145,504 + 3,569/annum

(prorated from the date of Approval by the Mayor)  
 For the period July 1, 2010 to June 30, 2011 - \$152,389  
 For the period July 1, 2011 to June 30, 2012 - \$155,705  
 For the period July 1, 2012 to June 30, 2013 - \$159,021  
 For the period July 1, 2013 to June 30, 2014 - \$162,337

the maintenance of a security deposit in the sum of \$146,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

**#5** In the matter of a proposed revocable consent authorizing Sovereign Bank to maintain and use a conduit under and across New Dorp Lane, between Edison Street and 10th Street, in the Borough of Staten Island. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$750  
 For the period July 1, 2010 to June 30, 2011 - \$773  
 For the period July 1, 2011 to June 30, 2012 - \$796  
 For the period July 1, 2012 to June 30, 2013 - \$819  
 For the period July 1, 2013 to June 30, 2014 - \$842  
 For the period July 1, 2014 to June 30, 2015 - \$865  
 For the period July 1, 2015 to June 30, 2016 - \$888  
 For the period July 1, 2016 to June 30, 2017 - \$911  
 For the period July 1, 2017 to June 30, 2018 - \$934  
 For the period July 1, 2018 to June 30, 2019 - \$957

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

a12-s2

## PROPERTY DISPOSITION

## CITYWIDE ADMINISTRATIVE SERVICES

### DIVISION OF MUNICIPAL SUPPLY SERVICES

#### ■ SALE

#### PUBLIC AUCTION SALE NUMBER 10001 - E

NOTICE IS HEREBY GIVEN of a bi-weekly public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on WEDNESDAY, SEPTEMBER 2, 2009 (SALE NUMBER 10001-E). This auction is held every other Wednesday unless otherwise notified. Viewing is on

auction day only from 8:30 AM until 9:00 AM. 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 Web site, on the Friday prior to the sale date at: <http://www.nyc.gov/auctions> Terms and Conditions of Sale can also be viewed at this site. For further information, please call (718) 417-2155 or (718) 625-1313.

a19-s2

#### ■ AUCTION

#### PUBLIC AUCTION SALE NUMBER 10001-D

NOTICE IS HEREBY GIVEN of a bi-weekly public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, August 19, 2009 (SALE NUMBER 10001-D). This auction is held every other Wednesday unless otherwise notified. Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

LOCATION: 570 Kent Avenue, Brooklyn, NY (in the Brooklyn Navy Yard between Taylor and Clymer Streets). A listing of vehicles to be offered for sale in the next auction can be viewed on our website, on the Friday prior to the sale date at: <http://www.nyc.gov/auctions>. Terms and Conditions of Sale can also be viewed at this site.

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

a5-19

## POLICE

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

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

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

#### INQUIRIES

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

#### FOR MOTOR VEHICLES

(All Boroughs):

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

#### FOR ALL OTHER PROPERTY

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

j1-d31

#### ■ AUCTION

#### PUBLIC AUCTION SALE NUMBER 1165

NOTICE IS HEREBY GIVEN of a ONE (1) day public auction of unclaimed salvage vehicles, motorcycles, automobiles, trucks, and vans. Inspection day is August 24, 2009 from 10:00 A.M. - 2:00 P.M.

Salvage vehicles, motorcycles, automobiles, trucks, and vans will be auctioned on August 25, 2009 at approximately 9:30 A.M.

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

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

a12-25

## PROCUREMENT

*"The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed*

*to the City's prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence."*

## CITYWIDE ADMINISTRATIVE SERVICES

### DIVISION OF MUNICIPAL SUPPLY SERVICES

#### ■ SOLICITATIONS

Goods

**FUEL OIL AND REPAIRS FOR HPD-ERP** – Competitive Sealed Bids – PIN# 8570900518 – DUE 09-21-09 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.*

a19

#### ■ AWARDS

Goods

**AMMUNITION; SHOTGUN SHELLS AND MISC.** – Competitive Sealed Bids – PIN# 857900027 – AMT: \$336,573.15 – TO: Precision Ammunition LLC, 5402 East Diana Street, Tampa, Fl. 33610.  
**● PIPE AND FITTINGS, CAST IRON** – Competitive Sealed Bids – PIN# 857900831 – AMT: \$130,800.00 – TO: Plastic and Steel Supp. Co. dba Pep, 50 Tannery Road Bldg., Readington Ind. Cen. Branchburg, NJ 08876.  
**● ENTREES, FRESH AND FROZEN** – Competitive Sealed Bids – PIN# 8570901078 – AMT: \$1,677,840.00 – TO: Golden Platter Foods Inc., 37 Tompkins Point Road, Newark, NJ 07114.

a19

**WATER AND SLOP VACUUM TRUCK - DOT** – Intergovernmental Purchase – PIN# 8571000127 – AMT: \$152,097.19 – TO: International Truck and Engine, 1568 Central Ave., Albany, NY 12205. NYS Contract #PC62176.

Suppliers wishing to be considered for a contract with the General Services of New York State are advised to contact the Procurement Services Group, Corning Tower, Room 3711, Empire State Plaza, Albany, NY 12242 or by phone: 518-474-6717.

a19

#### ■ VENDOR LISTS

Goods

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

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

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

jy17-j4

#### EQUIPMENT FOR DEPARTMENT OF SANITATION –

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

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

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

jy17-j4

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

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

jy17-j4

## ECONOMIC DEVELOPMENT CORPORATION

### CONTRACTS

#### ■ SOLICITATIONS

Goods &amp; Services

**REPLACEMENT OF EXISTING WATER SIPHONS BETWEEN BROOKLYN AND STATEN ISLAND,**

**CONSTRUCTION SERVICES** – Request for Qualifications – PIN# 22560002 – DUE 09-23-09 AT 4:00 P.M. – New York City Economic Development Corporation (“NYCEDC”) is inviting construction firms to submit a Statement of Qualifications (“SOQ”) for the provision of construction services (the “Services”) in connection with the Replacement of Existing Water Siphons between Brooklyn and Staten Island (“the Project”) in Staten Island and Brooklyn, New York. NYCEDC is issuing this Request for Qualifications (“RFQ”) to establish a list of qualified construction contractors for the Project.

The major project elements include, but are not limited to, the construction of the following: A 12-foot nominal diameter sub-aqueous tunnel, a tunnel launch shaft, a tunnel reception shaft, a 72-inch diameter welded steel water transmission pipeline installed within the tunnel, a 96-inch diameter welded steel riser pipe in each of the two shafts, extensive land piping with pipe sizes ranging from 20-inch to 72-inch diameter welded steel water mains and 10-inch to 36-inch diameter sewers, and a new Chlorination Station.

NYCEDC will issue an Invitation for Bids (“IFB”) to selected contractors that have responded to this RFQ based upon the selection criteria described in the RFQ (“Qualified Entities”) which include, but are not limited to: the minimum technical experience qualifications for Tunnel Construction, qualifications for non-Tunnel elements of the project, minimum financial qualifications, quality of the proposal and experience of key staff identified in the Statement of Qualifications, experience and quality of any subcontractors proposed, demonstrated successful experience in performing Tunnel Construction services similar to those encompassed in the RFQ.

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

Respondents may submit questions and/or request clarifications from NYCEDC no later than 4:00 P.M. on Wednesday, September 9, 2009. Questions regarding the subject matter of this RFQ should be directed to [watersiphonsConstructionRFQ@nycedc.com](mailto:watersiphonsConstructionRFQ@nycedc.com). For all questions that do not pertain to the subject matter of this RFQ, please contact NYCEDC’s Contracts Hotline at (212) 312-3969. Answers to all questions will be posted by Wednesday, September 16, 2009, to [www.nycedc.com](http://www.nycedc.com).

The RFQ is available for in-person pick-up between 9:30 A.M. and 4:30 P.M., Monday through Friday. To download a copy of the solicitation documents please visit [www.nycedc.com/RFP](http://www.nycedc.com/RFP). Please submit twelve (12) sets of your statement of qualifications to NYCEDC.

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

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**CONSTRUCTION MANAGEMENT SERVICES** – Request for Proposals – PIN# 37470001 – DUE 09-16-09 AT 4:00 P.M. – for the new Theatre for a New Audience (“TFANA”) facility in the Brooklyn Academy of Music (“BAM”) Cultural District in Brooklyn, New York.

The TFANA project will have a Minority and Women Owned Business Enterprise (“M/WBE”) participation goals and all respondents will be required to submit an M/WBE Utilization Plan with their response. For the list of companies who have been certified with the New York City Small Business Services as M/WBE, please go to the <http://www.newyorkbiz.com/mwbe/>.

A non-mandatory site visit is scheduled for Wednesday, August 26, 2009 at 10:00 A.M. at the NYCEDC. Interested proposers are requested to email [TFANACMRFP@nycedc.com](mailto:TFANACMRFP@nycedc.com) to reserve your attendance. Respondents may submit questions and/or request clarifications from NYCEDC no later than 12:00 P.M. on Wednesday, September 2, 2009. Please submit questions regarding the subject matter of this RFP to [TFANACMRFP@nycedc.com](mailto:TFANACMRFP@nycedc.com). Answers to all questions will be posted by Tuesday, September 8, 2009, to [www.nycedc.com/RFP](http://www.nycedc.com/RFP). To download a copy of the solicitation documents please visit [www.nycedc.com/RFP](http://www.nycedc.com/RFP). Please submit six (6) sets of your proposal to NYCEDC.

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

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**EMPLOYEES’ RETIREMENT SYSTEM**

■ AWARDS

*Goods & Services*

**MAINTENANCE RENEWAL** – Renewal – PIN# 009081220091 – AMT: \$209,211.00 – TO: IBM, 1551 So. Washington Ave., Piscataway, NJ 08854.

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**HEALTH AND HOSPITALS CORPORATION**

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

information regarding bids and the bidding process, please call (212) 442-3863.

j1-d31

■ SOLICITATIONS

*Goods*

**DATAAIRE MINI CEILING GLYCOL COOLED AC UNIT** – Public Bid – PIN# QHN2010-1014QHC – DUE 09-10-09 AT 2:30 P.M.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
*Queens Health Network, 82-68 164th Street, “S” Building, Jamaica, NY 11432. Wendella Rose (718) 883-6000, [rosew@nychhc.org](mailto:rosew@nychhc.org)*

☛ a19

**TRIMA ACCEL RBC / PLATELET / PLASMA SETS AND ACDA SOLUTION** – Competitive Sealed Bids – PIN# QHN2010-1015EHC – DUE 09-04-09 AT 10:00 A.M.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
*Queens Health Network, 82-68 164th Street, “S” Building, Jamaica, NY 11432. Margaret Palma (718) 883-6000, [palmam@nychhc.org](mailto:palmam@nychhc.org)*

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■ INTENT TO AWARD

*Services (Other Than Human Services)*

**SIEMENS HEALTHCARE CLINITEK ATLAS SERVICE AGREEMENT** – Sole Source – Available only from a single source - PIN# 231-10-007SS – DUE 08-24-09 AT 9:30 A.M. – The North Brooklyn Health Network intends to enter into a sole source contract for A Clinitek Atlas Service Agreement with Siemens Healthcare Diagnostics Inc., 115 Norwood Park South, Norwood, MA 02062.

Any other supplier who is capable of providing this service to the North Brooklyn Health Network may express their interest in doing so by writing to Abraham Caban, Procurement Analyst, 100 North Portland Avenue Room C-32, Brooklyn, NY 11205, (718) 260-7593 or [Abraham.Caban@nychhc.org](mailto:Abraham.Caban@nychhc.org)

a17-21

■ MATERIALS MANAGEMENT

■ SOLICITATIONS

*Goods & Services*

**MODERNFOLD ACOUSTI-SEAL #932 OPERABLE PARTITION** – Other – PIN# 030-0006 – DUE 09-01-09 AT 10:00 A.M.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
*Health and Hospitals Corporation, 346 Broadway, 5th Floor Room 516, New York, NY 10013-3990. Sherry Lloyd (212) 442-3863, [sherry.lloyd@nychhc.org](mailto:sherry.lloyd@nychhc.org)*

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**HOMELESS SERVICES**

■ OFFICE OF CONTRACTS AND PROCUREMENT

■ SOLICITATIONS

*Human / Client Service*

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

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

j12-24

**HOUSING AUTHORITY**

■ SOLICITATIONS

*Construction / Construction Services*

**INSTALLATION OF SIDEWALK SHEDS AT VARIOUS LOCATIONS IN BRONX/QUEENS** – Competitive Sealed Bids – PIN# BW9012140 – DUE 09-08-09 AT 10:00 A.M. Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M. for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
*Housing Authority, 90 Church Street, 11th Floor New York, NY 10007. Gloria Guillo, MPA, CPPO (212) 306-3121, [gloria.guillo@nycha.nyc.gov](mailto:gloria.guillo@nycha.nyc.gov)*

a17-21

**INSTALLATION OF SIDEWALK SHEDS AT VARIOUS LOCATIONS IN BROOKLYN/STATEN ISLAND** – Competitive Sealed Bids – PIN# BW9012138 – DUE 09-03-09 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M. for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
*Housing Authority, 90 Church Street, 11th Floor New York, NY 10007. Gloria Guillo, MPA, CPPO (212) 306-3121, [gloria.guillo@nycha.nyc.gov](mailto:gloria.guillo@nycha.nyc.gov)*

a14-20

**SEWER PIPE JETTING AT BRONXDALE HOUSES** – Competitive Sealed Bids – PIN# PL9005181 – DUE 09-08-09 AT 10:30 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
*Housing Authority, 90 Church Street, 11th Floor New York, NY 10007. Gloria Guillo (212) 306-3121 [gloria.guillo@nycha.nyc.gov](mailto:gloria.guillo@nycha.nyc.gov)*

a17-21

**HOUSING PRESERVATION & DEVELOPMENT**

■ AWARDS

*Human / Client Service*

**NEIGHBORHOOD PRESERVATION CONSULTANT PROGRAM, BKLYN. CB 13** – Request for Proposals – PIN# 806080100005K – AMT: \$120,000.00 – TO: Astella Development Corporation, 1618 Mermaid Avenue, Brooklyn, NY 11224-2620.

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**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, [cwuechia@djj.nyc.gov](mailto:cwuechia@djj.nyc.gov)*

jy1-d16

**PARKS AND RECREATION**

■ REVENUE AND CONCESSIONS

■ SOLICITATIONS

*Services (Other Than Human Services)*

**RENOVATION, OPERATION AND MAINTENANCE OF A MARINA AND FOOD SERVICE FACILITY** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# X301-M – DUE 10-13-09 AT 3:00 P.M. – At Clason Point, 3 Soundview Avenue, The Bronx, N.Y. Parks will hold an on-site proposer meeting and site tour on Tuesday, September 15, 2009 at 11:00 A.M. at the proposed concession site (Block 3435, Lots 18 and 35), which is located at 3 Soundview Ave., along the East River, Bronx, NY 10473. We will be meeting in front of the front gate of the marina on Soundview Ave.

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

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
*Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021. Joel Metlen (212) 360-1397, [joel.metlen@parks.nyc.gov](mailto:joel.metlen@parks.nyc.gov)*

a18-31

**SALE OF FOOD FROM PUSHCARTS, NUT CARTS, ICE CREAM CARTS, PROCESSING CARTS AND MOBILE TRUCKS** – Competitive Sealed Bids – PIN# CWB2010A – DUE 09-15-09 AT 11:00 A.M. – Various locations, Citywide.

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

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
*Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021. Glenn Kaalund (212) 360-1397, [glenn.kaalund@parks.nyc.gov](mailto:glenn.kaalund@parks.nyc.gov)*

a17-28

**SALE OF FRESH FRUIT AND VEGETABLES FROM GREEN CARTS** – Competitive Sealed Bids – PIN# GR-2008 – DUE 09-16-09 AT 1:00 P.M. – At locations, Citywide.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
*Parks and Recreation, The Arsenal-Central Park  
830 Fifth Avenue, Room 407, New York, NY 10021.  
Joel Metlen (212) 360-1397, joel.metlen@parks.nyc.gov*

a11-24

**OPERATION OF A CULTURAL AND SPECIALTY FOOD AND ARTS AND CRAFTS MARKET** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# B073-O – DUE 09-21-09 AT 3:00 P.M. – At Drummer's Grove in Prospect Park, Brooklyn. Parks will hold an on-site proposer meeting and site tour on Friday, August 28 at 11:00 A.M. just inside the Prospect Park entrance at Parkside Avenue and Ocean Avenue, Brooklyn. All interested parties are urged to attend.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
*Parks and Recreation, The Arsenal-Central Park  
830 Fifth Avenue, Room 407, New York, NY 10021.  
Eve Mersfelder (212) 360-3407, eve.mersfelder@parks.nyc.gov*

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## TRANSPORTATION

### BRIDGES

#### ■ SOLICITATIONS

*Construction Related Services*

**TD/CSS BELT PARKWAY PEDESTRIAN BRIDGES** – Negotiated Acquisition – Available only from a single source - PIN# 84109MBBR420 – DUE 08-31-09 AT 3:00 P.M. – Total Design and Construction Support Services in connection with the replacement/rehabilitation of three Belt Parkway Pedestrian Bridges: 17th Avenue Bridge, 27th Avenue Bridge, and 92nd Street Bridge in the Borough of Brooklyn for the New York City Department of Transportation-Negotiated Acquisition-PIN 84109MBBR420. The Department intends to enter into a negotiated acquisition with URS Corporation ("URS") to continue the provision of design and subsequent construction support services. This project is time sensitive, as the three bridges are approaching poor condition and have been damaged by overheight vehicles. The low clearance of these bridges makes them susceptible to be hit by trucks causing further damage and failure in the future. In addition, the three bridges all have major shortcomings with regards to ADA accessibility. Design of these three bridges by URS will also ensure that the three newly constructed bridges possess the similar characteristics as the original Robert Moses Belt Parkway design and the design guidelines approved by all affected parties. There is a compelling need to use URS in the performance of these services. URS, through another DOT contract, has already performed conceptual design work in connection with the three bridges. Further, the conceptual design developed by URS has been accepted by DOT, Parks and Recreation, Public Design Commission, and Landmarks. The contract duration is 365 consecutive calendar days from date of Notice to Proceed.

Prospective vendors may express interest in this procurement or may indicate their interest in future procurements of the New York City Department of Transportation by writing to Vincent Pullo, Agency Chief Contracting Officer, Department of Transportation, 55 Water Street, 8th Floor, New York, NY 10041, no later than August 31, 2009 (212) 839-9292.

a17-21

## AGENCY RULES

## OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

### ■ NOTICE

#### NOTICE OF ADOPTION OF RULE AMENDMENTS

**NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Office of Administrative Trials and Hearings (OATH) by section 1049 of the New York City Charter, and in accordance with section 1043(b) of the Charter, that OATH hereby adopts amendments to sections 1-22, 1-23, 1-32, 1-44 and 1-49 of the OATH Rules of Practice.**

**The rule was published in The City Record on June 22, 2009, and a public hearing was held on July 24, 2009.**

New language is underlined, proposed deleted language is bracketed.

**Section 1.** Section 1-22 of Title 48 of the Rules of the City of New York is amended to read as follows:

#### § 1-22 The Petition.

The petition shall include a short and plain statement of the matters to be adjudicated, and [a reference to the particular sections of the law and rules involved. The petition shall specifically allege the incident, activity or behavior at issue,

and, where appropriate, the date, time and place of occurrence. It shall identify the law, rule, regulation, contract provision, or policy that was allegedly violated] , where appropriate, specifically allege the incident, activity or behavior at issue as well as the date, time, and place of occurrence. The petition shall also identify the law, rule, regulation, contract provision, or policy that was allegedly violated and provide a statement of the relief requested. If the petition does not comply with this provision, the administrative law judge may direct, on the motion of a party or sua sponte, that the petitioner re-plead the petition.

**Section 2.** Section 1-23 of Title 48 of the Rules of the City of New York is amended to read as follows:

#### § 1-23 Service of the Petition.

(a) The petitioner shall be responsible for serving the respondent with the petition. The petition shall be accompanied by a notice of the following: the respondent's right to file an answer and the deadline to do so under § 1-24; the respondent's right to representation by an attorney or other representative; and the requirement that a person representing the respondent must file a notice of appearance with OATH. The notice shall include the statement that OATH's rules of practice and procedure are published in Title 48 of the Rules of the City of New York, and that copies of OATH's rules are available at OATH's offices or on OATH's website www.nyc.gov/oath.

**Section 3.** Subdivision (g) of section 1-32 of Title 48 of the Rules of the City of New York is relettered subdivision (h), and a new subdivision (g) is added, to read as follows:

#### § 1-32 Adjournments.

\* \* \*

(g) If an administrative law judge determines that a case is not ready for trial or conference and that an adjournment is inappropriate, the judge may remove the case from the calendar. Unless otherwise directed by the administrative law judge, the case will be administratively closed if the parties do not restore the matter to the calendar within 30 days.

**Section 4.** Section 1-44 of Title 48 of the Rules of the City of New York is amended to read as follows:

#### § 1-44 Interpreters.

[A party in need of an interpreter at a conference or hearing shall advise the administrative law judge of such need as soon as possible. The administrative law judge may accept as an interpreter a friend or relative of a party or witness, or any other person who can provide acceptable translation. Otherwise, the administrative law judge shall direct that an interpreter be obtained from an official registry of interpreters or shall otherwise be assured that a qualified interpreter is provided]. OATH will make reasonable efforts to provide language assistance services to a party or their witnesses who are in need of an interpreter to communicate at a hearing or conference.

**Section 5.** Section 1-49 of Title 48 of the Rules of the City of New York is amended by adding a new subdivision (d), to read as follows:

#### § 1-49 Public Access to Proceedings.

\* \* \*

(d) Unless the administrative law judge finds that legally recognized grounds exist to omit information from a decision, all decisions will be published without redaction. To the extent applicable law or rules require that particular information remain confidential, including but not limited to the name of a party or witness or an individual's medical records, such information will not be published in a decision. On the motion of a party, or sua sponte, the administrative law judge may determine that publication of certain information will violate privacy rights set forth in applicable law or rules and may take appropriate steps to ensure that such information is not published.

#### Statement of Basis and Purpose

OATH held a public hearing on proposed amendments to its Rules of Practice on July 24, 2009. One person had submitted written comments regarding the proposed rule changes but no one testified at the hearing.

OATH has amended various sections of its Rules of Practice, found in chapter 1 of title 48 of the Rules of the City of New York, to make the hearing process more transparent and efficient, while continuing to provide fair and impartial treatment for parties and litigants.

Section 1-22 was amended to improve pleading practice at OATH. Pleadings are to be construed liberally. However, when a petition does not adequately place a respondent on notice of the allegations and the remedy sought or when multiple charges are written in duplicative fashion or are confusing, adjudication of the matter can be delayed or complicated. The amended rule gives the administrative law judge authority to direct the petitioner to re-plead the petition, which will allow the proceeding to go forward in an efficient manner.

Section 1-32 has been amended to permit an administrative law judge to remove a case from the calendar. The amended rule provides a tool to avoid a long or indefinite continuation of the proceedings when the parties are not ready for trial or conference. It is intended to allow the ALJ to assess the readiness of the parties for trial in a period of time that is consistent with OATH's calendar management standards.

Appropriate language assistance services are needed so that parties and witnesses whose primary language is not English can participate in conferences and trials. Interpreters are also needed to ensure that a complete and accurate hearing record is made. Section 1-44 was amended to improve the quality of language assistance services provided at OATH conferences and hearings. The old rule, which allowed for the use of a friend or relative of a witness or party to act as an interpreter, did not ensure that an accurate and reliable translation was made. In addition, the old rule placed the burden of obtaining an interpreter on the party who needs it. Because OATH has access to quality language assistance services, the amended rule makes OATH responsible for ensuring that appropriate services are provided.

The amendment of section 1-49 addresses publication of OATH decisions. While there is a presumption that administrative proceedings are open to the public, various statutes and rules require that certain information remain confidential. The amended rule is intended to ensure that confidential information is not published in a decision in contravention of applicable law or rules, without departing from OATH's policy of maintaining open proceedings.

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## SPECIAL MATERIALS

## CITY PLANNING COMMISSION

### ■ NOTICE

#### NOTICE OF COMPLETION OF THE FINAL ENVIRONMENTAL IMPACT STATEMENT 61st Street/ River Avenue Rezoning

<b>Project Identification</b>	<b>Lead Agency</b>
CEQR No. 09DCP024X	City Planning Commission
ULURP Nos. 090365ZMX,	22 Reade Street, 1W
090364ZRY	New York, NY 10007
SEQRA Classification: Type I	

#### Contact Person

Robert Dobruskin, AICP, Director (212) 720-3423  
Environmental Assessment and Review Division  
New York City Department of City Planning

Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Final Environmental Impact Statement (FEIS) has been prepared for the action described below. Copies of the FEIS are available for public inspection at the office of the undersigned. The proposal involves actions by the City Planning Commission and Council of the City of New York pursuant to Uniform Land Use Review Procedures (ULURP). A public hearing on the Draft Environmental Impact Statement (DEIS) was held on July 1, 2009. Written comments on the DEIS were requested and were received by the Lead Agency until July 13, 2009. This FEIS incorporates responses to the public comments received on the DEIS and additional analysis conducted subsequent to the completion of the DEIS.

#### INTRODUCTION

The Department of City Planning (DCP) has developed zoning proposals intended to provide opportunities for new residential, commercial, and community facility development along the 161st Street corridor in the civic heart of the Bronx.

The actions, as proposed by The New York City Department of City Planning (DCP), are subject to City Environmental Quality Review (CEQR) and require City Planning Commission (CPC) and New York City Council approvals through the City's Uniform Land Use Review Procedure (ULURP) for the following actions:

- A zoning map amendment to change all or portions of 9 blocks from C8-3, C4-6, R7-1, R7-1/C1-4, R7-1/C2-4, R8/C1-4 to C6-3D, C6-2 and R9D and R8A/C2-4.
- Zoning text amendments to establish C6-3D zoning district to allow high-density residential, commercial and community facility development with special bulk controls for development along elevated train lines.
- Zoning text amendment to establish the Inclusionary Housing program within the proposed C6-3D (R9D) and R8A zoning districts in Bronx Community District 4.

The Final EIS has been prepared in conformance with all applicable laws and regulations, including Executive Order No. 91, New York City Environmental Quality Review (CEQR) regulations, dated August 24, 1977, and follows the guidelines of the *CEQR Technical Manual*.

An Environmental Assessment Statement (EAS) was submitted on November 12, 2008. DCP, acting as lead agency on behalf of the City Planning Commission, has determined that the proposed action would have the potential for significant adverse impacts in seven of the 20 impact categories outlined in the *CEQR Technical Manual*. Therefore, a detailed assessment of likely effects in those areas of concern has been prepared and disclosed in this Final EIS.

A draft scoping document that set forth the analyses and methodologies proposed for a Draft Environmental Impact Statement (DEIS) was submitted to the public on November 12, 2008. The public, interested agencies, Bronx Community Board 4, and elected officials were invited to comment on the scope, either in writing or orally, at a public scoping meeting that was held on Tuesday, December 16, 2008, at 4:00 PM at the Bronx Museum of the Arts, 1040 Grand Concourse, Bronx, New York. Written and oral comments were accepted during the draft scope's public meeting and written comments were accepted ten days after the public meeting. Comments received during the draft scope's public meeting, and written comments received up to the end of the written comments period were considered and incorporated, as appropriate, in to the final scope of work. The final scope of work was then used as a framework for preparing the DEIS for the proposed action. The final scoping document was submitted to the public on March 19, 2009.

On March 27, 2009, the DCP, on behalf of the CPC as lead

agency, issued a Notice of Completion for the DEIS for 161st Street/ River Avenue Rezoning. The public, interested agencies, Bronx Community Board 4, and elected officials were invited to comment on the DEIS. The Notice of Completion for the DEIS was published in the New York State Department of Environmental Conservation Environmental News Bulletin and the New York City Record on April 8, 2009. Written comments were accepted on the DEIS from the time of issuance of the Notice of Completion until the closing of the comment period on July 13, 2009. In addition, a public hearing was held on July 1, 2009, at Spector Hall, New York City Department of City Planning, 22 Reade Street, to afford interested public the opportunity to provide oral comments on the DEIS.

This Final EIS includes review and analysis of seven impact categories including: Community Facilities; Neighborhood Character; Traffic and Parking; Transit and Pedestrians; Air Quality; Noise; and Public Health. In addition, the document includes analyses of Alternatives to the proposed action.

The remaining 13 CEQR impact categories have undergone a screening analysis as part of an Environmental Assessment Statement (EAS) for the proposed action. Under guidelines specified in the *CEQR Technical Manual*, it has been determined that for these 13 categories, no significant adverse impacts are anticipated and a detailed analysis is not required. The EAS prepared for the proposed action is Appendix A of this Final EIS report. Consequently, these environmental categories are not assessed in the Final EIS. The 13 categories include: Land Use, Zoning and Public Policy; Socioeconomic Conditions; Open Space; Shadows; Historic Resources; Urban Design and Visual Resources; Natural Resources; Hazardous Materials; Waterfront Revitalization Program; Infrastructure, Solid Waste and Sanitation Services; Energy; and Construction Impacts.

### 1.1 PURPOSE AND NEED FOR PROPOSED ACTION

The proposed actions build on a number of recent public and private investments. Over the past two decades, the Bronx has experienced a substantial amount of new housing construction, rebounding from the disinvestment and population loss experienced during the 1970s and 1980s. Most vacant and city-owned sites have been developed or are programmed for development, leaving a shortage of available sites for new residential development. With the population of New York City expected to increase by a million people by the year 2030, new areas are needed to accommodate this growth.

The proposed action would effectuate the following land use goals:

- Provide new opportunities for redevelopment and economic growth along the 161st Street corridor;
- Encourage new housing production, including new affordable housing, in the Bronx;
- Encourage new office and commercial space surrounding the Bronx Civic Center;
- Direct new housing and commercial development at higher densities to an area with excellent transit and highway access; and
- Strengthen the street wall along the 161st Street corridor and enliven the street level with commercial uses along its entire length, better connecting existing land uses and transportation infrastructure.

### 1.2 DESCRIPTION OF THE ACTION

The 161st Street/ River Avenue rezoning area is generally bound by River Avenue on the west, East 162nd Street to the north, Park Avenue to the east, and East 159th and East 153rd Street to the south (see Figure 2.0-1). The 161st Street corridor is largely built-out, including several civic uses and NYCHA housing; therefore the rezoning is focused on three strategic nodes. From west to east, the three nodes are: the Transit Node, the Civic Node and the Residential Node. The rezoning would address the characteristics and needs that are specific to each node while strengthening the identity of the corridor as a whole.

Located at the intersection of 161st Street and River Avenue, the Transit Node is centered on a transit hub that includes an elevated train, a subway line and buses. This area is characterized by low-rise commercial uses, surface and enclosed parking, and Yankee Stadium. Being such a transit rich area, this node can accommodate high density development; at the same time, the elevated train line located along River Avenue poses challenges, most notably street level. Furthermore, this area experiences substantial pedestrian and vehicular congestion, particularly on game days. As a result, a new zoning district has been crafted to address both the assets and liabilities of a high density transit node along an elevated train.

At the center of the 161st Street corridor is the Civic Node, which is generally located between the Grand Concourse and Morris Avenue. This area is characterized by the corridor's civic uses, most notably the Bronx Criminal Court Complex and the new Bronx Hall of Justice, as well as by a mix of office buildings, low-rise commercial uses and surface parking. As a result, higher density infill commercial and office development is most appropriate for this area.

East of Morris Avenue the character of the corridor becomes predominately residential. The Residential Node is defined as the area between Morris Avenue and the Melrose Commons Urban Renewal Area, a growing residential community located on the eastern edge of the 161st Street corridor. As a result, a higher density contextual zoning district that matches existing and proposed buildings in Melrose Commons is most appropriate for this area. In addition, local ground floor commercial uses would be expanded to all lots along 161st Street, activating the street level in an area that connects the Civic Center with the Melrose Metro-North station at Park Avenue and 162nd Street.

### Zoning Map Amendment:

#### Transit Node

In the Transit Node, existing commercial zoning designations would be changed to permit residential uses and additional commercial uses along River Avenue, and existing residential zoning and commercial overlay designations would be

changed to permit additional residential and commercial uses along East 161st Street. A zoning text amendment would establish a new C6-3D zoning district described below.

The proposed zoning changes are listed below.

- Change from C8-3 to C6-3D, portions of three blocks generally located along River Avenue south of East 161st Street and north of East 153rd Street.
- Change from R8/C1-4 to C6-3D, portions of three blocks generally located along East 161st Street between River Avenue and Walton Avenue, south of East 162nd Street and north of East 158th Street.

#### Civic Node

In the Civic Node, an existing C8-3 zoning designation would be changed to permit more commercial/office space, allow residential uses, and eliminate the potential for heavy automotive and light industrial uses along East 161st Street. In addition, an existing C4-6 zoning designation would be changed to permit additional commercial floor area at Sheridan Avenue and East 161st Street, and an existing R8 zoning designation would be changed to permit commercial uses along Concourse Village West.

The proposed zoning changes are listed below:

- Change from C8-3 to C6-2, a portion of one block generally located along East 161st Street between Concourse Village West and Concourse Village East.
- Change from C4-6 to C6-2, a portion of one block located at the intersection of East 161st Street and Sheridan Avenue.
- Change from R8 to C6-2, a portion of one block generally located along East 161st Street between the Grand Concourse and Concourse Village West, south of East 161st Street and north of East 159th Street.

#### Residential Node

In the proposed action area, existing residential zoning and commercial overlay designations would be changed to permit additional residential and commercial uses on the block between Morris Avenue and Park Avenue/Teller Avenue, south of East 162nd Street and north of East 161st Street.

The proposed zoning changes are from R7-1, with separate discontinuous C1-4 and C2-4 commercial overlays, to R8A with a continuous C2-4 commercial overlay on one block located block between Morris Avenue and Park Avenue/Teller Avenue, south of East 162<sup>nd</sup> Street and north of East 161<sup>st</sup> Street.

#### Proposed C6-3D (R9) Zoning

The proposed actions include the creation of new zoning districts, the proposed C6-3D with a proposed residential R9D equivalent, which allows high-density residential and commercial development. The bulk regulations are designed to facilitate tower development adjacent to an elevated train, while minimizing the impact on nearby existing buildings. In addition, the zoning district addresses pedestrian issues, including street-level noise, and pedestrian congestion within transit hubs.

#### Zoning Text Amendment:

##### Inclusionary Housing

The proposed zoning text amendments would apply the Inclusionary Housing program within the proposed C6-3D (R9D) and R8A zoning districts in Bronx Community District 4. New base and bonussed FARs would apply to new residential development. Base FARs apply to developments which do not use the Inclusionary Zoning bonus. The full bonussed FAR is applied to buildings which take full advantage of the program by providing one-fifth of the total new housing floor area as affordable residential floor area in accordance with the Inclusionary Housing program.

### 1.3 REASONABLE WORST CASE DEVELOPMENT SCENARIO

To evaluate the potential effects associated with the proposed action, this assessment identifies a reasonable worst case development scenario (RWCDs) for the "Future without the Proposed Action" ("No-Action Scenario") and for the proposed rezoning called "Future with the Proposed Action" ("With-Action Scenario") for a ten-year period (i.e., 2008-2018). For area-wide rezoning actions not associated with a specific development, a ten-year period is typically believed to be the length of time over which developers would act on a change in zoning. The No-Action Scenario identifies the amount, type, and location of new development projected to occur by the build year of 2018 without the proposed zoning change. The With-Action Scenario identifies development that would be expected to occur by the build year as a result of the proposed rezoning action. The Action Scenario projection is comprised of identified developable sites within the proposed rezoning area that could experience an increase in floor area ratio (FAR) or change in allowable uses and therefore could potentially be developed differently under the proposed zoning than under existing zoning. The incremental difference between the development that would occur in the No-Action Scenario and the With-Action Scenario would serve as the basis for the impact analysis of the Environmental Impact Statement.

To determine the No-Action and With-Action Scenarios, standard methodologies have been used following *CEQR Technical Manual* guidelines. The development projections are based on analysis done by the Department of City Planning (DCP). These methodologies have been used to identify the type, amount and location of future development. Generally for area-wide rezonings, new development can be expected to occur on selected sites, rather than all sites within a proposed rezoning area.

DCP has identified a total of 22 sites which meet these criteria. Of these 22 sites, 11 are projected development sites and 11 are potential development sites.

#### Future No-Action Conditions (No-Build Scenario)

In the future without the proposed action, the existing zoning

controls would remain in place; it is expected that the current land use trends and general development patterns in and adjacent to the 161st Street/River Avenue area will continue.

It is anticipated that the rezoning area would experience some growth in commercial and residential uses. DCP has developed a scenario of as-of-right development that would reasonably be expected to occur within the rezoning area in the future without the proposed action (no-action). Several developments and conversions are expected within the land use study areas, including new development on some of the projected and potential development sites.

In the future without the proposed action, it is expected that the projected development sites would have a total of 299 DUs (all of which would be market-rate housing units); 71,549 sf of commercial retail space; 246,500 sf of commercial office space; and 11,720 sf of community facility space. This would represent a net increase over existing conditions of 295 DUs and 11,720 sf of community facility space and a net decrease of 4,289 sf of commercial retail space. Commercial office space would remain unchanged from existing conditions.

#### Future With-Action Conditions (Build Scenario)

In the Future Action Scenario, with the proposed zoning text and map amendments in place, the 11 identified projected development sites would have a total of 894 DUs (745 of which would be affordable housing units); 113,553 sf of commercial retail space; 553,484 sf of commercial office space; and 11,730 sf of community facility space. This would represent a net increase over no-action conditions of 594 DUs, including 148 units of affordable housing; 42,004 sf of retail commercial space; 306,001 sf of office commercial space, and 10 sf of community facility space.

### 1.4 REQUIRED APPROVALS

The following approvals are required for the proposed action:

Approval of the NYC City Planning Commission (CPC) and New York City Council for

- an amendment to the zoning map and
- an amendment of the zoning text for the proposed C6-3D (R9 equivalent) zoning district
- an amendment of the zoning text to establish Inclusionary Zoning Housing within the proposed C6-3D (R9) and R8A zoning districts in Bronx Community District 4.

The proposed rezoning is a discretionary public action which is subject to both the Uniform Land Use Review Procedure (ULURP), as well as City Environmental Quality Review (CEQR). ULURP is a process that allows public review of proposed action at four levels: the Community Board; the Borough President; the City Planning Commission and, if applicable, the City Council. ULURP mandates time limits for each stage to ensure a maximum review period of seven months. Through CEQR, designated agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment

### 1.5 FUTURE WITH THE PROPOSED ACTION

#### Community Facilities and Services

The proposed action would not result in significant adverse impacts on community facilities.

##### Public Schools

The proposed action would not result in a significant adverse impact on elementary schools. The approximately 232 elementary school students that would be introduced into the half-mile study area as a result of the proposed action would cause total enrollment in elementary schools within the half-mile study area to increase to 10,802, exceeding seat capacity by 1,658 (utilization rate of 118 percent), a two percent increase in utilization over the no-action condition, and less than the five percent CEQR threshold for a significant adverse impact. Furthermore, in the future with the proposed action, elementary schools, collectively, in both CSD 7 and CSD 9, are expected to operate below capacity, with utilization rates of 91 and 93 percent, respectively.

New elementary seats are expected to be added in CSD 9 under future conditions, although the seats have not been sited yet. The new seats planned for CSD 9 (if sited within the study area), would increase the capacity in the study area, and address the projected shortfall of seats.

In the future with the proposed action, intermediate school enrollment in CSD 7 would increase to 6,680, which is below capacity and translates to a projected future utilization rate of 60 percent, and intermediate enrollment in CSD 9 would increase to 11,093, which is below capacity and translates to a projected future utilization rate of 54 percent. Therefore, there would be no significant adverse impact on intermediate schools as a result of the proposed action.

##### Publicly Funded Day Care

In the future with the action, it is estimated that the 148 affordable housing units projected would add 64 new publicly-funded eligible children under the age of 6, and 31 children between the ages of 6 to 12 to the study area, increasing the deficit of available slots, and bringing the collective utilization to 135 percent. The older children are expected to be attending school during most of the day, their need would be for after-school care. The 31 school-aged eligible children generated by the proposed action who qualify for ACS vouchers or other programming for after school care could be served by Family Child Care Networks or school-age slots in ACS contracted day care facilities, DYCD's Out of School Time programs, and/or DOE approved after school programs.

According to *CEQR Technical Manual* guidelines, a significant adverse impact on publicly funded day care services may result if a proposed action would result in: 1) a demand for day care slots greater than remaining capacity of day care centers; and 2) demand that constitutes an increase of 5 percent or more of the collective capacity of the day care centers serving the study area.

The introduction of eligible children associated with the RWCDs would cause a 2 percent increase in demand over the existing capacity of day care facilities in the study area. The projected deficit of available slots over the Future No-Action

is well below the *CEQR* threshold of five percent. Therefore the proposed action is not expected to have a significant adverse impact on publicly funded day care and Head Start facilities in the study area.

#### Neighborhood Character

The proposed action would not result in an overall change in the character of the proposed rezoning area with respect to land use, socioeconomic conditions, historic resources, urban design and visual resources, traffic, shadows and street-level pedestrian activity. The proposed action would not result in significant adverse neighborhood character impacts in the rezoning or secondary study areas. The proposed rezoning would foster mixed-use, residential, and commercial development compatible with development trends and ongoing commercial and residential investments in the area, and would add to the vitality of the street life in the rezoning area by increasing the residential population and encouraging ground floor retail uses. The proposed rezoning would encourage the growth and expansion of existing land uses in an area of the Bronx that is appropriate for such growth, as it is very well-served by mass transit and functions as the civic heart of the borough.

As a result of the proposed action, the respective commercial, civic and residential characters of the 161st Street corridor are expected to be improved. In addition, the proposed action would complement the neighborhood character of the secondary study area and would not result in significant adverse impacts. The new development within the rezoning area would be complementary to the development expected independent of the proposed action to the east and west of the rezoning area. The significant adverse traffic and pedestrian impacts expected to occur with the proposed action are not anticipated to result in a significant adverse impact to neighborhood character.

#### Traffic and Parking

##### Traffic

The result of the traffic analysis shows that during non-game day conditions, the proposed action is expected to result in significant adverse traffic impacts at four intersections during the weekday AM peak hour, five intersections during the weekday PM peak hour, and two intersections during the Saturday midday peak hour. During game day conditions, the proposed action is expected to result in significant adverse traffic impacts at five intersections during the weekday PM peak hour and one intersection during the Saturday midday peak hour. The following intersections have significant adverse impacts:

- **E. 161st Street S. Service Road at Gerard Avenue** – During the weekday PM peak hour, delays for vehicles on the northbound through-right-turn approach are projected to increase from 111.6 seconds/vehicle (LOS “F”) under the No-Action condition to 114.6 seconds/vehicle (LOS “F”) under the game-day Action condition.
- **E. 161st Street S. Service Road at Grand Concourse** – During the weekday PM peak hour, delays for vehicles on the southbound left-turn approach are projected to increase from 65.5 seconds/vehicle (LOS “E”) under the No-Action condition to 83.2 seconds/vehicle (LOS “F”) under the game-day Action condition.
- **E. 161st Street at Concourse Village East/Morris Avenue** – During the weekday PM peak hour, delays for vehicles on the eastbound through-right-turn movements are projected to increase from 50.8 seconds/vehicle (LOS “D”) under the No-Action condition to 64.4 seconds/vehicle (LOS “E”) under the game-day Action condition; and during the weekday PM peak hour, delays for vehicles on the westbound approach are projected to increase from 91.1 seconds/vehicle (LOS “F”) under the No-Action condition to 104.0 seconds/vehicle (LOS “F”) under the game-day Action condition.
- **E. 161st Street at Melrose Avenue** – During the weekday PM peak hour, delays for vehicles on the eastbound approach are projected to increase from 49.8 seconds/vehicle (LOS “D”) under the No-Action condition to 75.3 seconds/vehicle (LOS “E”) under the game-day Action condition; and during the weekday PM peak hour delays for vehicles on the northbound through-left-turn movements are projected to increase from 123.9 seconds/vehicle (LOS “F”) under the No-Action condition to 136.1 seconds/vehicle (LOS “F”) under the Action condition.

Impacts at the above intersections can be fully remediated utilizing standard traffic mitigations, such as changes in signal timing, new street striping, and daylighting, as described in the “Mitigation” section below.

However, traffic analyses indicate that there is no spare capacity at the following intersection and traffic impacts identified at this intersection would remain unmitigatable:

- **E. 149th Street at River Avenue/Exterior Street/MDE (I-87) Northbound Off-Ramp**. Despite the improved geometry and widening proposed by the Gateway Center at Bronx Terminal Market EIS, which are discussed in Chapter 3.3 (Traffic and Parking), significant traffic impacts remain which are identified below:
  - E. 149th Street westbound left-turn movement during the weekday PM peak hour
  - Exterior Street northbound left-turn movement during the weekday PM peak hour
  - MDE northbound off-ramp during the Saturday midday peak hour

##### Parking

The proposed action would not substantially affect the number of on-street parking spaces within the study area, and there would be sufficient off-street public parking capacity to accommodate all project-generated parking

demand not otherwise accommodated in accessory parking facilities. The proposed action would therefore not result in a significant adverse impact to on-street parking conditions. It should be noted, however, that utilization of on-street parking spaces (both metered and unmetered) would likely remain at or near capacity within the study area during the peak weekday midday period, as was the case for the No Action condition.

#### Transit and Pedestrians

##### Train Service

The transit analysis looked at pedestrian access to the 161st Street Yankee Stadium subway station complex and the Melrose station of the Metro North New Haven and Harlem lines. The 161st Street Yankee Stadium station serves the New York City Transit (NYCT) IND B and D and IRT No. 4 lines, which are commonly known as the Concourse and Jerome Avenue lines, respectively. The 161st Street Yankee Stadium station complex is configured with separate access locations and fare control areas, contains both above and below-grade elements, and operates more as two subway stations rather than one. Free connections between the two subway lines are available.

The transit analysis includes an analysis of pedestrian volumes on critical stairway access points to the 161st Street Yankee Stadium subway station complex and the Metro North Melrose station. The stairway at the northeast corner of the intersection of E. 161st Street and River Avenue that provides access to the 161st Street Yankee Stadium station and the stairway located on the south side of 162nd Street between Park Avenue and Courtlandt Avenue that provides access to the Metro North were selected as analysis locations. In addition, the Final EIS includes an analysis of fare control access points to the 161st Street Yankee Stadium subway station.

The analysis indicated that the analyzed stairway at the 161st Street Yankee Stadium station would operate at LOS A or better in all peak periods, and the analyzed Melrose Station stairway would continue to operate at LOS A in all four peak periods. In addition, the analyzed fare control access points to the 161st Street Yankee Stadium station would continue to operate at LOS “A,” in the future action condition. Therefore, no significant adverse train service impacts are expected as a result of the proposed action.

##### Bus Service

The proposed rezoning is projected to generate 172, 252, 231, and 172 peak hour trips during the weekday, AM, Midday, PM and Saturday respectively. The bus service analysis was performed at maximum loading points for peak periods of travel. Subsequent to the release of the Draft Environmental Impact Statement (DEIS), the bus service was reanalyzed with revised capacity guidelines for standard and articulated buses. The results of the revised bus service analysis, presented in Chapter 3.4 (“Transit and Pedestrian”) of the FEIS, project no capacity deficits would occur on the analyzed bus routes as a result of the proposed action. Therefore, no significant adverse bus service impacts are expected as a result of the proposed action.

##### Pedestrians

The projected increase in development along the E. 161st Street corridor due to the proposed rezoning would increase pedestrian trips within the study area’s pedestrian facilities, including the analyzed crosswalks and street corners noted above, during the analyzed peak hours. The assignment of pedestrian trips was based on “desire” travel lines — the likely paths that people would take to walk among the projected development sites and key points in the study area, and various pedestrian facilities (sidewalks, street corners, etc.) located along those paths. Pedestrians were distributed separately by four modes of travel — walk-only, subway, railroad, and bus — and then assigned to the pedestrian facilities by summing the totals of each mode, where applicable.

To identify potential significant adverse pedestrian impacts due to the proposed action, changes in pedestrian Non-Game Day and Game Day scenarios under 2018 No-Action and 2018 Action scenarios were compared, respectively. The impact criteria in the 2001 *CEQR* Technical Manual were then used to determine potential significant adverse impacts. For crosswalks and street corners, a significant adverse impact is defined as a decrease of 1 square foot per person due to the proposed action when the Future No-Action condition has average occupancies under 15 square feet per pedestrian (the threshold between LOS levels D and E).

For the Non-Game Day scenario, results indicate that no significant adverse impacts for the analyzed crosswalks and street corners for the Non-Game Day scenario. For the Game Day scenario, during the weekday PM peak hour, the north crosswalk experience LOS “F” and the west and south crosswalks (the most critical) experience LOS “D.” During the Saturday peak hour, all crosswalks operate at LOS “F” except the west crosswalk, which operates at LOS “E.”

The results indicate marginal impact for the analyzed crosswalks. The results of the analysis account for a peak surge of pedestrians during worst-case (i.e. a sold out stadium) conditions. During pre-game periods, normal traffic operations are expected to be adjusted and NYPD traffic enforcement officers are expected to manage the flow of pedestrians and traffic to help mitigate any pedestrian impacts and enhance safety. Therefore, the impact would not be significant and no mitigation is proposed for these crosswalks.

Similar to the No-Action conditions, the analyzed corners operate at LOS “D” or better during the weekday PM peak hour and at LOS “D” or better during the Saturday peak

hour, except the northwest crosswalk, which operates at LOS “E.” Therefore, there are no significant adverse impacts related to pedestrian activity.

#### Air Quality

Air quality analyses were conducted, following the procedures outlined in the New York City Environmental Quality Review (*CEQR*) *Technical Manual*, to determine whether the proposed action would result in violations of ambient air quality standards or health-related guideline values. The proposed action would not cause or exacerbate an exceedance of an air quality standard nor cause the exceedance of a significant adverse impact criterion. As such, the proposed action would not cause significant adverse air quality impacts.

##### Mobile Sources:

Mobile source air quality modeling analysis was performed for the 2008 Existing Conditions and 2018 Future with and without the Proposed Action for Non-Game Day conditions, and 2008 Existing Conditions and 2018 Future with and without the Proposed Action for Game Day conditions. The result of this analysis is that the mobile source impacts of the Proposed Action would not significantly impact local air quality levels

##### Garage Analysis:

For conservative purposes, this analysis assumes there will be a garage near Site 4 with 30,000 square feet floor area and 100 spaces, and that all 100 cars will be going in and out every hour over the peak 8-hour time period. Because the garage would be used almost exclusively by gasoline-powered automobiles and not diesel-fueled trucks, CO will be the only pollutant considered for this analysis. The result of this analysis is that emissions from the proposed garage would not cause significant air quality impacts.

##### Stationary Sources:

Emissions from the HVAC systems of the projected and potential developments may affect air quality levels at nearby existing land uses as well as at the other projected and potential developments. The impact of these HVAC emissions would be a function of fuel type, stack height, building size (gross floor area), and location of each emission source relative to a sensitive land use.

To preclude the potential for significant adverse air quality impacts, E-designations, shown on the table below, would be required on the Projected and Potential development sites. These “E” designations would specify the required stack set-back distance for fuel oil or the exclusive use of natural gas.

Block Number	Lot Number(s)	Set-Back Requirement
2421	1	14 feet from Development Site 6
2421	16, 17, 75	12 feet from Development Site J; 15 feet from Development Site 8; 12 feet from Development Site 6
2421	18	15 feet from Development Site 9; 12 feet from Development Site J
2421	20	12 feet from Development Site K; 11 feet from Development Site 8
2421	26	15 feet from Development Site 11
2421	27	13 feet from Development Site 10
2421	52-56	24 feet from Development Site K; 20 feet from Development Site 6
2421	50, 51	12 feet from Development Site J
2460	25	50 feet from Existing Building on Block 2443, Lot 170
2483	32, 68	35 feet from Development Site 2
2483	45	16 feet from Development Site 2
2484	33	26 feet from Development Site 1
2484	35	20 feet from Development Site A; 16 feet from Development Site 1

With the E-designations in place, the potential impacts from projected and potential development sites heating systems would not exceed the applicable NAAQS and would have no potential significant adverse environmental impacts on air quality.

##### Industrial Sources:

The proposed action would allow development of residential uses within existing manufacturing and industrial zones. As such, emissions of toxic pollutants from the operation of existing industrial emission sources might affect proposed residential uses. An analysis was therefore conducted to determine whether the impacts of these emissions would be significant. Data necessary to perform this analysis, which include facility type, source identification and location, pollutant emission rates, and exhaust stack parameters, were obtained from regulatory agencies (e.g., from existing air permits). All existing industrial facilities located within 400 feet of the rezoning area that are permitted to exhaust toxic pollutants were considered in this analysis. The result of this analysis is that no exceedance of either the NYSDEC SGC or AGC acceptable limits or EPA’s incremental risk threshold limit is predicted. Therefore, no significant adverse impact

related to industrial sources is expected. Therefore, the proposed action is not expected to have a significant adverse impact related to air quality.

**Noise**

The proposed action would introduce new residential and community facility uses in area occupied by residential and commercial land uses. As discussed above, as part of the proposed action, (E) designations would be placed on the zoning map for all projected and potential development sites where there is the potential for significant adverse noise impacts. Residential development on lots mapped with an (E) designation would be required to provide sufficient noise attenuation to maintain interior noise levels of 45 dBA or lower. The table below lists the "E" designations for each projected and potential development site.

Required Window Attenuation for Each Projected and Potential Developmental Site															
30 dBA	Projected Sites		Potential Sites		35dBA	Projected Sites		Potential Sites		40 dBA	Projected Sites		Potential Sites		45 dBA
	Block	Lot	Block	Lot		Block	Lot	Block	Lot		Block	Lot	Block	Lot	
	2443	90	2459	46	2421	1	2421	50	2421	2483	34	2483	32	2483	5
	2443	94	2459	49	2421	16	2421	51	2421	2483	40	2483	68		
			2459	50	2421	17	2421	52	2421	2484	5				
			2459	53	2421	18	2421	53	2421	2484	9				
			2459	54	2421	20	2421	54							
			2460	25	2421	26	2421	55							
			2474	40	2421	27	2421	56							
			2483	44	2421	57	2484	33							
			2483	45	2421	75									
			2484	35											

To achieve 40 dBA or 45 dBA of building attenuation, special design features that go beyond the normal double-glazed windows are necessary and may include using specially designed windows (i.e., windows with small sizes, windows with air gaps, windows with thicker glazing, etc.), and additional building attenuation. The required degree of window/wall attenuation would require added project costs and could limit the range of design options. The City has not made any determination that cost-effective attenuation measures are available for these sites.

With the E-designations in place, the proposed actions are not expected to result in significant adverse impacts related to noise.

**Public Health**

Based on a preliminary screening analysis in accordance with the CEQR Technical Manual guidelines, it was determined that a full assessment of the proposed action's potential impacts on public health is not necessary and that no significant adverse impacts are expected as a result of the proposed action.

**Alternatives**

This EIS considers three alternatives to the proposed action, to examine reasonable and practicable options that avoid or reduce action-related significant adverse impacts and may still allow for the achievement of the stated goals and objectives of the proposed action.

**No-Action Alternative**

The No-Action Alternative (i.e., As-of-Right Alternative) examines future conditions within the proposed rezoning area assuming the absence of the proposed action. This alternative provides a baseline for the evaluation of impacts associated with the proposed action. While background and other planned growth in the E. 161st Street area would occur under the No-Action Condition Alternative and result in some new impacts over existing conditions, the same action-generated impacts that occur under the Proposed Action would generally not occur under the No-Action Alternative. However, the benefits expected from the proposed action on the area would not be realized under this alternative. The No-Action Alternative would fall significantly short of the objectives of the proposed action in sustaining the ongoing revitalization of 161st Street, and encouraging and guiding new mixed-use development while preserving areas of the corridor. The Proposed Action builds on a number of recent public and private investments, which the No-Action Condition Alternative would not generate such advantages. The Proposed Action would foster mixed-use, residential, and commercial development compatible with development trends and ongoing commercial and residential investments in the area, and would add to the vitality of the street life in the area by increasing the residential population and encouraging ground floor retail uses. Such benefits would generally not occur under the No-Action Condition Alternative.

**No-Impact Alternative**

To avoid the significant adverse impacts to traffic and pedestrian conditions, this alternative would require a substantial reduction in the total number of dwelling units within the proposed rezoning area. Incremental development would be scaled back approximately 90 percent, which would result in a total of 89 total DUs on the projected development sites, as compared to the projected 894 total DUs with the proposed action. This alternative would limit development to a net increase of approximately 59 units over No-Action Conditions, which would be 535 less units than the proposed action's 594 DU net increase increment in development. With the limited amount of residential development, far fewer sites would be developed.

**Lesser Density Alternative**

The lower density alternative will examine a planning scenario where each of the three proposed rezoning areas has a reduced density and in one case a more limited set of allowed uses. The development scenario for the Lesser Density Alternative contains the same projected and potential development sites as for the proposed action. Due to the lower densities, this alternative would generate fewer dwelling units and less commercial floor area than the proposed action. Compared to the proposed action, the Lesser Density Alternative would result in the creation of 266 fewer residential dwelling units, including 23 fewer affordable residential units. When compared to the proposed action, the Lesser Density Alternative would result in 225,414 sf less commercial office floor area and 232 sf less commercial retail floor area. Despite the reduction in residential units, including affordable units, and reduction in commercial space, the analysis shows the same number and types of significant adverse impacts as the proposed action.

The Lesser Density Alternative would have effects similar to those of the Proposed Action. Potential significant adverse impacts to Traffic expected under the Lesser Density Alternative would be mitigated through the mitigation measures implemented similarly to the proposed action. In addition, unmitigated traffic impacts identified as a result of the proposed action scenario would continue to be unmitigable under the Lesser Density Alternative. However, the Lesser Density Alternative would produce less housing, including affordable housing, and less commercial space than the proposed action, without eliminating any of the significant adverse impacts.

**Mitigation**

**Traffic and Parking**

During non-game day conditions, the proposed action is expected to result in significant adverse traffic impacts at four intersections during the weekday AM peak hour, five intersections during the weekday PM peak hour, and two intersections during the Saturday midday peak hour. During game day conditions, the proposed action is expected to result in significant adverse traffic impacts at five intersections during the weekday PM peak hour and one intersection during the Saturday midday peak hour. A traffic mitigation plan was therefore developed to address these impacts. However, traffic analyses indicate that there is no spare capacity at the East 149th Street at River Avenue/Exterior Street/ MDE (I-87) Northbound Off-Ramp.

The following proposed mitigation measures would off-set those impacts identified in chapter 3.3, "Traffic and Parking":

- E. 161st Street S. Service Road at Gerard Avenue – Re-allocate one (1) second of green time from the eastbound phase to the northbound phase during the weekday PM peak period.
- E. 161st Street S. Service Road at Grand Concourse – Re-allocate two (2) seconds of green time from the eastbound phase to the northbound-southbound phase during the weekday PM peak period.
- E. 161st Street at Concourse Village East/Morris Avenue
  - Prohibit on-street parking along Concourse Village East northbound approach to accommodate one additional northbound lane. This prohibition should extend for a distance of approximately 150 feet south of E. 161st Street. This change would result in the loss of approximately six (6) existing parking spaces along Concourse Village East northbound approach.
  - Restripe Concourse Village East northbound approach to two (2) 10.5-foot wide lanes.
  - Re-allocate six (6) seconds of green time from the northbound phase to the eastbound-westbound phase during the weekday AM, midday, and PM peak periods.
- E. 161st Street at Park Avenue East and West – Re-allocate two (2) seconds of green time from the eastbound-westbound phase to the northbound-southbound phase during the weekday AM and midday peak periods.
- E. 161st Street at Melrose Avenue
  - Prohibit on-street parking along Melrose Avenue northbound approach to accommodate the northbound left-turns in a separate lane. This prohibition should extend for a distance of approximately 150 feet south of E. 161st Street. This change would result in the loss of approximately six (6) existing parking spaces along Melrose Avenue northbound approach.
  - Restripe Melrose Avenue northbound approach to a 11-foot wide, 100-foot long left-turn bay and a 13-foot wide through-right-turn lane;
  - Re-allocate four (4) seconds of green time from the northbound-southbound phase to the eastbound-westbound phase during the weekday AM and PM peak periods.

- Macombs Dam Bridge at Major Deegan Expressway (I-87) Southbound Ramps – Re-allocate one (1) second of green time from the southbound phase to the westbound left-turn movement lead phase during the weekday AM and PM and Saturday midday peak periods.

**Unavoidable Adverse Impacts**

Unavoidable adverse impacts occur when a proposed action would result in significant adverse impacts for which there are no reasonably practicable mitigation measures, and for which there are no reasonable alternatives.

During non-game day conditions, the proposed action is expected to result in significant adverse traffic impacts at four intersections during the weekday AM peak hour, five intersections during the weekday PM peak hour, and two intersections during the Saturday midday peak hour. During game day conditions, the proposed action is expected to result in significant adverse traffic impacts at five intersections during the weekday PM peak hour and one intersection during the Saturday midday peak hour.

The proposed mitigation measures described in Chapter 3.8, ("Mitigation") would mitigate all of the operational impacts associated with the proposed action, with the exception of the following intersections where unmitigated impacts would remain under the Action condition:

- E. 149th Street at River Avenue/Exterior Street/ MDE (I-87) Northbound Off-Ramp. Despite the improved geometry and widening proposed by the Gateway Center at Bronx Terminal Market EIS, which are discussed in Chapter 3.3 (Traffic and Parking), significant traffic impacts remain which are identified below:
  - E. 149th Street westbound left-turn movement during the weekday PM peak hour
  - Exterior Street northbound left-turn movement during the weekday PM peak hour
  - MDE northbound off-ramp during the Saturday midday peak hour

Traffic analyses indicate that any mitigation favoring any one of the above impacted movements would inevitably cause new impacts on one of the other movements. In other words, there is no spare capacity at the above intersection in the Future Action condition.

James P. Merani, R.A., Deputy Director  
Environmental Assessment and Review Division  
New York City Department of City Planning

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**CITY PLANNING**

**NOTICE**

**REVISED NEGATIVE DECLARATION**

Supersedes Negative Declaration issued on June 1, 2009

<b>Project Identification</b>	<b>Lead Agency</b>
470 Vanderbilt Avenue	City Planning Commission
CEQR No. 09DCP081K	22 Reade Street
ULURP No. C090441ZMK	New York, NY 10007
N090442ZRY; C09043ZSK	Contact: Robert Dobruskin
Brooklyn, Community District 2	(212) 720-3423
SEQRA Classification: Type I	

**Name, Description and Location of Proposal:**

**470 Vanderbilt Avenue Rezoning**

The applicant, Atara Vanderbilt LLC is seeking a special permit for a zoning map amendment, zoning text amendment, and special permit to facilitate the renovation and expansion of an existing commercial building and the development of a new predominantly residential building with retail and community facility use on a 2.9 acre site located at 470 Vanderbilt Avenue (Block 2009, all lots), in the Fort Greene neighborhood of Community District 2, Brooklyn. The project site consists of the block bounded by Fulton Street, Vanderbilt Avenue, Clermont Avenue, and Atlantic Avenue, and is currently zoned M1-1 and R6/C2-3. The site is currently developed with a 7- to 10-story, mostly vacant 565,700 square foot Use Group 6D telecommunication facility, and an accessory surface parking lot.

The proposed actions would facilitate a proposal by the applicant to renovate and expand the existing building for office and retail uses, and to construct a new residential building with retail and community facility use on the site of the current parking lot. The renovated and expanded commercial building is expected to contain up to 562,604 square feet of office use on floors 2 through 10, and up to 81,075 square feet of retail use to be located on the building's ground floor. The renovation of the building would include the filling in of inner courtyards on the building's lower floors, adding up to 18,500 square feet of commercial floor area and resulting in a total building size of 584,197 square feet. The new mixed residential building is expected to contain up to 321,795 square feet of floor area, consisting of up to 376 dwelling units, of which up to 90 dwelling units would be affordable under the City's Inclusionary Housing program; 33,638 square feet of retail uses; and approximately 397 accessory parking spaces. In total, commercial uses on the project site would consist of 562,604 square feet of office space and 114,713 square feet of retail space. It is expected that the proposed project would be constructed and occupied by 2011.

Absent the proposed actions, the existing building on the project site would be renovated and occupied by 538,955 square feet of office space and approximately 75,600 square feet of retail uses, and the existing parking lot would be redeveloped with a mixed-use building containing approximately 85 market-rate dwelling units; 17,343 square feet of retail space; 2,000 square feet of community facility (medical office) space; and 302 accessory parking spaces.

Therefore, compared to conditions absent the proposed actions, there would be a net increase of 291 dwelling units, including a total of 90 affordable units under the Inclusionary Housing Program; 21,770 square feet of retail space; 851 square feet of office space; and 302 accessory parking spaces; and a net decrease of 2,000 square feet of community facility space.

The proposed discretionary approvals from the City Planning Commission (CPC) are as follows: a zoning map amendment to rezone Block 2009 from an M1-1 and R6/C2-3 district to a C6-3A district; a zoning text amendment to Zoning Resolution Section 23-922(e) to add Block 2009 to those areas in which the Inclusionary Housing Program would be applicable; and a special permit pursuant to Zoning Resolution (ZR) Section 74-743 for a General Large-Scale Development to permit the modification of lot coverage requirements, streetwall location requirements, and inner court recess requirements. In addition, the applicant may be seeking discretionary financing from NYC HPD and NYC HDC in connection with the residential component of the project.

Absent the proposed actions, the existing building on the project site would be redeveloped as an as-of-right M1-1 mixed-use building with 538,955 sq ft of commercial use and 75,600 sq ft of commercial retail uses. The existing accessory parking facility would be developed with a mixed-use building of approximately 83,000 sq feet of residential use (85 units), 17,343 sq feet of ground floor commercial retail, 2,000 sq feet of community facility and an accessory below-grade parking facility for approximately 302 spaces. The building would rise to five stories of 60 feet along Fulton Street before the sixth floor setback, which would rise to a total building height of 70 feet.

To avoid the potential for significant adverse impacts related to hazardous materials, the applicant has entered into a restrictive declaration which requires that Phase II testing and remediation if warranted be performed. In addition, the project's approvals will include an additional restrictive declaration governing stationary source air quality, noise, use and bulk of the project. To avoid the potential for significant adverse impacts related to stationary source air quality and noise, the restrictive declaration will govern stack location and window-wall attenuation requirements.

On June 1, 2009, the City Planning Commission issued a Negative Declaration for the above referenced proposal. On August 10th, 2009, the applicant submitted a revised ULURP application (No. C090441ZMK; N090442ZRY; C09043ZSK) which includes revised drawings and illustrative site plans, in connection with an option under consideration by the applicant to lease approximately 60,000 gross square feet of space on portions of the first, second and third floors of the existing building to two schools (Use Group 3A). No modifications to the proposed actions are being sought. Each facility would have separate entrances; one on the east side of Clermont Avenue and the other on the west side of Vanderbilt Avenue. Similar to the original proposal, the community facility proposal would be subject to a restrictive declaration governing stack location, window-wall attenuation and restrictions on the use and bulk of the project. However, in order to avoid the potential for significant adverse impacts related to stationary source air quality and noise under this proposal, slightly modified stack location and window-wall attenuation requirements will be necessary and are outlined below in the supporting statement.

This application supersedes an earlier application, CEQR No. 09DCP044K, which was withdrawn March 13th, 2009.

#### Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated April 17th 2009 and revised August 14th, 2009 prepared in connection with the ULURP Application (Nos. C090441ZMK; N090442ZRY; C09043ZSK) revised August 10th, 2009. The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

#### Supporting Statements:

- On May 26th 2009 the applicant entered into a restrictive declaration with the Department of Environmental Protection (DEP) which requires that the applicant (and any future owner) undertake testing and sampling protocol to remediate any hazardous materials to the satisfaction of the DEP prior to the issuance of any building permit. Should the testing identify any significant hazardous materials issues requiring remediation, the restrictive declaration would obligate the applicant to perform the remediation work recommended by DEP. Pursuant to a letter from the DEP dated May 29th 2009, the DEP is in receipt of a signed copy of a DEP- approved restrictive declaration with proof of recording for the site. Accordingly, no significant adverse impact associated with the presence of hazardous materials on the project site is expected.
- The applicant has agreed to enter into a restrictive declaration governing station source air quality, noise, use and bulk.
- The restrictive declaration requires that the HVAC system serving the Existing Building shall burn natural gas exclusively. If the Existing Building is occupied only by commercial uses its exhaust stack or stacks shall be located a minimum of 115 feet from the New Building or any As-of-Right Building. If the Existing Building is occupied by community facility uses its exhaust stack or stacks shall be located a minimum of 120 feet from the New Building or any As-of-Right Building. In either case, no air intakes or operable windows shall be located along the western and southern facades of the portion of the Existing Building that is above such exhaust stack. Accordingly, no significant

adverse impacts associated with air quality on the project site are expected.

- The restrictive declaration will also govern noise attenuation requirements. As detailed in Attachment K, "Noise," for the existing commercial building, these include attenuation of 20 dBA on the west façade, 25 dBA on the north façade and 30 dBA on both the south and east facades. The proposed residential building will require noise attenuation of 25 dBA, 30 dBA, and 35 dBA on the west, north and east façades, respectively. For a community facility development scenario, the required noise attenuation levels differ for the existing building. For the existing building utilizing community facility use, these include attenuation of 30 dBA on the west façade, 30 dBA on the north façade and 35 dBA on both the south and east facades. For the existing building utilizing commercial use, these include attenuation of 25 dBA on the west façade, 25 dBA on the north façade and 30 dBA on both the south and east facades. Accordingly, no significant adverse impacts associated with noise are expected.
- Additionally, the restrictive declaration will restrict the project's use and bulk as part of the proposed actions. The restrictive declaration would limit the maximum development to a 6.5 floor area ratio (FAR), except through the provision of lower income housing pursuant to the Inclusionary Housing Program, which would allow increase to a 7.13 FAR; the maximum street wall height and building height of the new building; the maximum number of accessory parking spaces at 397; the maximum aggregate zoning floor area of certain retail uses; and would not allow residential uses in the existing 470 Vanderbilt Avenue building.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Justin Jarboe at 212-720-3567

#### ENVIRONMENTAL ASSESSMENT AND REVIEW

##### NEGATIVE DECLARATION

<b>Project Identification</b>	<b>Lead Agency</b>
<b>161 West 78th Street</b>	City Planning Commission
CEQR No. 10DCP005M	22 Reade Street
ULURP Nos. 100012ZSM	New York, NY 10007
Manhattan, Community District 7	Contact: Robert Dobruskin
SEQRA Classification: Type I	(212) 720-3423

#### Name, Description and Location of Proposal:

**161 West 78th Street**  
The applicant, 161 West 78th St LLC, is seeking a Special Permit pursuant to Section 74-711 of the Zoning Resolution to facilitate the construction of a 694 square foot rooftop addition to a contributing building to a New York City Landmark Historic District. The special permit would request that the City Planning Commission waive the provisions of ZR Section 23-692, which would limit any building enlargement to a height of 60 feet. The project site is located at 161 West 78th Street (Block 1150, Lot 7), on the north side of West 78th Street between Amsterdam and Columbus Avenues, in Manhattan, Community District 7.

The project site is located within the Upper West Side/Central Park West Historic District, a New York City Landmark Historic District that has been determined eligible for listing on the State and National Registers of Historic Places. The project site is within an R8B district (medium density residential), and a C2-7 district is located along Amsterdam Avenue. The project site contains a five-story residential brownstone, which was formerly occupied by a multi-unit site Single Room Occupancy (SRO) that has been converted to a single-family residence. Approximately 479 square feet of as-of-right additions were recently completed on the project site. These as-of-right additions included the removal of 397 square feet of the building's rear yard extension on the basement through second floors and the construction of approximately 876 square feet of residential space onto the rear of the building's basement though third floors, and the construction of 8'-5"-foot-tall stair bulkhead on the roof of the project site. The construction of the stair bulkhead on a portion of the roof raised the height of the building to approximately 65 feet.

Under the proposed action, the existing five-story brownstone at 161 West 78th Street would be enlarged with a 694 square foot rooftop addition. The proposed rooftop addition would rise 11 feet above the building's existing roof (13 feet to the top of the skylight), and on portions of the roof where the as-of-right stair bulkhead is located, the rooftop addition would rise approximately two feet above the stair bulkhead (four feet where the skylight is located). The rooftop addition would be set back approximately 15 feet from the building's front façade and three feet from the building's rear façade, and would contain a sunroom and guest room. The build year for the proposed action is 2010.

Absent the proposed action, the project site will remain in its current condition with the recently completed as-of-right additions.

#### Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated August 14, 2009, prepared in connection with the ULURP Application (100012ZSM). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

#### Supporting Statement:

The above determination is based on an environmental assessment which finds that no significant effects on the environment which would require an Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Celeste Evans at (212) 720-3321.

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#### 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 August 24, 2009, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:**

Damage Parcel No.	Block	Lot
1	6897	35

Acquired in the proceeding, entitled: ULMER PARK BRANCH LIBRARY subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

William C. Thompson, Jr.  
Comptroller

a10-21

**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 August 28, 2009, to person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:**

Damage Parcel No.	Block	Lot
16	146	41
17	146	42

Acquired in the proceeding, entitled: FIFTH AMENDED BROOKLYN CENTER U.R.P. 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.

William C. Thompson, Jr.  
Comptroller

a14-27

**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 9/1/09 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:**

Damage Parcel No.	Block	Lot
11	146	17
13	146	34
14	146	35
15	146	36

Acquired in the proceeding, entitled: FIFTH AMENDED BROOKLYN CENTER URBAN RENEWAL PLAN, 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.

William C. Thompson, Jr.  
Comptroller

a18-s1

**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 August 19, 2009, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:**

Damage Parcel No.	Block	Lot
10	146	16

Acquired in the proceeding, entitled: FIFTH AMENDED BROOKLYN CENTER URBAN RENEWAL PLAN, 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.

William C. Thompson, Jr.  
Comptroller

a5-19

#### HOUSING PRESERVATION & DEVELOPMENT

##### NOTICE

#### OFFICE OF PRESERVATION SERVICES CERTIFICATION OF NO HARASSMENT UNIT

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

DATE OF NOTICE: August 10, 2009

TO: OCCUPANTS, FORMER OCCUPANTS AND  
OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
254 West 135th Street, Manhattan	58/09	July 7, 2006 to Present
237 West 123rd Street, Manhattan	60/09	July 14, 2006 to Present
265 West 131st Street, Manhattan	61/09	July 15, 2006 to Present
136 Manhattan Avenue, Manhattan	63/09	July 16, 2006 to Present
282 West 127th Street, Manhattan	65/09	July 21, 2006 to Present
343 West 20th Street, Manhattan	66/09	July 22, 2006 to Present
132 West 130th Street, Manhattan	67/09	July 28, 2006 to Present
10 Hancock Street, Brooklyn	59/09	July 13, 2006 to Present
159 Herkimer Street, Brooklyn	64/09	July 21, 2006 to Present

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

Comments as to whether harassment has occurred at the premises should be submitted to the Anti-Harassment Unit, 100 Gold Street, 3rd Floor, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same

period. To schedule an appointment for an in-person statement please call (212) 863-8272.

a10-19

**OFFICE OF PRESERVATION SERVICES  
CERTIFICATION OF NO HARASSMENT UNIT**

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

**DATE OF NOTICE:** August 10, 2009  
**TO:** OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
457 West 47th Street, Manhattan	62/09	September 5, 1973 to Present

Prior to the issuance of a permit by the Department of Buildings for the alteration or demolition of residential buildings in certain areas of the **Special Clinton District**, the Department of Housing Preservation and Development is required to certify that: 1) prior to evicting or otherwise terminating the occupancy of any tenant preparatory to

alteration or demolition, the owner shall have notified HPD of the owner's intention to alter or demolish the building and 2) the eviction and relocation practices followed by the owner of the building satisfy all applicable legal requirements and that no harassment has occurred.

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

HPD requests that if you have any comments or evidence of unlawful eviction and relocation practices or harassment occurring at the above referenced premises that you notify the Anti-Harassment Unit, 3rd Floor, 100 Gold Street, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement please call (212) 863-8272.

a10-19

**CHANGES IN PERSONNEL**

DEPARTMENT OF EDUCATION ADMIN  
FOR PERIOD ENDING 07/10/09

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
LEWIS	RENEE J	50910	\$54,790.00	APPOINTED	YES	06/29/09
LEWIS	ROSETTA I	50910	\$47,870.00	APPOINTED	YES	06/29/09
LEWIS	SHERILL	06217	\$54,880.00	APPOINTED	YES	06/29/09
LEWIS - BRANCH	SHERRY	50910	\$52,650.00	APPOINTED	YES	06/29/09
LEYTMAN	ENNA	06217	\$55,920.00	APPOINTED	YES	06/29/09
LEYVA	ELIGIO	06219	\$52,290.00	APPOINTED	YES	06/29/09
LI	FENGXIA	50910	\$47,900.00	APPOINTED	YES	06/29/09
LIBMAN	MICHELLE A	06217	\$55,920.00	APPOINTED	YES	06/29/09
LICARI	ROBERT	06219	\$55,920.00	APPOINTED	YES	06/29/09
LIEBERSTEIN	MICHAEL I	06219	\$54,880.00	APPOINTED	YES	06/29/09
LIGAN	JANET	06219	\$53,900.00	APPOINTED	YES	06/29/09
LIM	ANTHONY	06219	\$52,350.00	APPOINTED	YES	06/29/09
LIM	HAYDEE	06219	\$53,900.00	APPOINTED	YES	06/29/09
LIN	CHIA JUN	06219	\$54,940.00	APPOINTED	YES	06/29/09
LIN	CHIA YU	50910	\$47,390.00	APPOINTED	YES	06/29/09
LIN	DEBORAH	06217	\$55,180.00	APPOINTED	YES	06/29/09
LIN	HUEY YIN C	5124A	\$51,790.00	APPOINTED	YES	06/29/09
LINCOLN	NANCY M	06217	\$59,880.00	APPOINTED	YES	06/29/09
LIND	PATRICIA A	50910	\$54,770.00	APPOINTED	YES	06/29/09
LINO	JANNAY	50910	\$50,080.00	APPOINTED	YES	06/29/09
LISZKAY	EVA	06217	\$52,870.00	APPOINTED	YES	06/29/09
LO	ELAINE	06218	\$48,400.00	APPOINTED	YES	06/29/09
LOEBEL BERTONI	ALISON H	06219	\$54,940.00	APPOINTED	YES	06/29/09
LOEBL	JUDITH	06219	\$54,190.00	APPOINTED	YES	06/29/09
LOMBARDO	SUSAN	50910	\$50,080.00	APPOINTED	YES	06/29/09
LONG	BRENDA	50910	\$46,670.00	APPOINTED	YES	06/29/09
LONGARZO	GREGORY	06217	\$52,220.00	APPOINTED	YES	06/29/09
LONGAME	LIEZL	06219	\$52,290.00	APPOINTED	YES	06/29/09
LOPES	CHRISTIN	06219	\$53,910.00	APPOINTED	YES	06/29/09
LOPES	SHANE	06217	\$55,920.00	APPOINTED	YES	06/29/09
LOPEZ	EILEEN	06216	\$48,400.00	APPOINTED	YES	06/29/09
LORENZO	CATHERIN	50910	\$50,080.00	APPOINTED	YES	06/29/09
LOSARDO	DANIELA	06219	\$53,330.00	APPOINTED	YES	06/29/09
LOUIE	WENDY	06217	\$51,180.00	APPOINTED	YES	06/29/09
LOUIS	LUDOVIC	50910	\$47,730.00	APPOINTED	YES	06/29/09
LOWENTHAL	JOANNA D	06218	\$47,280.00	APPOINTED	YES	06/29/09
LU	MICHAEL	06219	\$54,940.00	APPOINTED	YES	06/29/09
LUBALIN	STEPHANI A	5124A	\$53,820.00	APPOINTED	YES	06/29/09
LUCERO	LEILA J	06217	\$55,630.00	APPOINTED	YES	06/29/09
LUDIN	BRYAN	06217	\$55,920.00	APPOINTED	YES	06/29/09
LUDWIKOWSKI	HELENA	06219	\$55,920.00	APPOINTED	YES	06/29/09
LUGAY	LIRA PAZ Z	06219	\$53,900.00	APPOINTED	YES	06/29/09
LUMBA	RODOLFO P	12202	\$70098.0000	RETIRED	YES	06/28/09
LUMUMBA	ASSATA	06216	\$48,400.00	APPOINTED	YES	06/29/09
LUNA	MARIA	06219	\$58,840.00	APPOINTED	YES	06/29/09
LUSARIA	CELESTIA	50910	\$50,870.00	APPOINTED	YES	06/29/09
LY	HUONG	50910	\$52,810.00	APPOINTED	YES	06/29/09
LYNAH	AARON	50910	\$50,040.00	APPOINTED	YES	06/29/09
LYNCH	CHRISTIN E	06217	\$53,910.00	APPOINTED	YES	06/29/09
MA	JOYCE	06217	\$53,900.00	APPOINTED	YES	06/29/09
MAAS	CHRISTEN B	06217	\$53,170.00	APPOINTED	YES	06/29/09
MACDUFFIE	LAUREN	06217	\$54,880.00	APPOINTED	YES	06/29/09
MADIGAN	KATHLEEN	06219	\$54,500.00	APPOINTED	YES	06/29/09
MADRID	MARIA	06219	\$54,940.00	APPOINTED	YES	06/29/09
MAGEE	ARLETTE L	50910	\$53,250.00	APPOINTED	YES	06/29/09
MAGEROS	MARIA	06217	\$54,940.00	APPOINTED	YES	06/29/09
MAGILL	KATHRYN L	06216	\$47,280.00	APPOINTED	YES	06/29/09
MAGNO	JANUARY A	06216	\$47,280.00	APPOINTED	YES	06/29/09
MAGRIPLES	EMANUEL N	06213	\$176,960.00	RETIRED	NO	01/01/00
MAGRO	JESSICA	06219	\$55,920.00	APPOINTED	YES	06/29/09
MAHARAM	MARCIA J	50910	\$48,980.00	APPOINTED	YES	06/29/09
MAHER	TERESA A	06217	\$56,870.00	APPOINTED	YES	06/29/09
MAHMOUD	NEVIN	06219	\$53,460.00	APPOINTED	YES	06/29/09
MAHON	ELIZABET A	06217	\$50,070.00	APPOINTED	YES	06/29/09
MAI	XIANG YI	06216	\$49,510.00	APPOINTED	YES	06/29/09
MAK	EUNICE	06217	\$53,330.00	APPOINTED	YES	06/29/09
MALDARI	FRANCIS	50910	\$52,780.00	APPOINTED	YES	06/29/09
MALDONADO	YARITZA	06218	\$48,400.00	APPOINTED	YES	06/29/09
MALIK	FAREEN	06219	\$55,250.00	APPOINTED	YES	06/29/09
MALLETTE	SANDRA	50910	\$49,270.00	APPOINTED	YES	06/29/09
MALVINO	LARAINÉ	06219	\$52,290.00	APPOINTED	YES	06/29/09
MAMANI	ANDREA	06219	\$53,910.00	APPOINTED	YES	06/29/09
MANCHESTER CONR	MICHELE	06219	\$55,180.00	APPOINTED	YES	06/29/09
MANGAL	HEMANSU R	06218	\$47,280.00	APPOINTED	YES	06/29/09
MANGANARO	KATHLEEN	06217	\$53,330.00	APPOINTED	YES	06/29/09
MANGANO	SALLYANN	06216	\$48,400.00	APPOINTED	YES	06/29/09
MANGO	LISA	06219	\$54,940.00	APPOINTED	YES	06/29/09
MANNINO	FRANCES	50910	\$47,870.00	APPOINTED	YES	06/29/09
MANSUKHANI	SHIRLEY	06219	\$50,650.00	APPOINTED	YES	06/29/09
MANUEL	JOYCE	06219	\$52,290.00	APPOINTED	YES	06/29/09
MAPESO	ANN ABIG	06219	\$52,870.00	APPOINTED	YES	06/29/09
MAPP DAVIS	SHARON R	50910	\$43,720.00	APPOINTED	YES	06/29/09
MARAJ	SAROJANI K	50910	\$52,780.00	APPOINTED	YES	06/29/09
MARANAN	JASON	06217	\$52,060.00	APPOINTED	YES	06/29/09
MARCON	FARRAH	06219	\$50,070.00	APPOINTED	YES	06/29/09
MARGULIES	JOY	50910	\$53,250.00	APPOINTED	YES	06/29/09
MARIN	ANNA I	50910	\$54,390.00	APPOINTED	YES	06/29/09
MARINO	ELAINE	06219	\$54,880.00	APPOINTED	YES	06/29/09
MARINO	JEANETTE	50910	\$56,990.00	APPOINTED	YES	06/29/09
MARINO	JOSEPH	06219	\$51,110.00	APPOINTED	YES	06/29/09
MARINO MURPHY	JOANNE	50910	\$50,080.00	APPOINTED	YES	06/29/09
MARKOVITZ	ELANA	06217	\$55,920.00	APPOINTED	YES	06/29/09
MAROTIERE	LOURDES M	06165	\$54,550.00	APPOINTED	YES	06/29/09
MARQUEZ	CLAUDIA	06217	\$53,910.00	APPOINTED	YES	06/29/09
MARQUEZ	LIEZEL	06217	\$53,170.00	APPOINTED	YES	06/29/09
MARRIOTT	ANDREW	06219	\$54,940.00	APPOINTED	YES	06/29/09
MARTIN	GLEN	5124A	\$53,540.00	APPOINTED	YES	06/29/09
MARTIN TYNDALL	ESTHER M	50910	\$51,670.00	APPOINTED	YES	06/29/09
MARTINEZ	CHRISTIN L	06219	\$54,940.00	APPOINTED	YES	06/29/09
MARZANO	MARY	50910	\$50,870.00	APPOINTED	YES	06/29/09
MASCOLO	DELINDA	06165	\$56,850.00	APPOINTED	YES	06/29/09
MASEFIELD	GINA	06219	\$53,910.00	APPOINTED	YES	06/29/09
MASKULI	KAREN	50910	\$46,670.00	APPOINTED	YES	06/29/09
MASONE	KATHLEEN M	50910	\$53,090.00	APPOINTED	YES	06/29/09
MASUR	EILA R	06217	\$53,460.00	APPOINTED	YES	06/29/09
MATCHEKOSKY	THERESA J	06217	\$54,940.00	APPOINTED	YES	06/29/09
MATHEW	ALEYAMMA	50910	\$52,780.00	APPOINTED	YES	06/29/09
MATHEW	ANISH P	06219	\$51,690.00	APPOINTED	YES	06/29/09
MATHEW	BIBI	06216	\$47,280.00	APPOINTED	YES	06/29/09
MATHEW	CECIL	06217	\$53,910.00	APPOINTED	YES	06/29/09
MATHEW	SHERIN C	06219	\$52,870.00	APPOINTED	YES	06/29/09
MATHEW	TESSY T	06219	\$53,910.00	APPOINTED	YES	06/29/09
MATHEWS	RUBY	06217	\$53,910.00	APPOINTED	YES	06/29/09
MATHIEU	MARIA	50910	\$46,670.00	APPOINTED	YES	06/29/09

MATKOVIC	ANNA	06219	\$51,770.00	APPOINTED	YES	06/29/09
MATRO	MYLENE	06219	\$53,170.00	APPOINTED	YES	06/29/09
MATUSZAK	EVA	06217	\$53,330.00	APPOINTED	YES	06/29/09
MATZELLE	STACIE B	06216	\$47,280.00	APPOINTED	YES	06/29/09
MAYMAN	IRINA	06216	\$47,280.00	APPOINTED	YES	06/29/09
MAZZELLA	ALYSSA	06217	\$54,940.00	APPOINTED	YES	06/29/09
MCCARTHY	ERIN	50910	\$45,850.00	APPOINTED	YES	06/29/09
MCCARTHY	MARY C	50910	\$55,470.00	APPOINTED	YES	06/29/09
MCCARTHY	NANCY	06216	\$48,470.00	APPOINTED	YES	06/29/09
MCCORMACK	SUSAN	50910	\$47,010.00	APPOINTED	YES	06/29/09
MCCOY	ANNA	50910	\$52,980.00	APPOINTED	YES	06/29/09
MCCRIMMON	ALICE	50910	\$54,770.00	APPOINTED	YES	06/29/09
MCDADE	NICOLE	50910	\$48,720.00	APPOINTED	YES	06/29/09
MCDONALD	JOHN	06217	\$55,920.00	APPOINTED	YES	06/29/09
MCDONNELL	LESLIE	06217	\$55,920.00	APPOINTED	YES	06/29/09
MCGARTY	KATHLEEN	50910	\$50,820.00	APPOINTED	YES	06/29/09
MCGLOIN	KATHRYN A	06219	\$51,110.00	APPOINTED	YES	06/29/09
MCGLOIN	TAMMIE	06217	\$53,460.00	APPOINTED	YES	06/29/09
MCGOWAN	MAYFIELD M	50910	\$45,940.00	APPOINTED	YES	06/29/09
MCGRATH	SARA	06217	\$54,940.00	APPOINTED	YES	06/29/09
MCGREGOR	DELSIE L	50910	\$51,130.00	INCREASE	YES	06/29/09
MCGUE	SYLVIA	06216	\$47,360.00	APPOINTED	YES	06/29/09
MCGUINNESS	ELLEN M	50910	\$51,710.00	APPOINTED	YES	06/29/09
MCINNIS	KIMBERLY S	06218	\$47,280.00	APPOINTED	YES	06/29/09
MCKAY	DONNET M	50910	\$48,980.00	APPOINTED	YES	06/29/09
MCKEEVER	NICOLETT S	06219	\$56,870.00	APPOINTED	YES	06/29/09
MCKENZIE	CAMILLE	06218	\$48,400.00	APPOINTED	YES	06/29/09
MCKENZIE	ROYELLE	06219	\$53,910.00	APPOINTED	YES	06/29/09
MCKIE	KAREN A	56057	\$37072.0000	APPOINTED	YES	05/12/09

## 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](http://www.comptroller.nyc.gov), click on Labor Law Schedules to view rates.

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

### CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

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

### VENDOR ENROLLMENT APPLICATION

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

- Online at <http://nyc.gov/selltonyc>

- To request a hardcopy application, call the Vendor Enrollment Center at (212) 857-1680.

### Attention Existing Suppliers:

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

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

### SELLING TO GOVERNMENT TRAINING WORKSHOP

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

### PRE-QUALIFIED LIST

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

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

### NON-MAYORAL ENTITIES

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

### PUBLIC ACCESS CENTER

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

### ATTENTION: NEW YORK CITY MINORITY AND WOMEN OWNED BUSINESS ENTERPRISES

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

### PROMPT PAYMENT

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

### PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City Website, <http://nyc.gov/selltonyc>

### COMMON ABBREVIATIONS USED IN THE CR

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

- AB ..... Acceptable Brands List
- AC ..... Accelerated Procurement
- AMT ..... Amount of Contract
- BL ..... Bidders List
- CSB ..... Competitive Sealed Bidding (including multi-step)
- CB/PQ ..... CB from Pre-qualified Vendor List
- CP ..... Competitive Sealed Proposal (including multi-step)
- CP/PQ ..... CP from Pre-qualified Vendor List
- CR ..... The City Record newspaper
- DA ..... Date bid/proposal documents available
- DUE ..... Bid/Proposal due date; bid opening date
- EM ..... Emergency Procurement
- IG ..... Intergovernmental Purchasing
- LBE ..... Locally Based Business Enterprise
- M/WBE ..... Minority/Women's Business Enterprise
- NA ..... Negotiated Acquisition
- NOTICE....Date Intent to Negotiate Notice was published in CR
- OLB.....Award to Other Than Lowest Responsible & Responsive Bidder/Proposer
- PIN.....Procurement Identification Number
- PPB ..... Procurement Policy Board
- PQ ..... Pre-qualified Vendors List
- RS.....Source required by state/federal law or grant
- SCE ..... Service Contract Short-Term Extension
- DP ..... Demonstration Project
- SS ..... Sole Source Procurement
- ST/FED ..... Subject to State &/or Federal requirements

### KEY TO METHODS OF SOURCE SELECTION

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

- CSB ..... **Competitive Sealed Bidding** (including multi-step)  
*Special Case Solicitations / Summary of Circumstances:*
- CP ..... **Competitive Sealed Proposal** (including multi-step)
- CP/1 ..... Specifications not sufficiently definite
- CP/2 ..... Judgement required in best interest of City
- CP/3 ..... Testing required to evaluate
- CB/PQ/4 ....
- CP/PQ/4 .... **CB or CP from Pre-qualified Vendor List/** Advance qualification screening needed
- DP ..... Demonstration Project
- SS ..... **Sole Source Procurement/**only one source
- RS.....Procurement from a Required Source/ST/FED
- NA.....Negotiated Acquisition  
*For ongoing construction project only:*
- NA/8 ..... Compelling programmatic needs

- NA/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
- WA ..... **Solicitation Based on Waiver/Summary of Circumstances** (Client Services/BSB or CP only)
- WA1 ..... Prevent loss of sudden outside funding
- WA2 ..... Existing contractor unavailable/immediate need
- WA3 ..... Unsuccessful efforts to contract/need continues
- IG ..... **Intergovernmental Purchasing** (award only)
- IG/F ..... Federal
- IG/S ..... State
- IG/O ..... Other
- EM ..... **Emergency Procurement** (award only) An unforeseen danger to:
- EM/A ..... Life
- EM/B ..... Safety
- EM/C ..... Property
- EM/D ..... A necessary service
- AC ..... **Accelerated Procurement/**markets with significant short-term price fluctuations
- SCE ..... **Service Contract Extension/**insufficient time; necessary service; fair price  
*Award to Other Than Lowest Responsible & Responsive Bidder or Proposer / Reason* (award only)
- OLB/a ..... anti-apartheid preference
- OLB/b ..... local vendor preference
- OLB/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.

☛ m27-30

ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN # 056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 am	Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.
<i>Use the following address unless otherwise specified in notice, to secure, examine-submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing giving contact information, or submit bid/information and Agency Contact address
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.
☛	Indicates New Ad
m27-30	Date that notice appears in City Record

### NUMBERED NOTES

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