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THE CITY RECORD **MICHAEL R. BLOOMBERG, Mayor**

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

STATEN ISLAND BOROUGH PRESIDENT

■ PUBLIC MEETING

Notice of Public Meeting, Wednesday, January 4, 2012, Staten Island Borough Board, Conference Room 122 at 5:30 P.M., Staten Island Borough Hall, Stuyvesant Place, Staten Island, New York 10301.

d28-j4

CITY PLANNING COMMISSION

■ PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE SCHEDULED FOR WEDNESDAY, JANUARY 4, 2012 STARTING AT 10:00 A.M. AT SPECTOR HALL, 22 READE STREET, NEW YORK, NEW YORK.

CITYWIDE
No. 1
E-DESIGNATION TEXT

Citywide N120090ZRY
IN THE MATTER OF an application submitted by the New York City Department of City Planning pursuant to Section 200 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to modify the provisions of Section 11-15 Environmental Requirements and related Sections.

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

11-15
Environmental Requirements

The designation (E), or an environmental restrictive declaration, where listed in Appendix C (CEQR Environmental Requirements), of this Resolution, indicates that environmental requirements pertaining to potential hazardous materials contamination, or noise or air quality impacts have been established which are incorporated into in connection with the provisions of a #zoning map# or text amendment or an action pursuant to this Resolution for one or more tax lots. The said Such environmental requirements are set forth in the City Environmental Quality Review (CEQR) Declaration determination related to such #zoning map# or text

amendment or action. ~~a specific #zoning map# amendment. In the case of a merger or subdivision of tax lots or #zoning lots# with an (E) designation, involving improved or unimproved properties, the (E) designation will apply to all portions of the property.~~

The CEQR Declarations determinations are on file with the designated lead agency and the Mayor's Office of Environmental Coordination (MOEC). A listing of such CEQR Declarations determinations and their related environmental requirements, entitled City Environmental Quality Review Declarations, is found within Appendix C of this Resolution, appended to the #zoning maps#. (E) designations and environmental restrictive declarations may only be removed from Appendix C or modified in accordance with the provisions of paragraph (c) of this Section.

In the case of a merger or subdivision of lots subject to an (E) designation or environmental restrictive declaration involving improved or unimproved properties, the environmental requirements, as applicable, shall apply to all portions of the merged lot or to each subdivided lot.

Upon application to the Mayor's Office of Environmental Remediation (OER) by the owner of the affected lot(s), OER may, with the consent of the lead agency, modify the environmental requirements set forth in a CEQR Determination based upon new information, additional facts or updated standards, as applicable, provided that such modifications are equally protective.

Tax lots with environmental requirements shall be subject to the following:

(a) Building permit conditions

Prior to issuing a building permit, or temporary or permanent certificate of occupancy, for ~~any~~ #development#, or for an #enlargement#, #extension# or a change of #use#, any of which involves a #residential# or a #community facility use#, or for an #enlargement# of a #building# for any #use# that involves a disturbance of the soil any of the types of construction listed in paragraphs (a)(1), (a)(2) or (a)(3) of this Section, on a tax lot that has an (E) designation or an environmental restrictive declaration related to ~~for potential~~ hazardous materials, noise, or air quality contamination, the Department of Buildings (DOB) shall be furnished with a ~~report from the~~ Department of Environmental Protection notice issued by (DEP OER) of the city of New York stating that the environmental requirements related to the (E) designation have been met for that lot OER does not object to the issuance of such building permit, or temporary or permanent certificate of occupancy, in accordance with the applicable rules of the City of New York ("OER Notice").

An (E) designation for potential hazardous material contamination may be satisfied and administratively removed from a #zoning map# through the following procedure:

(a) Satisfaction of requirements

The owner of any tax lot with an (E) designation for

potential hazardous material contamination may file, with the Department of City Planning, a report from DEP, or its successor agency, specifying that the environmental requirements relating to such designation have been satisfied regarding that lot. Upon receipt of such report, the Department of City Planning shall indicate such satisfaction as to that lot on the listing of (E) designations appended to the #zoning maps# of the Zoning Resolution.

(1) For hazardous materials:

(i) any #development#;

(ii) an #enlargement#, #extension# or change of #use#, any of which involves a #residential# or a #community facility use#; or

(iii) an #enlargement# or alteration of a #building# for any #use# that involves a disturbance of the soil;

(2) For air quality:

(i) any #development#;

(ii) an #enlargement#, #extension# or change of #use#; or

(iii) an alteration that involves ventilation or exhaust systems, including but not limited to stack relocation or vent replacement; or

(3) For noise:

(i) any #development#;

(ii) an #enlargement#, #extension# or change of #use#; or

(iii) an alteration that involves window or exterior wall relocation or replacement.

(b) Ongoing monitoring ~~Removal of (E) designation~~

The Department of City Planning shall administratively remove the (E) designation for a #zoning map# when all environmental requirements for potential hazardous material contamination have been met on all tax lots specified in the CEQR declaration.

In the event that it is indicated through a duly issued OER Notice that a tax lot that has an (E) designation or an environmental restrictive declaration requires ongoing monitoring, a declaration of covenants and restrictions governing the ongoing site management requirements shall be recorded against the subject tax lot in the Office of the City Register or, where applicable, in the County Clerk's Office in the County where the lot is located.

As a condition to its issuance of a temporary or final Certificate of Occupancy or granting of permit sign-off, if no Certificate of Occupancy is required, DOB shall be provided with proof that the ongoing monitoring declaration has been duly recorded. The recording information for the ongoing monitoring declaration shall be referenced on the first Certificate of Occupancy to be issued after such declaration is recorded, as well as all subsequent Certificates of Occupancy, for as long as the ongoing monitoring declaration remains in effect.

The Director of the Department of City Planning shall transmit notice of such satisfaction or removal of an (E) designation to the Department of Buildings, the OEC and the DEP.

(c) Completion of environmental requirements

Sunset provision

The DEP shall adopt rules pursuant to Chapter 45 of the Charter of the City of New York which shall establish:

- (1) standards for determining potential hazardous material contamination which, upon adoption, shall be utilized in determining whether or not an (E) designation shall be imposed on any tax lot; and
(2) testing and remediation standards and protocols for potential hazardous material contamination which, upon adoption, shall be utilized in determining whether or not the environmental requirements relating to such (E) designation(s) have been satisfied so as to warrant the removal of such designation.

The requirements for the adoption of rules set forth in paragraph (c) of this Section, inclusive, shall not be construed to prohibit either the imposition or the removal of an (E) designation, in accordance with law, prior to the adoption of such rules.

In the event that such rules are not adopted by DEP by July 1, 2001, the provisions of this Section as they relate to potential hazardous material contamination, except for underground gasoline storage tanks, shall lapse.

- (1) Removal of tax lots subject to an (E) designation or an environmental restrictive declaration from Appendix C

The Department of City Planning (DCP) shall administratively modify Appendix C after receiving a duly issued OER Notice, stating that the environmental requirements related to an (E) designation or contained in an environmental restrictive declaration related to potential hazardous materials, noise or air quality have been completed for or otherwise no longer apply to a tax lot or lots, such that:

- (i) no further testing, remediation or ongoing monitoring is required for hazardous materials contamination;
(ii) the noise generating source has been permanently eliminated; or
(iii) the emissions source related to air quality has been permanently eliminated.

- (2) Removal of (E) designation from Appendix C

DCP shall administratively remove an (E) designation from Appendix C when, in accordance with the provisions of paragraph (c)(1) of this Section, the environmental requirements for all tax lots subject to the (E) designation have been completed.

- (3) Cancellation of environmental restrictive declaration and modification of Appendix C

DCP shall administratively remove an environmental restrictive declaration from Appendix C when, in accordance with the provisions of paragraph (c)(1) of this Section, the environmental requirements contained in such environmental restrictive declaration have been completed for all tax lots and a Notice of Cancellation of the environmental restrictive declaration has been duly recorded against the subject tax lots in the Office of the City Register or, where applicable, in the County Clerk's Office in the County where the lots are located.

- (4) Notification

DCP shall notify DOB, MOEC and OER in the event that modifications to Appendix C are made.

(d) Notice provision

The City Planning Commission shall adopt rules pursuant to Chapter 45 of the Charter of the City of New York which shall require the lead agency, as defined in 6 N.Y.C.R.R., Part 617, and Executive Order 91 of 1977, as amended, to provide notification of a proposed (E) designation to the owner(s) of the property to be so designated not less than 60 days prior to such designation.

The provisions of this Section 11-15 shall apply to all (E) designations and environmental restrictive declarations, notwithstanding the date such environmental requirements were established.

11-151 Special requirements for properties in the Borough of Queens

- (a) Block 9898, Lots 1 and 117, in the Borough of

Queens, shall be subject to the provisions of Section 11-15 (Environmental Requirements) governing (E) designations. The City Environmental Quality Review (CEQR) Declarations for these sites shall be listed in APPENDIX C (City Environmental Quality Review (CEQR) Environmental Designations Requirements) of the Zoning Resolution.

- (b) The following special requirements shall apply to a #development#, #enlargement# or change of #use# for properties in the Borough of Queens located within the areas described in paragraphs (1) through (5) of this paragraph, (b):

* * *

However, in the event that the Chairperson of the City Planning Commission, based on consultation with the Department of Environmental Protection of the City of New York, provides a certificate of no effect to the Department of Buildings with regard to industrial air emissions for an area described in this Section paragraph (b), the regulations of the zoning districts designated on the #zoning map# shall apply to any #development#, #enlargement# or change of #use# within such area, to the extent permitted under the terms of the certificate of no effect.

* * *

86-04 Applicability of Article I

Within the #Special Forest Hills District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection (DEP) of the City of New York stating:

- (a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
(b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

* * *

87-04 Applicability of Article I, Chapter 1

Within the #Special Harlem River Waterfront District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York stating:

- (a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
(b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

87-05 04 Applicability of Article VI, Chapter 2

* * *

87-06 05 Modification of Use and Bulk Regulations for Parcels Containing Newly Mapped Streets

* * *

93-051 Applicability of Chapter 1 of Article I

- (a) Within the #Hudson Yards Redevelopment Area#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection (DEP) of the City of New York stating:

- (1) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
(2) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

- (b) Section 11-332 (Extension of period to complete construction) shall apply, except that notwithstanding the provisions of paragraph (a) of such Section, in the event that other construction for which a

building permit has been lawfully issued and for which construction has been commenced but not completed on January 19, 2005, such other construction may be continued provided that the construction is completed and a temporary or permanent certificate of occupancy is obtained not later than January 19, 2006.

* * *

98-051 Applicability of Chapter 1 of Article I

- (a) Within the #Special West Chelsea District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a #zoning lot# that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection (DEP) of the City of New York, stating:

- (1) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that #zoning lot#; or
(2) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

- (b) Section 11-332 (Extension of period to complete construction) shall apply, except that notwithstanding the provisions of paragraph (a) of such Section, in the event that other construction for which a building permit has been lawfully issued and for which construction has been commenced but not completed on June 23, 2005, such other construction may be continued provided that the construction is completed and a temporary or permanent certificate of occupancy is obtained not later than June 23, 2006.

* * *

104-05 Applicability of Article I, Chapter 1

Within the #Special Manhattanville Mixed Use District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a demolition permit, where compliance at time of demolition is required by the (E) designation, or a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York, stating:

- (a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
(b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

* * *

115-03 Applicability of Article I, Chapter 1

Within the #Special Downtown Jamaica District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection (DEP) of the City of New York, stating:

- (a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
(b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

* * *

117-05 Applicability of Article I, Chapter 1

Within the #Special Long Island City Mixed Use District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for potential hazardous material contamination, or noise or air quality impacts, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York stating:

- (a) in the case of an (E) designation for potential hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or

(b) in the case of an (E) designation for noise or air quality impacts, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

119-06 Special requirements for certain properties within Special Hillside Preservation District

The following sites: Block 24, Lot 1; Block 23, Lots 17, 42; Block 23, Lots 1, 4, 13; Block 115, Lots 61, 62, 63; and Block 47, Lots 7, 10, 107 shall be subject to the procedures of Section 11-15 (Environmental Requirements) governing (E) designations. The CEQR Declarations for these sites shall be listed in APPENDIX C (City Environmental Quality Review (CEQR) Requirements Declarations) of the Zoning Resolution. Section 11-15, paragraph (b), shall not apply to such CEQR Declarations.

124-041 Applicability of Article I, Chapter 1

Within the #Special Willets Point District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a tax lot or #zoning lot# that has an (E) designation(s) for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York stating:

- (a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
(b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# shall result in compliance with the environmental requirements related to the (E) designation.

124-042 041 Applicability of Article III, Chapter 6

124-043 042 Applicability of Article VII, Chapter 3

124-044 043 Applicability of Article VII, Chapter 4

126-03 Applicability of Article I, Chapter 1

Within the #Special College Point District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection (DEP) of the City of New York, stating:

- (a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
(b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

128-051 Applicability of Article I, Chapter 1

Within the #Special St. George District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York, stating:

- (a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
(b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

128-052 051 Applicability of Article I, Chapter 2

128-053 052 Applicability of Article I, Chapter 5

128-054 053 Applicability of Article III, Chapter 6

The provisions of Section 36-76 (Waiver or Reduction of Spaces for Subsidized Housing) shall not apply in the #Special St. George District#.

131-041 Applicability of Article I, Chapter 1

Within the #Special Coney Island District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a demolition permit, where compliance at time of demolition is required by the (E) designation, or a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for potential hazardous material contamination, noise or air quality impacts, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York stating:

- (a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
(b) in the case of an (E) designation for noise or air quality impacts, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

131-042 041 Applicability of Article I, Chapter 5

131-043 042 Applicability of Article VI, Chapter 2

131-044 043 Applicability of Article VII, Chapter 4

131-045 044 Physical culture or health establishments

131-046 045 Modification of use and bulk regulations for zoning lots fronting upon Riegelmann Boardwalk, KeySpan Park and Highland View Park

NYC ZONING RESOLUTION APPENDIX C:

Table with columns: E-No., CEQR No., Effective Date, Zoning Map No., Description, Tax Block, Tax Lot(s), Lot Remediation Date. Rows include E-1 through E-5 with various zoning and tax information.

Resolution for adoption scheduling January 4, 2012 for a public hearing.

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

d19-j4

COMMUNITY BOARDS

PUBLIC HEARINGS

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

BOROUGH OF MANHATTAN

COMMUNITY BOARD NO. 07 - Tuesday, January 3, 2012,

6:30 P.M., Fordham University, 113 West 60th Street, New York, NY

#N110267ECM
IN THE MATTER OF an application from the Mafra Restaurant Corp. doing business as II Violino, for review, pursuant to Section 366-a (c) of the New York City Charter of a grant of a renewal of a revocable consent to operate an enclosed sidewalk cafe, with 15 tables and 36 seats at 180 Columbus Avenue on the northwest corner of West 68th Street.

d28-j3

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, January 10, 2012 at 9:30 A.M. in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 11-5004 - Block 8023, lot 19-336 Knollwood Avenue, aka 240-30 Knollwood Avenue-Douglaston Historic District
A contemporary Colonial Revival style freestanding house built in 1965. Application is to enlarge and alter the house, construct an addition and garage, remove a tree, and relocate a curb cut. Zoned R1-2. Community District 11.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-6162 - Block 253, lot 76-224 Henry Street - Brooklyn Heights Historic District
An Anglo-Italianate style rowhouse built in 1851. Application is to install a steel landing and stair at the rear facade. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 11-3867 - Block 2101, lot 60-256 Cumberland Street - Fort Greene Historic District
An Italianate style rowhouse built in the 1860s. Application is to construct a rear yard addition and multi-level rear deck. Zoned R6B. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6363 - Block 145, lot 18-105-107 Reade Street - Tribeca South Historic District
An Italianate style store and loft building built in 1860-61. Application is to construct a rooftop addition and alter the rear elevation. Zoned C6-3A. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-3743 - Block 547, lot 30-715 Broadway - NoHo Historic District A Renaissance Revival style store and office building designed by Robert Maynicke and built in 1894-96. Application is to relocate a flagpole and install a stretch banner. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-3742 - Block 545, lot 15-726 Broadway - NoHo Historic District
A neo-Classical style garage, factory and warehouse building built in 1917-19, designed by Wm. Steele and Sons Co. Application is to install three stretch banners and a sign. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6534 - Block 521, lot 79-306 Bowery - NoHo Historic District
A Federal style house built in 1820. Application is to construct a rear yard addition. Zoned C6-1. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-4797 - Block 522, lot 8-628 Broadway - NoHo Historic District An office building with Orientalized ornament, designed by H.J. Schwarzmann & Co. and built in 1882-83. Application is to install storefront infill. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6335 - Block 605, lot 24 - 128 West 13th Street - Greenwich Village Historic District A Renaissance Revival style apartment building designed by Bernstein & Bernstein and built in 1910. Application is to legalize painting the facade in non-compliance with Landmarks Preservation Commission permits. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6235 - Block 575, lot 67-35 West 11th Street - Greenwich Village Historic District A modified rowhouse built in 1849-50. Application is to paint the facade and replace the windows. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5352 - Block 611, lot 32-135 7th Avenue South, aka 163 West 10th Street - Greenwich Village Historic District
A Victorian Gothic style apartment building designed by Charles Guentzer and built in 1866. Application is to construct an addition. Zoned C2-6. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5312 - Block 629, lot 43-

303 West 13th Street - Greenwich Village Historic District
A three-story brick building with a store at the first floor, built in the mid-19th century. Application is to legalize the installation of an air conditioning unit at the roof without Landmarks Preservation Commission permit(s) and install screening. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5567 - Block 611, lot 72-145 West 10th Street - Greenwich Village Historic District
An Italian Renaissance Revival style apartment house built in 1901. Application is to alter areaway window openings. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-4245 - Block 874, lot 49-142 East 19th Street - Gramercy Park Historic District
A rowhouse built in 1852 and remodeled in 1924. Application is to alter the front facade and construct a rooftop addition. Zoned LH-1. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6871 - Block 1290, lot 1-689 Fifth Avenue - Aeolian Building - Individual Landmark
A neo-Classical style commercial building with French Renaissance style detailing designed by Warren & Wetmore, and built in 1925-27. Application is to install a marquee, modify the ground floor and to establish a master plan governing the future installation of storefront infill. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5587 - Block 825, lot 31-200 Fifth Avenue - Ladies' Mile Historic District
A neo-Renaissance style store and office building designed by Maynicke and Franke and built in 1908-09. Application is to alter entrance infill. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-4292 - Block 823, lot 35-5 West 21st Street - Ladies' Mile Historic District
An Italianate style dwelling built in 1851 altered in 1919 with the construction of a two-story storefront extension. Application is to replace storefront infill. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6334 - Block 856, lot 9-11 East 26th Street, aka 6-8 East 27th Street - Madison Square North Historic District
A neo-Gothic style store and loft building designed by Rouse & Goldstone and built in 1912-13. Application is to replace storefront infill. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5610 - Block 827, lot 43-210 Fifth Avenue - Madison Square North Historic District
A Beaux Arts style lofts and bachelor apartments building designed by John B. Snook & Sons and built in 1901-1902. Application is to enlarge an existing penthouse addition and install lot line windows. Zoned C5-2. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-2627 - Block 996, lot 21-123 West 43rd Street - Town Hall - Individual Landmark
A Colonial Revival style theater building and auditorium designed by McKim, Mead and White and built in 1919-21. Application is to install wall signs and poster boxes on the secondary facade. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6926 - Block 1218, lot 29-101 West 87th Street - Upper West Side/Central Park West Historic District
A Modern style apartment building designed by Judith Edelman and built in 1984-87. Application is to alter the facade and to install a marquee. Zoned C1-9/R7-2. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-4278 - Block 1120, lot 38-12 West 68th Street - Upper West Side/Central Park West Historic District
A Queen Anne style house designed by Louis Thouvard and built in 1895, with an attached studio building designed by Edwin C. Georgi and built in 1925. Application is to demolish a rooftop addition constructed without Landmarks Preservation Commission permits, and alter the facade and construct a new rooftop addition. Zoned R8 and R10A. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6084 - Block 1507, lot 69-1148 Fifth Avenue - Carnegie Hill Historic District
A neo-Georgian style apartment building designed by Walter B. Chambers and built in 1922-23. Application is to replace windows in non-conformance with the window master plan. Zoned R10. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-7736 - Block 2057, lot 32-471 West 140th Street - Hamilton Heights Historic District
A Beaux-Arts style townhouse, designed by George Ebert and built in 1901-1902. Application is to construct a two-story porch. Community District 9.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF THE BRONX 12-6350 - Block 2301, lot 2-270 Alexander Avenue - Mott Haven Historic District
A Romanesque Revival style apartment building designed by Carl A. Millner and built in 1892-3. Application is to replace storefront infill. Community District 1.

d28-j10

TRANSPORTATION

■ PUBLIC HEARINGS

COMMUTER VAN SERVICE AUTHORITY APPLICATION Queens (Flushing)/Brooklyn (Coney Island)

NOTICE IS HEREBY GIVEN that the Department of

Transportation has received an application for a commuter van service authority. The applicant proposes to operate a van service in the Boroughs of Brooklyn and Queens. **From the Borough of Queens** bound on the north by 32nd Avenue from College Point Boulevard to 157th Street, bound on the east by 157th Street from 32nd Avenue to Long Island Expressway, bound on the south by Long Island Expressway from 157th Street to College Point Boulevard, bound on the west by College Point Boulevard from 32nd Avenue to Long Island Expressway to the **Borough of Brooklyn** bound on the north by Neptune Avenue from West 17th Street to West 8th Street, bound on the east by West 8th Street from Neptune Avenue to Surf Avenue, bound on the south by Surf Avenue from West 8th Street to West 17th Street, bound on the west by West 17th Street from Neptune Avenue to Surf Avenue. The applicant is Cited Express, Inc. They can be reached at 132-59 Maple Avenue, 1st Floor, Flushing, NY 11355. The applicant is proposing to use 10 van(s) daily to provide 7 day service 12 hours a day.

There will be a public hearing held on Thursday, January 19, 2012 at Queens Borough Hall, Room 213 Part 2, 120-55 Queens Blvd., Kew Gardens, NY 11424 from 2:00 P.M. - 4:00 P.M. and on Thursday, January 26, 2012 at Brooklyn Borough Hall in the Community Room on the 2nd Floor, 209 Joralemon Street, Brooklyn, NY 11201 from 1:30 P.M. - 4:30 P.M. for an opportunity to voice your position on this application. In addition, written comments in support or in opposition to this application may be sent to Ms. Dorothy Szorc at the New York City Department of Transportation, Division of Planning and Sustainability, 55 Water Street - 9th Floor, New York, NY 10041 no later than January 26, 2012. Any written comments received after this date may not be considered. Those opposing the application must clearly specify why the proposed additional van service will not meet present and/or future public convenience and necessity.

d21-29

COMMUTER VAN SERVICE AUTHORITY APPLICATION Brooklyn (Sunset Park to Coney Island)

NOTICE IS HEREBY GIVEN that the Department of Transportation has received an application for a commuter van service authority. The applicant proposes to operate a van service in the Borough of Brooklyn. **From the Borough of Brooklyn** in the area of **Sunset Park** bound on the north by 39th Street from 4th Avenue to Fort Hamilton Parkway, bound on the east by Fort Hamilton Parkway from 39th Street to 65th Street, bound on the south by 65th Street from Fort Hamilton Parkway to 4th Avenue, bound on the west by 4th Avenue from 39th Street to 65th street and then to the area of **Coney Island** bound on the north by Neptune Avenue from West 27th Street to West 5th Street, bound on the east by West 5th Street from Neptune Avenue to Surf Avenue, bound on the south by Surf Avenue from West 5th Street to West 17th Street, bound on the west by West 17th Street from Neptune Avenue to Surf Avenue. The applicant is Eastern Van Service, Inc. They can be reached at 6123 Fort Hamilton Parkway, Brooklyn, NY 11219. The applicant is proposing to use 8 van(s) to provide 7 day service 14 hours a day.

There will be a public hearing held on Thursday, January 26, 2012 at Brooklyn Borough Hall in the Community Room on the 2nd Floor, 209 Joralemon Street, Brooklyn, NY 11201 from 1:30 P.M. - 4:30 P.M. so that you may have an opportunity to voice your position on this application. In addition, written comments in support or in opposition to this application may be sent to Ms. Dorothy Szorc at the New York City Department of Transportation, Division of Planning and Sustainability, 55 Water Street - 9th Floor, New York, NY 10041 no later than January 26, 2012. Any written comments received after this date may not be considered. Those opposing the application must clearly specify why the proposed additional van service will not meet present and/or future public convenience and necessity.

d21-29

COMMUTER VAN SERVICE AUTHORITY APPLICATION Brooklyn (Bensonhurst)/Queens (Flushing)

NOTICE IS HEREBY GIVEN that the Department of Transportation has received an application for a commuter van service authority. The applicant proposes to operate a van service in the Boroughs of Brooklyn and Queens. **From the Borough of Brooklyn** bound on the north by 65th Street from Bay Parkway to 16th Avenue, bound on the east by Bay Parkway from 65th Street to 86th Street, bound on the south by 86th Street from Bay Parkway to 16th Avenue, bound on the west by 16th Avenue from 86th Street to 65th Street to the **Borough of Queens** bound on the north by Northern Boulevard from College Point Boulevard to Union Street, bound on the west by College Point Boulevard from Northern Boulevard to Sanford Avenue, bound on the south by Sanford Avenue from College Point Boulevard to Union Street, bound on the east by Union Street from Northern Boulevard to Sanford Avenue. The applicant is King Express, Inc. They can be reached at 8521 18th Avenue, 2nd Floor, Brooklyn, NY 11214. The applicant is proposing to use 10 van(s) daily to provide 7 day service 16 hours a day.

There will be a public hearing held Thursday, January 19, 2012 at Queens Borough Hall, 120-55 Queens Blvd., Room 213- Part 2, Kew Gardens, NY 11424 from 2:00 P.M. - 4:00 P.M. and on Thursday, January 26, 2012 from 2:00 P.M. - 4:00 P.M. at Brooklyn Borough Hall, Community Room, 209 Joralemon Street, Brooklyn, NY 11201 from 1:30 P.M. - 4:30 P.M. for an opportunity to voice your position on this application. In addition, written comments in support or in opposition to this application may be sent to Ms. Dorothy Szorc at the New York City Department of Transportation, Division of Planning and Sustainability, 55 Water Street - 9th Floor, New York, NY 10041 no later than January 26, 2012. Any written comments received after this date may not be considered. Those opposing the application must clearly

specify why the proposed additional van service will not meet present and/or future public convenience and necessity.

d21-29

COMMUTER VAN SERVICE AUTHORITY APPLICATION Brooklyn(Sheepshead Bay)/Manhattan

NOTICE IS HEREBY GIVEN that the Department of Transportation has received an application for a commuter van service authority. The applicant proposes to operate a van service in the Boroughs of Brooklyn and Manhattan. **From the Borough of Brooklyn** bound on the north by Quentin Road from Coney Island Avenue to Nostrand Avenue, bound on the East by Nostrand Avenue, bound on the East by Nostrand Avenue from Quentin Road to Z Avenue, bound on the south by Z Avenue from Nostrand Avenue to Coney Island Avenue, bound on the west by Coney Island Avenue from Z Avenue to Quentin Road to the **Borough of Manhattan** bound on the north by Broome Street from Broadway to Bowery Street, bound on the east by Bowery Street from Broome Street to Worth Street, bound on the south by Worth Street from Bowery Street to Broadway, bound on the west by Broadway from Broome Street to Worth Street. The applicant is NYC Express Inc. They can be reached at 2083 East 16th Street, 2nd Floor, Brooklyn, NY 11229. The applicant is proposing to use 10 van(s) daily to provide this service 16 hours a day.

There will be a public hearing held Wednesday, January 18, 2012 at Manhattan Borough President's Office, One Center Street, 19th Floor South, New York, NY 10007 from 2:00 P.M. - 4:00 P.M. and on Thursday, January 26, 2012 at Brooklyn Borough Hall in the Community Room on the 2nd Floor, 209 Joralemon Street, Brooklyn, NY 11201 from 1:30 P.M. - 4:30 P.M. for an opportunity to voice your position on this application. In addition, written comments in support or in opposition to this application may be sent to Ms. Dorothy Szorc at the New York City Department of Transportation, Division of Planning and Sustainability, 55 Water Street - 9th Floor, New York, NY 10041 no later than January 26, 2012. Any written comments received after this date may not be considered. Those opposing the application must clearly specify why the proposed additional van service will not meet present and/or future public convenience and necessity.

d21-29

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, January 18, 2012. 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 Even Clearer Skies, LLC to construct, maintain and use planted areas on the north sidewalk of Ingraham Street, east of Knickerbocker Avenue, and on the east sidewalk of Knickerbocker Avenue, north of Ingraham 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, 2022 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2022 - \$246/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.

#2 In the matter of a modification of revocable consent authorizing New York University to construct, maintain and use an additional conduits under, along and across East 10th Street, east of Fifth Avenue, in the Borough of Manhattan. The proposed modified revocable consent is for a term of two years from the date of approval by the Mayor to June 30, 2014 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2011 to June 30, 2012 - \$45,332 + \$4,018/annum (prorated from the date of Approval by the Mayor)
For the period July 1, 2012 to June 30, 2013 - \$50,402
For the period July 1, 2013 to June 30, 2014 - \$51,454

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 Royal Blue Realty Holdings Inc. to continue to maintain and use a planted area on the south sidewalk of Christopher Street between Washington and West Streets, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among other terms and conditions for compensation payable to the city according to the following schedule:

For the period from July 1, 2012 to June 30, 2022 - \$2,340/annum.

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

#4 In the matter of a proposed revocable consent authorizing SDS Lincoln 155 LLC to construct, maintain and use fenced-in area on the north sidewalk of Cranberry Street, east of

Willow 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, 2022 and provides among others terms and condition for compensation payable to the city according to the following schedule:

From the Approval Date to June 30, 2022 - \$25/annum

the maintenance of a security deposit in the sum of \$5,000 and 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 Metropolitan Transportation Authority-Long Island Rail Road to construct, maintain and use pipes, together with tree (3) manholes, under the north sidewalk of Pacific Avenue, east of Sixth Avenue, and under the west sidewalk of Vanderbilt Avenue, north of Pacific Avenue, 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, 2022 and provides among others terms and condition for compensation payable to the city according to the following schedule:

From the Approval Date to June 30, 2012 - \$1,447/annum
 For the period July 1, 2012 to June 30, 2013 - \$1,489
 For the period July 1, 2013 to June 30, 2014 - \$1,531
 For the period July 1, 2014 to June 30, 2015 - \$1,573
 For the period July 1, 2015 to June 30, 2016 - \$1,615
 For the period July 1, 2016 to June 30, 2017 - \$1,657
 For the period July 1, 2017 to June 30, 2018 - \$1,699
 For the period July 1, 2018 to June 30, 2019 - \$1,741
 For the period July 1, 2019 to June 30, 2020 - \$1,783
 For the period July 1, 2020 to June 30, 2021 - \$1,825
 For the period July 1, 2021 to June 30, 2022 - \$1,867

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

#6 In the matter of a modification of revocable consent authorizing Jeremy Lechtzin and Amy B. Klein to construct, maintain and use a fenced-in area on the north sidewalk of Hicks Street, east of Cranberry Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of seven years from the date of approval by the Mayor to June 30, 2019 and provides among others terms and condition for compensation payable to the city according to the following schedule:

From the Approval Date to June 30, 2019 - \$25/annum

the maintenance of a security deposit in the sum of \$8,000 and 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.

d28-j18

PROPERTY DISPOSITION

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

PROCUREMENT

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

ADMINISTRATION FOR CHILDREN’S SERVICES

■ SOLICITATIONS

Human / Client Services

NON-SECURE DETENTION GROUP HOMES – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06811N0004 – DUE 05-31-13 AT 2:00 P.M. – The Administration for Children’s Services, Division of Youth and Family Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 2:00 P.M. on 5/31/13.

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

j1-n14

AGING

■ INTENT TO AWARD

Human / Client Services

SENIOR CENTER – Negotiated Acquisition – Available only from a single source - PIN# 12512SCNA20W, 12512SCNA21Z – DUE 12-30-11 AT 12:00 P.M. – This notice is for informational purposes only. The Department for the Aging intends to negotiate a six (6) month contract, beginning 07/01/11, with Ridgewood Bushwick Senior Citizens Council to continue to providing senior center services to the elderly in Brooklyn.

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 for The Aging, 2 Lafayette Street, Room 400, 4th Floor, New York, NY 10007. Nahida Abuhamda (212) 442-1112; nabuhamda@aging.nyc.gov

d29

SENIOR CENTER – Negotiated Acquisition – Available only from a single source - PIN# 12512SCNA24H – DUE 12-30-11 AT 12:00 P.M. – This notice is for informational purposes only. The Department for the Aging intends to negotiate a one year contract, beginning 01/01/12, with Ridgewood Bushwick Senior Citizens Council to continue to providing senior center services to the elderly in Brooklyn.

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 for The Aging, 2 Lafayette Street, Room 400, 4th Floor, New York, NY 10007.
 Nahida Abuhamda (212) 442-1112; abuhanda@aging.nyc.gov

d29

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

■ VENDOR LISTS

Goods

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: Mr. Edward Andersen, Procurement Analyst, Department of Citywide Administrative Services, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8509.

j5-d31

ENVIRONMENTAL PROTECTION

AGENCY CHIEF CONTRACTING OFFICER

■ INTENT TO AWARD

Services (Other Than Human Services)

DEL-388 – Government to Government –

PIN# 82612WS00030 – DUE 01-09-12 AT 4:00 P.M. – This is an Intent to Enter a Government to Government Agreement. DEP intends to enter into a Government to Government Agreement with Ulster County, New York for DEL-388: Town of Wawarsing Reimbursement Agreement. On March 31, 2011, the New York State Legislature authorized Ulster County to utilize State Funds to purchase homes upon finding that the homes have been subjected to seepage of water into the homes. NYCDEP would like to provide funding to the County of Ulster to help supplement the State funds being allocated for these expenses. Any firm which believes it can also provide the required service IN THE FUTURE is invited to so, indicated by letter which must be received no later than January 09, 2012, 4:00 P.M. at: Department of Environmental Protection, Agency Chief Contracting Officer, 59-17 Junction Blvd., 17th Floor, Flushing, New York 11373, Attn: Ms. Debra Butlien, dbutlien@dep.nyc.gov (718) 595-3423; Fax: (718) 595-3208.

d22-29

CUSTOMER SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

WATER METER REPLACEMENT, REPAIR AND INSTALLATION, BRONX, N.Y. – Competitive Sealed Bids – PIN# 82612BCS2212 – DUE 01-19-12 – CONTRACT BCS-2212: Document Fee \$100.00. There will be a pre-bid conference on 1/11/12 at 10:00 A.M., at 96-05 Horace Harding Expressway, 1st Floor Conference Room, Flushing, N.Y. The project manager for this job is Warren Liebold (718) 595-4657.

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

Department of Environmental Protection, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373. Greg Hall (718) 595-3236; ghall@dep.nyc.gov

d29

FIRE

■ SOLICITATIONS

Services (Other Than Human Services)

INSPECTION, HYDROSTATIC TESTING, REPAIR AND FILLING OF OXYGEN AND NITROGEN CYLINDERS – Competitive Sealed Bids – PIN# 057110002589 – DUE 01-26-12 AT 4:00 P.M. – The New York City Fire Department seeks the services of a Contractor to inspect, hydrostatically test, repair and fill FDNY owned aluminum or steel oxygen and nitrogen cylinders. E-PIN: 05712B0002.

Last day for questions: no later than ten (10) business days prior to the Bid submission date.

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.

Fire Department, 9 MetroTech Center, 5th Floor, Brooklyn, NY 11201. Kristina LeGrand (718) 999-1234; legrandm@fdny.nyc.gov

d29

HEALTH AND HOSPITALS CORPORATION

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

j1-d31

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

■ SOLICITATIONS

Human / Client Services

NEW YORK/NY III SUPPORTED HOUSING CONGREGATE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 81608PO076300R0X00-R – DUE 09-18-12 AT 4:00 P.M. – The Department is issuing a RFP to establish 3,000 units of citywide supportive housing in newly constructed or rehabilitated single-site buildings for various homeless populations pursuant to the New York III Supported Housing agreement. The subject RFP will be open-ended and proposals will be accepted on an on-going basis. The RFP is available on-line at <http://www.nyc.gov/html/doh/html/acco/acco-rfp-nynycongregate-20070117-form.shtml>. A pre-proposal conference was held on March 6, 2007 at 2:00 P.M. at 125 Worth Street, 2nd Floor Auditorium, New York, N.Y. Any questions regarding this RFP must be sent in writing in advance to Contracting Officer at the above address or e-mailed to the above address. All proposals must be hand delivered at the Agency Chief Contracting Officer, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132, no later than September 18, 2012.

As a minimum qualification requirement for (1) the serious and persistent mentally ill populations, the proposer must be incorporated as a not-for-profit organization, and (2) for the young adult populations, the proposer must document site

control and identify the source of the capital funding and being used to construct or renovate the building.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Health and Mental Hygiene, ACCO, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132.
Huguette Beauport (347) 396-6633; hbeauport@health.nyc.gov

a6-s17

HUMAN RESOURCES ADMINISTRATION

AGENCY CHIEF CONTRACTING OFFICER

AWARDS

Human/Client Services

NUTRITION EDUCATION SERVICES, COOKSHOP PROGRAM – Renewal – PIN# 06912H077502 – AMT: \$5,226,308.00 – TO: Food Bank for New York City, Food for Survival, 355 Food Center Drive, Bronx, NY 10474. Term: 10/1/2011 - 9/30/2012. E-PIN: 06910R0004CNVR002.

d29

PARKS AND RECREATION

CONTRACT ADMINISTRATION

SOLICITATIONS

Construction/Construction Services

RECONSTRUCTION OF DETERIORATED STRUCTURAL SYSTEM – Competitive Sealed Bids – PIN# 8462011C000C09 – DUE 01-31-12 AT 10:30 A.M. – Known as Contract #CNYG-1011M. E-PIN: 84611B0191. This procurement is subject to participation goals for MBEs and/or WBEs as required by Local Law 129 of 2005.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center, from 8:00 A.M. to 3:00 P.M. The fee is payable by company check or money order to the City of NY, Parks and Recreation. A separate check/money order is required for each project. The Company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

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, Olmsted Center, Room 64, Flushing Meadows Corona Park, Flushing, NY 11368.
Juan Alban (718) 760-6771, Juan.Alban@parks.nyc.gov

d29

REVENUE AND CONCESSIONS

SOLICITATIONS

Services (Other Than Human Services)

RENOVATION, OPERATION AND MAINTENANCE OF A NEWSSTAND – Competitive Sealed Bids – PIN# X42-NS-2012 – DUE 01-30-12 AT 3:00 P.M. – Located on East Fordham Road, on the north side of the street, to the west of Fordham Station, Rose Hill Park, Bronx.

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.
Jeremy Holmes (212) 360-3455; Fax: (212) 360-3434; jeremy.holmes@parks.nyc.gov

d28-j11

POLICE

SOLICITATIONS

Goods

CORRECTION; PURCHASE AND/OR LEASE OF HORSES – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 05611N0001 – DUE 02-08-12 AT 2:00 P.M. – CORRECTION: The New York City Police Department (NYPD) is soliciting Applications for Negotiated Applications for Departmental: (1) purchase of horses for law enforcement patrol, and/or (2) lease of horses for use in training recruits for the NYPD Mounted Unit. Multiple contract awards are anticipated; and contracts resulting from this solicitation will be awarded on a Requirements-type basis, in which no minimum purchase and/or lease of horses is guaranteed. Each contract will have an initial term of three years, with two options to renew (for two years per each of the two options). Potential vendor and other may obtain a free copy of the solicitation package in person, Monday - Friday, 9:00 A.M. - 5:00 P.M. at Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007; or by contacting Contracting Officer Mary Keating at (646) 610-4786 or at mary.keating@nypd.org A non-mandatory but recommended pre-application conference is scheduled to be held at 12:00 Noon on Thursday, January 12, 2012 at the NYPD Mounted Unit, Pier 76 at West 38th Street at the Hudson River and West Side Highway, New York, New York 10018 (Behind the Jacob Javits Center).

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.
Police Department, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007.
Mary Keating (646) 610-4786; Fax: (646) 610-5224; Mary.Keating@nypd.org

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AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

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

YOUTH AND COMMUNITY DEVELOPMENT

PUBLIC HEARINGS

SHORT NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Wednesday, January 11, 2012, 156 William Street, 2nd Floor Auditorium, Borough of Manhattan, commences at 10:00 A.M. on the following:

IN THE MATTER OF the proposed contract between the Department of Youth and Community Development and the contractor listed below for the operation of a violence intervention and prevention program to prevent and mediate gang violence to youths throughout New York City. The provider, contract amount, and PIN number is indicated below. The term of this contract shall be from July 1, 2011 through June 30, 2012, and shall contain no options to renew.

CONTRACTOR/ADDRESS

Council For Unity Inc.
50 Broadway, New York, New York 10004

PIN 26012033298J **Amount** \$234,214.00

IN THE MATTER OF the proposed contract between the Department of Youth and Community Development and the contractor listed below, for the operation of a recreational and educational program for youths. The provider, contract amount, and PIN number is indicated below. The term of this contract shall be from July 1, 2011 through June 30, 2012, and shall contain no options to renew.

CONTRACTOR/ADDRESS

Hispanic Federation, Inc.
55 Exchange Place, 9th Floor, New York, NY 10005

PIN 26012039052J **Amount** \$220,000.00

IN THE MATTER OF the proposed contract between the Department of Youth and Community Development and the contractor listed below to provide free concerts of renowned performers to the residents of New York City. The provider, contract amount, and PIN number is indicated below. The term of this contract shall be from July 1, 2011 through June 30, 2012, and shall contain no options to renew.

CONTRACTOR/ADDRESS

Martin Luther King Jr. Concert Series
32 Court Street, Brooklyn, New York 11201

PIN 26012028577J **Amount** \$110,000.00

IN THE MATTER OF the proposed contract between the Department of Youth and Community Development and the contractor listed below to provide high school drop-out prevention programs for vulnerable teens. The provider, contract amount, and PIN number is indicated below. The term of this contract shall be from July 1, 2011 through June 30, 2012, and shall contain no options to renew.

CONTRACTOR/ADDRESS

Neighborhood Initiatives Development Corporation
2523 Olinville Avenue, Bronx, New York 10467

PIN 26012012342J **Amount** \$132,714.00

IN THE MATTER OF the proposed contract between the Department of Youth and Community Development and the contractor listed below to provide recreational, cultural arts educational enhancement activities throughout New York City. The provider, contract amount, and PIN number is indicated below. The term of this contract shall be from July 1, 2011 through June 30, 2012, and shall contain no options to renew.

CONTRACTOR/ADDRESS

Police Athletic League, Inc.
34 ½ East 12th Street, New York, New York 10467

PIN 26012062133J **Amount** \$124,214.00

IN THE MATTER OF the proposed contract between the Department of Youth and Community Development and the contractor listed below to provide free concerts of renowned performers to the residents of New York City. The provider, contract amount, and PIN number is indicated below. The term of this contract shall be from July 1, 2011 through June 30, 2012, and shall contain no options to renew.

CONTRACTOR/ADDRESS

Seaside Summer Concert Series, Inc.
32 Court Street, Brooklyn, New York 11201

PIN 26012028247J **Amount** \$160,000.00

IN THE MATTER OF the proposed contract between the Department of Youth and Community Development and the contractor listed below to provide an after-school program for

youth in New York City. The provider, contract amount, and PIN number is indicated below. The term of this contract shall be from July 1, 2011 through June 30, 2012, and shall contain no options to renew.

CONTRACTOR/ADDRESS

Unity Neighborhood Center, Inc.
3952 Bronxwood Avenue, Bronx, New York 10466

PIN 26012012627J **Amount** \$105,187.00

IN THE MATTER OF the proposed contract between the Department of Youth and Community Development and the contractor listed below for the administration of an after-school recreation program for youth of Queens. The term of this contract shall be from July 1, 2011 through June 30, 2012, and shall contain no options to renew.

CONTRACTOR/ADDRESS

Variety Boys and Girls Club of Queens, Inc.
21-12 30th Road, Astoria, New York 11102

PIN 26012042377J **Amount** \$183,500.00

IN THE MATTER OF the proposed contract between the Department of Youth and Community Development and the contractor listed below for the administration of an after-school recreation program for youth of Queens. The term of this contract shall be from July 1, 2011 through June 30, 2012, and shall contain no options to renew.

CONTRACTOR/ADDRESS

Women's Housing & Economic Development Corp.
50 East 168th Street, Bronx, New York 10452

PIN 26012018542J **Amount** \$250,000.00

The proposed contractors are being funded by City Council discretionary funds, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

Draft copies of the proposed contracts may be inspected at the Department of Youth and Community Development, office of the ACCO, 156 William Street, 2nd Floor, New York, NY 10038 on business days between the hours of 9:00 A.M. and 5:00 P.M., from December 29, 2011 to January 11, 2012 excluding weekends and holidays.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within 5 days after publication of this notice. Written requests to speak should be sent to Mr. Joseph Salvayon, Deputy Agency Chief Contracting Officer, 156 William Street, 2nd Floor, New York, NY 10038, jsalvayon@dycd.nyc.gov. If the Department of Youth and Community Development receives no written requests to speak within the prescribed time, the Department reserves the right not to conduct the public hearing.

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AGENCY RULES

CONSUMER AFFAIRS

NOTICE

NOTICE OF PUBLIC HEARING

Subject: Notice of Public Hearing and Opportunity to Comment on Proposed Amendments to Rules Regarding the Licensing of Towing Businesses.

Date/Time: January 31, 2012 at 11:00 A.M.

Location: Department of Consumer Affairs
66 John Street, 11th Floor Hearing Room
New York, NY 10038

Contact: Erik Joerss
Director of City Legislative Affairs
Department of Consumer Affairs
42 Broadway, 8th floor
New York, N.Y. 10004
(212) 487-4248

Proposed Rule Amendment

Pursuant to the authority vested in the Commissioner of Consumer Affairs by Section 20-104 (b) of the Administrative Code of the City of New York and in accordance with the requirements of Section 1043 of the New York City Charter, the Department intends to amend its rules regarding recordkeeping requirements for licensed towing businesses.

The proposed rule was not included in the Regulatory Agenda because it is proposed to implement Section 7 of Local Law Number 41 of 2011, which was enacted after the Regulatory Agenda was prepared. Section 7 requires licensed towing companies to maintain business records in an electronic format prescribed by rule of the Commissioner. This rule also makes minor changes to sections 2-371 and 2-372 of Title 6 of the Rules of the City of New York to require that tow licensees record whether consumers pay for the towing services with credit cards, in addition to other information about tows that licensees must already record.

Instructions

- Prior to the hearing, individuals may send written comments regarding this amendment to Erik Joerss by mail or electronically through NYC RULES at

www.nyc.gov/nycrules by January 31, 2012.

- Individuals who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided are asked to notify the Office of the Commissioner at the above address by January 17, 2012.
- Written comments and a summary of oral comments received at the hearing will be available for public inspection, within a reasonable time after receipt, between the hours of 9:00 A.M. and 5:00 P.M. at the office of Erik Joerss.

Statement of Basis and Purpose

Section 20-104 (a) of the Administrative Code gives the Commissioner jurisdiction and control over all licenses issued under Chapter 2 of Title 20 of the Administrative Code. Section 20-104 (b) grants the Commissioner the power to set forth rules necessary to carry out his or her powers and duties and to require licensees to keep such records as the Commissioner may determine are necessary or useful to carrying out the purpose of Chapter 2.

Background

In New York City, licensed tow companies may tow vehicles without the prior consent or authorization of the owner of the vehicle under the Directed Accident Towing Program ("DARP") for removing from public streets vehicles that have been involved in an accident and cannot safely be driven under their own power; the Rotation Tow Program ("ROTOW") for stolen or abandoned vehicles; the Arterial Towing Program for towing disabled vehicles from limited access roadways; and tows for the removal of vehicles improperly parked on private property pursuant to section 19-169.1 of the Administrative Code. This rule amends and adds to the recordkeeping requirements of licensed towing businesses that perform such tows.

Proposed Rule

Sections 1 and 2 of this rule amend sections 2-371(u) and 2-372(o) of Title 6 of the Rules of the City of New York to require that towing businesses that provide towing services under DARP and ROTOW, respectively, record in the bound record books required by those sections whether the vehicle owner paid the charges for towing and service by credit card. Section 20-520.1 of the Administrative Code requires towing companies participating in the DARP and ROTOW programs to accept at least two major credit cards for payment of the services. The Department receives frequent complaints that tow companies refuse to accept payment by credit card. Requiring DARP and ROTOW participants to maintain electronic records of credit card transactions will enable the Department to ensure licensees' compliance with Section 20-520.1.

Section 20-516 of the Administrative Code, as enacted by section 7 of Local Law Number 41 of 2011, provides that tow licensees must maintain records prescribed by the Commissioner in electronic format. Section 3 of this rule adds a new section 2-378 to Title 6 of the Rules of the City of New York to describe how individuals or entities licensed to engage in towing must maintain electronic records of tows. The rule does not require licensees to maintain electronic records of consensual tows performed pursuant to an agreement between a vehicle owner and a licensee that is permitted by law.

Section 3 requires licensees to do the following:

- Licensees must make electronic copies of every authorization to tow, towing invoice, receipt for towing service, credit card record, proof of ownership and authorization to extend storage that they are required to maintain under relevant statutes and rules. The electronic availability of records that licensees are already required to maintain will enable the Department to review those records more efficiently.
- The electronic records for each tow must be maintained in an electronic folder labeled with the date the towing service is performed. The folders must be maintained in chronological order. These requirements will ensure that all licensees maintain electronic records in a standard way that the Department may efficiently review.
- The licensees must make electronic records containing the same information that is required to be maintained in bound record books under the DARP and ROTOW programs. This electronic record can be made either by:
 - Scanning the record books to a digital image, or
 - Entering the information into a spreadsheet provided by the Department or software application that is consistent with the spreadsheet.
- In order to preserve the integrity of the electronic records and ensure that they remain accessible to the Department, a licensee is required to convert or scan every digital record required by this rule to write-once media, and to make a duplicate copy of the write-once media, which must be preserved off-site. These scans and copies must be made at least once a week.

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

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

RULE

Section 1. Subdivision (u) of section 2-371 of subchapter EE of Chapter 2 of Title 6 of the Rules of the City of New York is amended to read as follows:

(u) Participants must record in a bound record book all calls for service, all occasions when towing service was rendered and the reason for refusal of any call to which they were unable to respond. The inside cover of the book kept for this purpose shall contain the DARP towing company's business name, premises address, towing zone number(s) and the dates the book covers. Each double page shall be consecutively numbered and must contain the following information:

Date and time Police Department tow truck notification operator call was received
Name of person who accepted call
Disposition: Accepted/refused
Reason for refusal
Location vehicle towed from
Time tow was completed
Location vehicle towed to
Tow fees/Storage fees
Total charges
Fees paid by credit card: Y/N
Redemption date
Vehicle disposition

Section 2. Subdivision (o) of section 2-372 of subchapter EE of Chapter 2 of Title 6 of the Rules of the City of New York is amended to read as follows:

(o) Participants must record in a bound record book all calls for service, all occasions when towing service was rendered and the reason for refusal of any call to which they were unable to respond. The inside cover of the book kept for this purpose shall contain the ROTOW towing company's business name, premises address, towing zone number(s) and the dates the book covers. Each double page shall be consecutively numbered and must contain the following information:

Date and time Police Department call was received
Caller: rank, name
Precinct voucher number
Precinct
Name of person who accepted call
Disposition: Accepted/refused
Reason for refusal
Location vehicle towed from
Time tow was completed
Storage location vehicle towed to
Tow fees/Storage fees
Total charges
Fees paid by credit card: Y/N
Redemption date
Vehicle disposition

Section 3. Subchapter EE of Chapter 2 of Title 6 of the Rules of the City of New York is amended by adding a new section 2-378 to read as follows:

§ 2-378 Maintenance of Records in Electronic Format

Every person or entity licensed to engage in towing must maintain records in an electronic format concerning every tow performed under the authority of the following: the Directed Accident Response Program ("DARP"), the Rotation Tow Program ("ROTOW"), the Arterial Towing Program, and the authority to remove vehicles improperly parked on private property provided by section 19-169.1 of the Administrative Code, as provided in this section.

(a) General Recordkeeping.

- (1) The licensee must create an electronic folder in which it will maintain electronic copies of records for each tow. The licensee must label each electronic folder with the date on which the tow was performed, and must enter the date as "YYYYMMDD." The licensee must maintain the electronic folders in chronological order.
- (2) Each electronic folder must contain an electronic copy of each of the following documents:
 - (i) the authorization to tow that the licensee is required to maintain pursuant to § 2-363(e) of this subchapter,
 - (ii) the towing invoice that the licensee is required to maintain pursuant to § 2-363(e) of this subchapter,
 - (iii) the receipt for towing services issued pursuant to § 2-366(d) of this subchapter, and
 - (iv) a copy of the credit card record of payment for the towing services, if any.

(b) Records of Directed Accident Response Program (DARP) Tows.

- (1) For towing service performed under DARP, the licensee must maintain an electronic copy of the authorization required by § 2-367(a) or (d) of this subchapter, which will constitute the authorization required by paragraph 2 of subdivision a of this section.
- (2) In addition to the records required by paragraph 2 of subdivision a, the licensee must include in each electronic folder for a DARP tow a copy of the documents required to be presented by § 2-371(x) of this subchapter demonstrating that the person who redeems the vehicle is its owner or the agent of the owner.
- (3) The licensee must make an electronic record of the same information that is required to be maintained in a bound record book by § 2-371(u) of this subchapter. The licensee must make the electronic record by one of the following methods:
 - (i) making an electronic copy of the bound record book at least once each week,
 - (ii) not later than one business day after the occurrence of the event being recorded, entering the information in English on an electronic form in a format provided by the Department as an Excel spreadsheet and accessible at an Internet address provided by the Department, or
 - (iii) not later than one business day after the

occurrence of the event being recorded, entering the information in English on a spreadsheet, local application or web-based system that (a) has all fields named, ordered and in all respects identical to the fields in the Excel file provided by the Department and (b) is in an Excel-readable format.

(c) Records of Rotation Tow Program (ROTOW) Tows.

- (1) For towing service performed under ROTOW, the licensee must maintain an electronic copy of the written direction or order to tow provided by the Police Department, which will constitute the authorization required by paragraph 2 of subdivision a of this section.
- (2) In addition to the records required by paragraph 2 of subdivision a, the licensee must include in each electronic folder for a ROTOW tow a copy of the documents required to be presented by § 2-372(q) of this subchapter demonstrating that the person redeeming the vehicle is its owner or the agent of the owner and a copy of any agreement signed by the owner of the vehicle or other person pursuant to § 2-372(s) of this subchapter authorizing continued storage of the vehicle.
- (3) The licensee must make an electronic record of the same information that is required to be maintained in a bound record book by § 2-372(o) of these rules. The licensee must make the electronic record by one of the following methods:
 - (i) making an electronic copy of the bound record book at least once each week,
 - (ii) not later than one business day after the occurrence of the event being recorded, entering the information in English on an electronic form in a format provided by the Department as an Excel spreadsheet and accessible at an Internet address provided by the Department, or
 - (iii) not later than one business day after the occurrence of the event being recorded, entering the information in English on a spreadsheet, local application or web-based system that (a) has all fields named, ordered and in all respects identical to the fields in the Excel file provided by the Department and (b) is in an Excel-readable format.

(d) Records of Arterial Towing Program Tows.

- (1) For towing service performed under the Arterial Towing Program, the licensee must maintain an electronic copy of the written direction or order to tow provided by the Police Department, which will constitute the authorization required by paragraph 2 of subdivision a of this section.
- (2) In addition to the records required by paragraph 2 of subdivision a, the licensee must include in each electronic folder for an Arterial Towing tow a copy of the documents provided to the licensee demonstrating that the person redeeming the vehicle is its owner or the agent of the owner.

(e) Records of Tows to Remove Vehicles Improperly Parked on Private Property.

- (1) For tows that remove vehicles improperly parked on private property, the licensee must maintain in each electronic folder an electronic copy of the written authorization required by section 19-169.1(c) of the administrative code of the city of New York and § 2-377(h) of this subchapter from the owner of the property or the owner's agent who has been designated in writing to authorize such towing. This authorization will constitute the authorization required by paragraph 2 of subdivision a of this section.
- (2) In addition to the records required by paragraph 2 of subdivision a, the licensee must include in each electronic folder for a tow from private property an electronic copy of the trip record required by section 19-169.1(f) of the administrative code and the signed receipt of the person paying removal and storage charges issued pursuant to section 19-169.1(h) of the administrative code.
- (3) A licensee that performs towing services from private property must make an electronic copy of every contract between the licensee and the owner of private property required by section 19-169.1(c) of the Code. The electronic copy must be labeled with the address of the private property, the name of the owner of the private property and the date of the contract.

(f) Roster of Drivers. On the first Monday of each month, a licensee that performs DARP, ROTOW, Arterial Towing tows or tows to remove vehicles improperly parked on private property must prepare a roster of persons providing towing services for the licensee, including, but not limited to employees and independent contractors, on that date. The roster information must contain the name, address and Department license number of each driver and must be entered in English on either (1) an electronic form in a format provided by the Department as an Excel spreadsheet and accessible at an Internet address provided by the Department or (2) a spreadsheet, local application or web-based system that (i) has all fields named, ordered and in all respects identical to the fields in the Excel file provided by the Department and (ii) is in an Excel-readable format.

(g) Format and Preservation of Records.

- (1) For purposes of this rule, an electronic record or copy means a document that has been scanned or converted to a Portable Document Format ("PDF") or Tagged Image File Format ("TIFF") that legibly reproduces the original document in all details, including any markings in the margins of the paper document.
- (2) If the original of any document contains an attachment, the document must be scanned once with the attachment and once with the attachment removed.
- (3) Each electronic copy of a document concerning a tow must be labeled electronically with (i) the licensee's DCA license number, (ii) the license plate number and state of issuance of the vehicle towed, and (iii) the date of the tow, which must be entered as "YYYYMMDD."
- (4) Each electronic copy must be electronically labeled with the date and time that the file was created.
- (5) At least once each week, the licensee must save the electronic records required by this section, with all electronic folder information intact, to a CD-ROM, DVD-ROM or other write-once media or device, and immediately make a second copy to a write-once media or device. The second copy must be stored off-site. The licensee must maintain the second copy

write-once media or device in a manner designed to ensure its security and preservation, including by keeping it in a location separate from the original image file. Each such write-once media or device must be labeled with the licensee's name, license number, the date range of the records stored on the media or device, and the date it was created.

(h) Tampering Prohibited.

(1) A licensee must not tamper with the electronic records required by this section after a PDF or TIFF image is made by modifying, amending, deleting, rearranging or in any other way altering any such data or properties including but not limited to using a meta data scrubber or similar device or program.

(2) If a typographical error has occurred or if data contained in the licensee's record maintained under paragraph 3 of subdivision b or paragraph 3 of subdivision c of this section were accidentally omitted from the electronic data entry, the original record must not be deleted. A new record must be created and be marked "Amended," and the corrected data must be identified by entering it in italics.

(i) Implementation Affirmation. Within sixty (60) days of the effective date of this section, a licensee must submit an affirmation to the Department that it is maintaining electronic records in compliance with this section. After the effective date of this section, no license will be issued until the towing company files with the Department an affirmation that it will comply with this section and no license will be renewed unless the licensee submits an affirmation that it is complying with this section.

NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-788-1087

CERTIFICATION PURSUANT TO
CHARTER §1043(d)

RULE TITLE: Electronic Record Keeping by Tow Truck Operators

REFERENCE NUMBER: 2011 RG 117

RULEMAKING AGENCY: Department of Consumer Affairs

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

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

/s/ STEVEN GOULDEN Date: December 23, 2011
Acting Corporation Counsel

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

CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Electronic Record Keeping by Tow Truck Operators

REFERENCE NUMBER: DCA-5

RULEMAKING AGENCY: Department of Consumer Affairs

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because a cure period would run counter to the rule's goal of protecting consumers from illegal business practices.

/s/ Rachel Squire Date: 12/23/11
Mayor's Office of Operations

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FINANCE

■ NOTICE

NOTICE OF RULEMAKING

Pursuant to the power vested in me as Commissioner of Finance by section 237 of the Vehicle and Traffic Law, section 19-203 of the Administrative Code of the City of New York and sections 389(b) and 1043 of the New York City Charter, I hereby promulgate the within Amendments to the Rules Relating to Parking Violations. These amendments to rules were published in proposed form on November 16, 2011. A hearing for public comment was held on December 19, 2011.

These final rule amendments include a revision of the proposed rule amendments, based on the consideration of agency comments, which is found in §7 of these final rules.

S/S
David M. Frankel
Commissioner of Finance

Note: New matter underscored; old matter in brackets [] to be deleted.

STATEMENT OF BASIS AND PURPOSE

Following a review of the Rules Relating to Parking Violations, the Department of Finance determined that several amendments were required to reflect current policies and procedures. These amendments update the rules to add, repeal and amend several provisions of the rules.

The amendments below relate to the following issues surrounding parking violations:

- Definitions of terms used in rules, such as "administrative law judges" and "supervising and senior administrative law judges";
- The time limit for requests of copies of summons;
- Requests for and appearances at hearings and adjournments;
- Tractor-trailer parking violations;
- The bus lane restriction program;
- Hearings by the Department of Finance website;
- Cessation of the reduction of fine program;
- Times available for hearings;
- Adjournment of hearings;
- Representation of respondents;
- Transmission of final hearing determinations; and
- Appeals of hearing determinations
- Option to pay base fine without additional \$10 penalty within 7 days of notice of penalty if base fine is not paid within 30 days of summons

The Department of Finance has made changes to the procedures concerning adjudication of parking violations in order to make the procedure more efficient and practical for respondents who wish to contest violations. These rule amendments update the Rules Relating to Parking Violations to conform the rules to current practices.

Matter underlined is new. Matter in brackets [] is to be deleted.

Amendments to Rules Relating to Parking Violations

Section 1. Section 39-01 of 19 RCNY Chap. 39 (Rules Relating to Parking Violations) is amended to add the definition of "Administrative law judges," to amend the definitions of "Supervising and senior hearing examiners," and to repeal the definitions of "Hearing examiners" and "Plea of guilty with an explanation," to read as follows:

Administrative law judges (ALJ's). "Administrative law judges," or "ALJ's" are persons appointed by the Commissioner to hear and determine charges of parking violations and fix fines and assess penalties as provided in these rules, and when so designated by the Director, be members of the appeals board of the Bureau.

[Hearing examiners. "Hearing examiners" are persons appointed by the Commissioner to hear and determine charges of parking violations and fix fines and assess penalties as herein provided, and when so designated by the Director, be members of the appeals board of the Bureau.]

[Plea of guilty with an explanation. As used herein, the term "plea of guilty with an explanation" shall mean an admission of liability with a statement offered in mitigation thereof.]

Supervising and senior [hearing examiners] administrative law judges. "Supervising and senior [hearing examiners] administrative law judges" [shall mean] are persons [heretofore] appointed by the Commissioner of Transportation thus far, or [hereinafter] appointed by the Commissioner of Finance thus far and from now on, to hear and determine charges of parking violations, assist the Director in the supervision and administration of the work of the Bureau, and when so designated by the Director, be members of the Appeals Board of the Bureau.

§2. Subdivision (e) of section 39-02 of such rules is amended to read as follows:

(e)(1) Notice of violation (summons)[Summons] Copies. A respondent is entitled to one request of up to five free summons copies (in judgment or not in judgment) [within a thirty day period]. Beginning with copy number 6 in any single request, or any additional requests within thirty days of the previous request, there will be a charge of \$1.00 per summons copy.

This rule applies to all respondents, including commercial organizations, except as provided in paragraph (2) of this subdivision. Note that the respondent is entitled to only five free copies per request, not per plate.

(2) **Indigent respondents.** Notwithstanding any other provision of this subdivision, a Senior Hearing [Examiner] Administrative Law Judge, a Supervising [Hearing Examiner] Administrative Law Judge, the Chief Administrative Law Judge, the Special Counsel for Adjudications, the First Deputy Commissioner of Finance or the Commissioner of Finance may authorize, without fee, the provision of summons copies to which a fee is otherwise applicable under this subdivision, to a respondent who is a natural person for the purpose of defending against a charged parking violation or moving to open a default judgment, upon the respondent making affidavit or sworn statement on the record that the respondent is unable to pay the fee and demonstrating the

indigence of the respondent. Such affidavit or sworn statement shall also state the reason the copy of each summons that was served at the time of occurrence is unavailable and, in the case of a motion to open default judgment, the basis of excusable neglect.

§3. Subdivisions (f) and (g) of section 39-03 of such rules are amended to read as follows:

(f) [The company must comply with the procedures of PVB and the Fleet Program by responding to listed summonses in a timely manner. A company is required to notify the Fleet Program manager of all summonses for which it is entering a plea of Not Guilty within 14 days after issuance of the PVB computer-generated log (currently called the "155").] Within 45 days from the issuance of the computer-generated log (the "155"), the company must pay the fine for each summons it does not contest. Upon entry of a Not Guilty plea, the Fleet Program manager shall schedule a hearing date for such summonses. If the scheduled hearing is inconvenient, the company may contact the Fleet Program manager within two work days after receipt of the notice of the scheduled hearing, and must be prepared to arrange to appear within 45 days from the date of issuance of the PVB computer-generated hearing log (the "155") for a hearing.

(g) [Adjournments shall not be requested less than seven days before a scheduled hearing except upon good cause.] Continual and excessive adjournment requests may constitute cause for disenrollment from the PVB Fleet Program. If a hearing adjournment is granted and marked "final" by PVB, no further adjournments will be granted except for extraordinary circumstances.

§4. Subdivision (d) of section 39-04 of such rules is amended, and subdivision (e) of section 39-04 of such rules is repealed, to read as follows:

(d) *Pleas requesting hearings.* (1) A respondent pleading not guilty [or guilty with an explanation] may request a [specified date, time and place for a] hearing.

(2) If a plea of not guilty [or guilty with an explanation] is made in person, an immediate hearing may be had on request of the respondent, if convenient to the Bureau.

(3) [Upon receipt of the notice of violation (summons) with a plea of not guilty or guilty with an explanation entered as specified, the Bureau shall advise the respondent in person or by such form of first class mail as the Director shall prescribe of the date, time and place on which he or she must appear for a hearing.

(4) [The Bureau reserves the right to set a date, time and place of hearing different from that selected by the respondent.

[(e) *Failure to appear at hearing.* Failure by the respondent to appear on the date designated for a hearing or on any subsequent adjourned date, shall be deemed, for all purposes, an admission of liability and a default judgment sustaining the charges may be entered without further notice.]

§5. Subdivision (m) of section 39-05 of such rules is amended, a new subdivision (n) is added to section 39-05, and subdivisions (n), (o), (p) and (q) of section 39-05 are relettered, to read as follows:

(m) Parking a commercial vehicle in violation of 34 RCNY 4-08(k)(5) or (6), unless otherwise specifically enumerated in this schedule \$50.00

(n) Parking a commercial vehicle that is a tractor-trailer combination, tractor, truck trailer or semi-trailer in violation of 34 RCNY 4-08(k)(6)
First offense \$250.00
Any subsequent offense within a six month period \$500.00

([n])o Parking in violation of officially posted street cleaning rules, unless such rules have been suspended by the Commissioner of Transportation or his or her designee \$30.00

([o])p Parking where parking is prohibited by officially posted rule other than street cleaning rules \$45.00

([p])q Obstructing traffic at an intersection in violation of 34 RCNY §4-08(e)(12) \$100.00

([q])r Idling an engine in violation of 34 RCNY 4-08(p) \$100.00

§6. Paragraphs (a) and (c) of the subdivision titled, "Fines following a hearing," in section 39-05 of such rules, are amended and repealed, respectively, to read as follows:

(a) For persons found guilty after a hearing, a fine may be fixed by the [hearing examiner] administrative law judge in an amount not to exceed that indicated in the foregoing schedule of fines.

[(c) Upon a showing of good cause, made by the respondent under oath or on affirmation, after a plea of not guilty or guilty with an explanation, any scheduled fine may be reduced. Procedures for such reduction may be fixed by the Director.]

§7. Paragraphs (1) and (4) of subdivision (a) of section 39-07 of these rules are amended to read as follows:

(a) *Additional penalties.* Additional penalties may be assessed against the respondent for failure to plead or appear pursuant to these rules, or having appeared for a hearing, failing to make payment assessed thereat. The additional penalties shall be assessed according to the following schedule; provided, however, that if a respondent makes a

plea or appears within 20 days after the Bureau mails a notice of violation to the owner pursuant to Vehicle and Traffic Law §235(2)(a) or prior to such mailing, the additional penalties which may be imposed pursuant to paragraphs (1), (2) and (3) of this subdivision shall not exceed the amount set forth in paragraph (1):

(1) Upon entry of a plea more than 30 days after date of summons . . . an additional penalty in an amount of \$10.00. Payment of the base fine that is received no later than 7 days after the Department of Finance has sent a notice of an additional penalty described by this paragraph (1) will be deemed payment in full of the violation, but no additional penalty described by this paragraph (1) that is paid following the aforementioned 30 day period will be refunded.

(4) Upon failure to either pay in full within 7 days, the amount of fine and penalties fixed by [a hearing examiner] an administrative law judge after a determination sustaining the charges, or otherwise comply with the provisions of §39-12 of these rules, the scheduled fine amount shall be restored and additional penalties shall become due in accordance with the amounts set forth in paragraphs (1), (2) and (3) of this subdivision as if there had been no plea or appearance.

§8. Paragraph (3) of subdivision (b) of section 39-08 of such rules is repealed, subdivision (c), paragraph (2) of subdivision (d), paragraph (1) of subdivision (f), subdivision (h) and subdivision (j) of section 39-08 are amended, to read as follows.

(3) No night hearings shall be held on holidays as defined in §39-14(a)(2) of this chapter or on the eve of New Year's Day, the first and second days of Passover, the first and second days of Rosh Hashanah, Yom Kippur and Christmas Day.]

(c) **Hearing examiner to preside.** Every hearing shall be held before [a Hearing Examiner] an Administrative Law Judge, Senior [Hearing Examiner] Administrative Law Judge, or Supervising [Hearing Examiner] Administrative Law Judge. All hearings shall be public.

(d) **Counsel**

(2) Appearance by Counsel shall not be recognized unless such attorney shall have filed a proper notice of appearance. The notice of appearance shall contain the name, office address and telephone number of the attorney. No other attorney shall be permitted to appear for the respondent in such matter without an order in writing or made at open hearing by [a hearing examiner] an administrative law judge (See §39-09-Representatives at Parking Violations Bureau Hearings)

(f) **Rules of evidence.** (1) The [hearing examiner] administrative law judge shall not be bound by the rules of evidence in the conduct of the hearing, except rules relating to privileged communications.

(h) **Subpoenas.** The [hearing examiner] administrative law judge may, in his or her discretion, or at the request of the Respondent on a showing of good cause and need therefor, issue a subpoena to compel the appearance at a hearing of the officer who served the notice of violation or of other persons to give testimony, and may issue a subpoena duces tecum to compel the production for examination or introduction into evidence of any book, paper or other thing relevant to the charges alleged.

(j) **Adjournments.** An adjournment may be requested by the respondent prior to hearing. [No] In the case of a hearing relating to the vacatur of dismissals procured by knowing misconduct, no more than two adjournments shall be granted in any matter except under extraordinary circumstances.

§9. Subparagraph (iii) of paragraph (7) of subdivision (a), subparagraph (iii) of paragraph (7) of subdivision (b), and paragraphs (2) and (3) of subdivision (c), of section 39-09 of such rules, are amended to read as follows:

(iii) Except for [the morning break and] the lunch break, the hearing shall proceed without interruption until the end of the day, unless before then the ALJ adjudicates all of the summonses the broker has submitted or adjourns the hearing.

(iii) Except for [the morning break and] the lunch break, the hearing shall proceed without interruption until the end of the day, unless before then the ALJ adjudicates all the summonses the employee has submitted or adjourns the hearing.

(2) **Authorization for summonses not in judgment.** Prior to any hearing involving summonses not in judgment, an unpaid representative must file with the [administrative manager an "Affirmation of Authorization."] Department of Finance a signed and notarized designation from the respondent that the representative is authorized to represent the respondent.

(3) **Authorization for summonses in judgment.** An unpaid representative may not have a hearing on summonses in judgment unless he or she submits to the [administrative manager] Department of Finance a notarized [Motion to Vacate Judgment] Request for Hearing After Judgment, signed by the registrant of the summonsed vehicle and duly acknowledged before a Notary Public.

§10. Subdivisions (a), (b), (c) and (i), and paragraphs (1), (2), (3) (4) and (6) of subdivision (j) of section 39-10 of such rules are amended to read as follows:

(a) **Rendering of decision.** The [hearing examiner] administrative law judge shall make a determination on the charges, either sustaining or dismissing them.

(b) **Examination of prior parking record.** (1) The [hearing examiner] administrative law judge shall not examine the respondent's parking violations record prior to making a determination on the charges, without the respondent's consent.

(2) Where a determination has been made sustaining the charges, the [hearing examiner] administrative law judge may examine the respondent's parking violations record prior to fixing fines and assessing penalties and fees.

(c) **Final determination.** Upon the making of a determination sustaining the charges and the fixing of fines and assessment of penalties or a determination dismissing the charges, the [hearing examiner] administrative law judge shall cause a final determination to be rendered incorporating such fines and penalties, if any. The Department of Finance will retain the original final determination and will transmit a copy of the final determination to the respondent.

(i) **Opening of defaults.** A default judgment may be opened within one year of its entry only upon written application showing excusable neglect and a substantial defense to the charge. Such application shall be presented to [a hearing examiner] an administrative law judge, senior [hearing examiner] administrative law judge or supervising [hearing examiner] administrative law judge.

(j) **Vacatur of dismissals procured by knowing misconduct.**

(1) A determination dismissing a charged parking violation that has been procured due to the knowing fraud, false testimony, misrepresentation or other misconduct, or the knowing alteration of a notice of parking violation, by the person so charged or his or her agent, employee or representative may be set aside by [a hearing examiner] an administrative law judge as hereinafter provided.

(2) Notice shall be served on the owner by mail to the last known registered address within two years of the time that the enforcing authority discovers, or could with reasonable diligence have discovered, that the dismissal was procured due to the knowing fraud, false testimony, misrepresentation, or other misconduct, or the knowing alteration of a notice of parking violation, by the person so charged or his or her agent, employee or representative. Such notice shall fix a time when and place where a hearing shall be held before [a hearing examiner] an administrative law judge to determine whether or not dismissal of a charged parking violation shall be set aside. Such notice shall set forth the basis for setting aside the dismissal and advise the owner that failure to appear at the date and time indicated in such notice shall be deemed an admission of liability and shall result in the setting aside of the dismissal and entry of a determination on the charged parking violation. Such notice shall also contain a warning that civil penalties may be imposed for the violation pursuant to this subdivision and that a default judgment may be entered thereon.

(3) Upon a finding by [a hearing examiner] an administrative law judge that the dismissal of a charged parking violation has been procured due to the knowing fraud, false testimony, misrepresentation, or other misconduct, or the knowing alteration of a notice of parking violation, by the person so charged or his or her agent, employee or representative, the dismissal shall be set aside and a determination may be rendered against the owner on the charged parking violation. The [hearing examiner] administrative law judge may impose monetary penalties for the charged parking violation of up to three times the scheduled fine for the violation pursuant to section 39-05 and three times the additional penalties that may be imposed for failure to respond to a notice of violation pursuant to section 39-07. The [hearing examiner] administrative law judge shall also impose, without multiplying, the surcharge authorized by section 1809-a of the Vehicle and Traffic Law. For purposes of determining the amount of such additional penalties, the [hearing examiner] administrative law judge shall disregard the plea that procured the dismissal that has been set aside and shall calculate such penalties as if there had been no plea or appearance in the proceeding. In any proceeding under this subdivision to set aside a determination and to impose penalties for the violation, it shall not be necessary for the [hearing examiner] administrative law judge to find that the owner personally committed the unlawful acts that procured the dismissal of the violation.

(4) Failure to appear at the hearing in response to a notice issued pursuant to this subdivision, or to pay, within 7 days, the amount assessed by [a hearing examiner] an administrative law judge pursuant to paragraph 3, shall be deemed to be an admission of liability for the charged parking violation as set forth in the original notice of violation, and a default judgment may be entered against the owner in the maximum amount set forth in paragraph 3 of this subdivision.

(6) The respondent and the City of New York shall have the right to appeal from any adverse decision in accordance with the appeal procedure set forth in §39-12 of this chapter.

§11. Paragraphs (1) and (2) of subdivisions (a), paragraphs (1) and (3) of subdivision (b), and paragraph (1) of subdivision (d) of section 39-12 of such rules are amended to read as follows:

(a) **Appeals Board-powers.** (1) There shall be an Appeals Board within the Bureau which will consist of three or more persons duly qualified as [Hearing Examiners] Administrative Law Judges, Senior [Hearing Examiners] Administrative Law Judges, or Supervising [Hearing Examiners] Administrative Law Judges, as the Director shall determine, but in no event shall the [Hearing Examiner] Administrative Law Judge from whose decision the appeal is taken be included in the panel determining said appeal.

(2) The Appeals Board may review the facts and the law in any matter, and[, except in the interests of justice and upon consent of the respondent,] shall not consider any evidence which was not presented to the [hearing examiner] administrative law judge. A concurring vote by two members of the Appeals Board panel [shall] will be required to [reverse or modify any decision appealed from for error of fact or law, or to remand any matter in the interests of justice] make a determination on an appeal.

(b) (1) A respondent aggrieved by the decision of [a hearing examiner] an administrative law judge upon a plea of denying liability, may obtain a review thereof by serving upon the Bureau, within thirty days of the entry of such decision, a notice of appeal setting forth the reason why the decision should be reversed or modified. The notice of appeal

shall be in such form and filed at such place as may be prescribed by the Director. No appeal may be had from a plea of guilty, which has been entered at the hearing.

(3) [No appeal shall be permitted unless the fines and penalties assessed by the Hearing Examiner are paid, or the respondent shall have posted a cash or recognized surety company bond in the full amount of the final determination appealed from.

(4) The [requirements] requirement of service of a notice of appeal within thirty days of the entry of the decision [and prepayment or posting a bond] may be waived in the interest of justice by the Director or a Senior or Supervising [Hearing Examiner] Administrative Law Judge designated for such purpose. If granted, such waiver shall be conditioned upon service of a notice of appeal within 30 days of the waiver, unless such notice has already been served.

(d) **Hearing of appeals.** (1) Appeals shall be heard upon the record of the hearing before the [hearing examiner] administrative law judge (if provided), the notice of appeal and such briefs as the respondent may file. The Appeals Board may request or accept briefs on behalf of other interested parties or by amici curiae. All appeals shall be submitted to the Appeals Board without oral argument, unless such oral argument is expressly requested by the appellant, or his or her attorney in the notice of appeal, and upon compliance with the rules and regulations of the Bureau. Procedures for oral argument and application therefor, shall be prescribed by the Director,

§12. Subdivision (d) of section 39-17 of such rules is amended to read as follows:

(d) **[Hearing examiners] Administrative law judges.** The [hearing examiners] administrative law judges heretofore or hereinafter appointed by the Commissioner of the New York City Department of Transportation or the Commissioner of the New York City Department of Finance for the adjudication of parking violations shall preside at hearings for the adjudication of allegations of liability in accordance with §1111-a of the vehicle and traffic law.

§13. A new section 39-18 is added to such rules to read as follows:

§39-18 Bus Lane Restriction Program.

— (a) **Liability.** The liability of an owner pursuant to §1111-c of the vehicle and traffic law shall be \$115.00.

— (b) **Additional penalties.** An additional penalty of \$25.00 may be assessed where the owner fails to make payment or contest the liability within thirty days after the mailing of the notice of liability.

— (c) **Notice of liability.** The notice of liability will be in accordance with §1111-c of the vehicle and traffic law and in such form and substance as prescribed by the director of Adjudications.

— (d) **Administrative law judges.** The administrative law judges appointed by the Commissioner of the New York City Department of Transportation or the Commissioner of the New York City Department of Finance up to this point and moving forward for the adjudication of parking violations will preside at hearings for the adjudication of allegations of liability in accordance with §1111-c of the vehicle and traffic law.

— (e) **Effective dates.** This section will remain in effect for as long as §1111-c of the vehicle and traffic law will remain in effect.

§14. A new section 39-19 is added to such rules to read as follows:

§39-18 Hearings by Website. The Director may determine certain classes of alleged violations as appropriate for adjudication electronically through the Department of Finance website and may prescribe procedures for such adjudication.

§15. A new section 39-20 is added to such rules to read as follows:

§39-20. Reduction of Fine Program. (a) Cessation of program. The Reduction of Fine Program, in which a respondent was offered the opportunity to plead guilty and request the reduction of the fine for certain types of violations, will not be offered after January 31, 2012.

(b) Types of violations for which the program was available. The program was available for violations for:

- (1) No standing
- (2) No parking
- (3) Parking meter
- (4) Double parking; and
- (4) Status (e.g., expired registration, overdue for inspection)

(c) Types of violations for which the program was not available. Notwithstanding subdivision (b) of this section, this program was not available in the following circumstances:

- (1) for summonses that were issued more than one hundred days prior to the plea and that were in judgment
- (2) if the respondent had a prior hearing or settlement of the violation
- (3) for any of the following violations:
 - (i) no stopping
 - (ii) handicapped violations
 - (iii) parking at a fire hydrant
 - (iv) traffic lane violation
 - (v) bicycle lane violation
 - (vi) sidewalk violation
 - (v) crosswalk violation
 - (vi) engine idling violation
 - (vii) blocking an intersection
 - (viii) safety zone violation; and
 - (ix) pedestrian ramp violation.

(d) The provisions of this section will not affect the Program

of Stipulated Fines for Vehicles Enrolled in the Fleet Program pursuant to §39-03.1 of these rules.

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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 Street, Rm. 629, New York, NY 10007, December 30, 2011, 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. 5 Block 3137 Lot 11

Acquired in the proceeding, entitled: WEST BUSHWICK URA PHASE 2 subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

JOHN C. LIU Comptroller

d15-30

ENVIRONMENTAL PROTECTION

NOTICE

The New York City Department of Environmental Protection, Bureau of Water Supply - Watershed Lands and Community Planning is posting this notice for the annual adjustment to Fee Schedule for Revocable Land Use Permits. Each year, there is an annual adjustment to the fees NYC DEP charges

for Revocable Land Use Permits. This annual adjustment is based on the United States Social Security Administrations Cost of Living Adjustment (COLA). For 2012, the annual adjustment is 3.6%. For a copy of the Fee Schedule, contact Eve Fox - Land Use Permit Program Supervisor at 914-742-2064 or efox@dep.nyc.gov.

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HEALTH AND MENTAL HYGIENE

NOTICE

The New York City Department of Health and Mental Hygiene (DOHMH) will release the Mobile Response Teams (MRT) Program for New York City School Concept Paper on December 27, 2011. This concept paper is in anticipation of the release of a Request for Proposals (RFP) to establish Mobile Response Teams (MRT) to serve middle/junior high schools in each boroughs of New York City. The Department through this solicitation aims to provide New York City public schools with the capacity to respond to mental health problems through staff training and consultation, linkages to community-based resources, direct crisis intervention and prevention activities. The concept paper can be downloaded from DOHMH website, www.nyc.gov/health/contracting.

d27-j3

CHANGES IN PERSONNEL

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 12/23/11

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF_DATE. Lists names of poll workers and their details.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF_DATE. Continuation of poll worker list.

MICKEY	YOALNDA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
MIDY	JEAN E	9POLL	\$1.0000	APPOINTED	YES	01/01/11
MILAN	NORMA I	9POLL	\$1.0000	APPOINTED	YES	12/16/11
MILISCI	ANN	9POLL	\$1.0000	APPOINTED	YES	12/14/11
MILLIN	ALBERT	9POLL	\$1.0000	APPOINTED	YES	01/01/11
MISRA	KHEMNAUT M	9POLL	\$1.0000	APPOINTED	YES	01/01/11
MLECZKOWSKI	STEPHANI	9POLL	\$1.0000	APPOINTED	YES	01/01/11
MOLINA	SUEELLEN	9POLL	\$1.0000	APPOINTED	YES	12/14/11
MONTAGUE	JACQUELI R	9POLL	\$1.0000	APPOINTED	YES	01/01/11
MONTGOMERY	HUGH D	9POLL	\$1.0000	APPOINTED	YES	01/01/11
MONTGOMERY	THOMAS R	9POLL	\$1.0000	APPOINTED	YES	01/01/11
MOORE	ROSEMARY	9POLL	\$1.0000	APPOINTED	YES	01/01/11
MORALES	MELVIN J	9POLL	\$1.0000	APPOINTED	YES	01/01/11
MORGAN	MICHAEL	9POLL	\$1.0000	APPOINTED	YES	01/01/11
MORGAN	SANDRA H	9POLL	\$1.0000	APPOINTED	YES	01/01/11
MUNOZ JR	ANTHONY E	9POLL	\$1.0000	APPOINTED	YES	01/01/11
NAHAR	MST A	9POLL	\$1.0000	APPOINTED	YES	01/01/11
NARAJA	ALBA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
NATALSAN	ANGEL	9POLL	\$1.0000	APPOINTED	YES	01/01/11
NATASHA	ASHPIA P	9POLL	\$1.0000	APPOINTED	YES	01/01/11
NAVARRETE	CYNTHIA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
NAWAZ	ADEL	9POLL	\$1.0000	APPOINTED	YES	01/01/11
NAYSHEVSKYY	ILLYA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
NERONE	BARBARA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
NEWTON	LUJEANIA W	9POLL	\$1.0000	APPOINTED	YES	01/01/11
NG	KAKIN	9POLL	\$1.0000	APPOINTED	YES	12/12/11
NI	JIANG	9POLL	\$1.0000	APPOINTED	YES	01/01/11
NICOSIA	JOSEPH C	9POLL	\$1.0000	APPOINTED	YES	12/14/11
NIE	BI TAO	9POLL	\$1.0000	APPOINTED	YES	12/05/11
NIMBLEY	JULIO	9POLL	\$1.0000	APPOINTED	YES	01/01/11
NKEGBE	JOHN K	9POLL	\$1.0000	APPOINTED	YES	01/01/11
OBI	JACINTHA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
OLANO	JOAQUIN A	9POLL	\$1.0000	APPOINTED	YES	01/01/11
OPOKU-AGYEMANG	GEORGE	9POLL	\$1.0000	APPOINTED	YES	01/01/11
OQUENDO	YOMAIRA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ORENSTEIN	PHILIP	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ORLOFF	LEWIS C	9POLL	\$1.0000	APPOINTED	YES	01/01/11
OROZCO	JOSEPHIN	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ORTIZ	CYBILL A	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ORTIZ	GINA K	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ORTIZ	SONIA	9POLL	\$1.0000	APPOINTED	YES	12/15/11
OTTEY	DENISE A	9POLL	\$1.0000	APPOINTED	YES	01/01/11
OUTLAW	BONITA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PAGUNTALAN	GENEROSA D	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PANIAGUA	INEZ	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PARCHMENT	DEBORAH	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PARIKH	PARUL S	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PARRIS	MARY L	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PARSON	SHANTA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PARVEZ	UZMA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PATE	ANTHONY	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PATEL	YESHA A	9POLL	\$1.0000	APPOINTED	YES	12/08/11
PAUL	NITU R	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PAYTON	ROBIN K	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PEAY	YUSUF M	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PELOSI	LAUREN A	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PERALES	LORI	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PEREZ	MICHELE N	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PEREZ	ROSALIND	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PETERKIN	SEAN O	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PETTITO	ANGELINA	9POLL	\$1.0000	APPOINTED	YES	12/14/11
PETTAWAY	DOUGLAS F	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PHILLIPPA	ROYAL	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PHILLIPS	GAIL C	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PHIPPS	LINNETTE	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PICCONE	COLLEEN M	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PILGRIM	LISA A	9POLL	\$1.0000	APPOINTED	YES	12/06/11
POBUDA	DIANNE E	9POLL	\$1.0000	APPOINTED	YES	01/01/11
POTTER III	DAVID O	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PRICE	RICCARDO	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PUGH	LIBYA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PURDIE	JUDY	9POLL	\$1.0000	APPOINTED	YES	01/01/11
PYLE	VIBERT A	9POLL	\$1.0000	APPOINTED	YES	12/15/11
QUIROZ	ROCIO	9POLL	\$1.0000	APPOINTED	YES	01/01/11
QUIRSOLA	JESSICA A	9POLL	\$1.0000	APPOINTED	YES	01/01/11
QURESHI	RIZWAN A	9POLL	\$1.0000	APPOINTED	YES	12/14/11
RAGNAUTH	DINESH	9POLL	\$1.0000	APPOINTED	YES	01/01/11
RAIFAISEN	MICHAEL S	9POLL	\$1.0000	APPOINTED	YES	01/01/11
RAMOS	JANET	9POLL	\$1.0000	APPOINTED	YES	01/01/11
RAMOS	STEPHANI	9POLL	\$1.0000	APPOINTED	YES	01/01/11
REGATO	GABRIELA V	9POLL	\$1.0000	APPOINTED	YES	01/01/11
REID	GARVIN M	9POLL	\$1.0000	APPOINTED	YES	01/01/11
RELLA	VINCENT A	9POLL	\$1.0000	APPOINTED	YES	01/01/11
REN	BIN	9POLL	\$1.0000	APPOINTED	YES	12/15/11
REYES	JILLIAN E	9POLL	\$1.0000	APPOINTED	YES	01/01/11
RIDDLE	KADESHA A	9POLL	\$1.0000	APPOINTED	YES	12/08/11
RILEY	NATHAN L	9POLL	\$1.0000	APPOINTED	YES	01/01/11
RIOS	GINA	9POLL	\$1.0000	RESIGNED	YES	12/07/11
RIULLANO	KATINA A	9POLL	\$1.0000	APPOINTED	YES	01/01/11
RIVAS	MARCISO	9POLL	\$1.0000	APPOINTED	YES	01/01/11
RIVERA	RAFAEL	9POLL	\$1.0000	APPOINTED	YES	01/01/11
RIVERA	RAMONITA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
RIVERA	SANTIA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ROBERSON	ASHLEY M	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ROBERTS	MARION	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ROBINSON	ALEXANDE J	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ROBINSON	JACQUELI	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ROBINSON	LYNETTE R	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ROBINSON	WILLIE D	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ROBLEDO	WILLIAM	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ROBOTHAM	LAURISTO A	9POLL	\$1.0000	APPOINTED	YES	01/01/11
RODNEY	CARLYLE J	9POLL	\$1.0000	APPOINTED	YES	01/01/11
RODRIGUEZ	ABRAHAN A	9POLL	\$1.0000	APPOINTED	YES	01/01/11
RODRIGUEZ	EDWIN M	9POLL	\$1.0000	APPOINTED	YES	01/01/11
RODRIGUEZ	NICHOLE A	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ROGERS	TONA S	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ROLON	AARON L	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ROLON	LUIS	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ROMERO	BEATRIZ L	9POLL	\$1.0000	APPOINTED	YES	12/09/11
ROPER	LAMAR D	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ROSADO	CRYSTAL D	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ROSARIO	CRYSTAL	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ROSARIO	LUZ	9POLL	\$1.0000	APPOINTED	YES	12/06/11
ROSS	SANDRA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ROTHENBERG	BARRY M	9POLL	\$1.0000	APPOINTED	YES	01/01/11
ROUSSEL	JASON M	9POLL	\$1.0000	APPOINTED	YES	12/12/11
ROYE	DELWYN	9POLL	\$1.0000	APPOINTED	YES	01/01/11
RUIZ	JENNY	9POLL	\$1.0000	APPOINTED	YES	12/15/11
RUSH	JASON D	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SAMMARCO	FRANCES M	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SANCHEZ	YOHAN C	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SANTANA	NYDIA Y	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SANTOS	LISA M	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SAUNDERS	JOYCELYN M	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SCARDINO	WILLIAM C	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SCHWARTZ-D'ANGE	JULIA R	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SCOTT	TERESA R	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SEGALL	KAREN	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SEIDLER	NORMA E	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SERATE	ANGEL	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SEYMORE	SHIRLEY	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SHAFEE	BHUYAN	9POLL	\$1.0000	APPOINTED	YES	12/16/11
SHAH	AMUL M	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SHAIKH	WASIM T	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SHARMA	PREM L	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SHAYER	CHRISTIN M	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SHINE	CLARENCE	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SIDELL	TERI J	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SIMMONS	CHERRY A	9POLL	\$1.0000	APPOINTED	YES	12/15/11
SIMMONS	ISAIAH	9POLL	\$1.0000	APPOINTED	YES	01/01/11

SIMPSON	EBONY	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SIMS	AZALISHA D	9POLL	\$1.0000	APPOINTED	YES	12/14/11
SINGH	AMITA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SINGH-REID	TRUDIAN	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SINGLETON	ANNETTE	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SINGLETON	RUTH A	9POLL	\$1.0000	APPOINTED	YES	12/13/11
SLATTERY	JOHN J	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SMITH	CHARMISE C	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SMITH	KATHLEEN E	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SMITH	KENNETH	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SMITH	LEROY	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SMITH	WILKES L	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SMITH WASHINGTO	NORMAN	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SOLANO	FERNANDO E	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SOLANO-EDMONDS	VANESSA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SOLARTE	YLLIA V	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SORIANO	TRICIA M	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SOTO JR	ARSENIO	9POLL	\$1.0000	APPOINTED	YES	01/01/11
STAIANO	MARGARET	9POLL	\$1.0000	APPOINTED	YES	12/13/11
STALEY	HOWARD	9POLL	\$1.0000	APPOINTED	YES	01/01/11
STALLINGS-OUTLA	ZYRA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
STANLEY	MAUREEN A	9POLL	\$1.0000	APPOINTED	YES	01/01/11
STARLING	GLENN G	9POLL	\$1.0000	APPOINTED	YES	01/01/11
STEFFEK	LINDA A	9POLL	\$1.0000	APPOINTED	YES	01/01/11
STEPHEN	BRENDA M	9POLL	\$1.0000	APPOINTED	YES	01/01/11
STERLING	MIGUEL T	9POLL	\$1.0000	APPOINTED	YES	12/13/11
STEWART	CAROLYN D	9POLL	\$1.0000	APPOINTED	YES	01/01/11
STRONG	DENISE E	9POLL	\$1.0000	APPOINTED	YES	01/01/11
STUKES	HENRIETT F	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SU	JEFFREY H	9POLL	\$1.0000	APPOINTED	YES	12/14/11
SUKHRAM	TANASHA D	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SURENDAR	BABBER L	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SUTHERLAND	MARGARET A	9POLL	\$1.0000	APPOINTED	YES	12/05/11
SWANWICK	WILLIAM F	9POLL	\$1.0000	APPOINTED	YES	01/01/11
SZPICZYNSKA	MARIANNA T	9POLL	\$1.0000	APPOINTED	YES	01/01/11
TAFURI	JOSEPHIN	9POLL	\$1.0000	APPOINTED	YES	01/01/11
TAYLOR	ARAYA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
TAYLOR	DAVID A	9POLL	\$1.0000	APPOINTED	YES	12/13/11
TAYLOR	DEBRA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
TCHANI	ABDOU-FA	9POLL	\$1.0000	APPOINTED	YES	01/01/11
TEJEDA	PIRCILIO	9POLL	\$1.0000	APPOINTED	YES	01/01/11
TENEZACA	TATIANA J	9POLL	\$1.0000	APPOINTED	YES	01/01/11
TIEN	CHEIN KU	9POLL	\$1.0000	APPOINTED	YES	

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 Monday through Friday from 9:00 A.M. to 5:00 P.M., except on 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 Comptroller's Office at www.comptroller.nyc.gov, and click on Prevailing Wage Schedules to view rates.

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 \$17 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. Registration for these lists is free of charge. To register for these lists, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application, which can be found online at www.nyc.gov/selltonyc. To request a paper copy of the application, or if you are uncertain whether you have already submitted an application, call the Vendor Enrollment Center 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 at 110 William Street, New York, NY 10038. Sessions are convened on the second Tuesday of each month from 10:00 A.M. to 12:00 P.M. For more information, and to register, call (212) 618-8845 or visit www.nyc.gov/html/sbs/nycbiz and click on Summary of Services, followed by Selling to Government.

PRE-QUALIFIED LISTS

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstances. When an agency decides 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 lists 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 an Agency 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 3-10 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists. For information regarding specific pre-qualified lists, please visit www.nyc.gov/selltonyc.

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, and the Housing Authority. Suppliers interested in applying for inclusion on bidders lists for Non-Mayoral entities should contact these entities directly at the addresses given in the Vendor Information Manual.

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 9:30 A.M. to 5:00 P.M., except on legal holidays. For more information, contact the Mayor's Office of Contract Services at (212) 341-0933 or visit www.nyc.gov/mocs.

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 this program, contact the Department of Small Business Services at (212) 513-6311 or visit www.nyc.gov/sbs and click on M/WBE Certification and Access.

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 pays interest on all late invoices. 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's website at www.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:

ACCO	Agency Chief Contracting Officer
AMT	Amount of Contract
CSB	Competitive Sealed Bid including multi-step
CSP	Competitive Sealed Proposal including multi-step
CR	The City Record newspaper
DP	Demonstration Project
DUE	Bid/Proposal due date; bid opening date
EM	Emergency Procurement
FCRC	Franchise and Concession Review Committee
IFB	Invitation to Bid
IG	Intergovernmental Purchasing
LBE	Locally Based Business Enterprise
M/WBE	Minority/Women's Business Enterprise
NA	Negotiated Acquisition
OLB	Award to Other Than Lowest Responsive Bidder/Proposer
PIN	Procurement Identification Number
PPB	Procurement Policy Board
PQL	Pre-qualified Vendors List
RFEI	Request for Expressions of Interest
RFI	Request for Information
RFP	Request for Proposals
RFQ	Request for Qualifications
SS	Sole Source Procurement
ST/FED	Subject to State and/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 <i>Special Case Solicitations/Summary of Circumstances:</i>
CSP	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	CSB or CSP 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 <i>For ongoing construction project only:</i>
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 <i>For Legal services only:</i>
NA/12	Specialized legal devices needed; CSP not advantageous
WA	Solicitation Based on Waiver/Summary of Circumstances (<i>Client Services/CSB or CSP only</i>)
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 <i>Award to Other Than Lowest Responsible & Responsive Bidder or Proposer/Reason (award only)</i>
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 or submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing providing Agency contact information
	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 The City Record