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THE CITY RECORD

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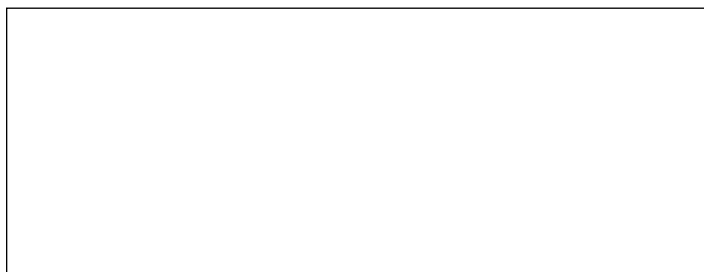
PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

The City Planning Commission will hold a public hearing accessible both in-person and remotely via the teleconferencing application Zoom, at 10:00 A.M. Eastern Daylight Time, on Wednesday, September 11, 2024, regarding the calendar items listed below. The public hearing



will be held in person in the NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY. Anyone attending the meeting in-person is encouraged to wear a mask.

The meeting will be live streamed through [Department of City Planning's \(DCP's\) website](http://www.nyc.gov/site/dcp) and accessible from the following webpage, which contains specific instructions on how to observe and participate, as well as materials relating to the meeting: <https://www.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/461622/1>

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

877 853 5247 US Toll-free
888 788 0099 US Toll-free
253 215 8782 US Toll Number
213 338 8477 US Toll Number

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

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

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

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

BOROUGH OF MANHATTAN

Nos. 1 -3

PORT AUTHORITY BUS TERMINAL REPLACEMENT

No. 1

CD 4 C 240353 ZSM

IN THE MATTER OF an application submitted by The Port Authority of New York and New Jersey pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-631* of the Zoning Resolution:

1. to permit the construction of a bus station with 10 or more berths for buses on a site of any size;
2. to permit within demapped air space above a #street# the development of a building or portion thereof which is part of such bus station;
3. to allow the distribution of floor area on the development site without regard to zoning district boundaries;
4. to modify the height and setback requirements of Section 81-26 (Height and Setback Regulations – Daylight Compensation); and
5. to modify the Mandatory District Plan Elements of Section 81-45 (Pedestrian Circulation Space), Section 81-47 (Major Building Entrances) and Section 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE)

in connection with a proposed development on property generally bounded by West 40th Street, 10th Avenue, West 41st Street, 9th Avenue, West 42nd Street, 8th Avenue, West 40th Street, 9th Avenue, West 39th Street, and 11th Avenue, (Block 711, Lot 1, Block 737, Lots 1, 17 & 22, Block 1032, Lot 29, Block 1050, Lots 13 & 32, and demapped portions of West 39th Street**, West 40th Street**, West 41st Street**, West 42nd Street**, 9th Avenue* and 10th Avenue**), partially within C6-7, C1-7A, C6-3, R8A/C2-5, C2-8, and C6-4 Districts, partially within Special Midtown District and Special Hudson Yards District.

*Note: Section 74-631 is proposed to be relocated to Section 74-145 as part of the proposed zoning text amendment (N 240010 ZRY). The relocated section 74-145 of the Zoning Resolution is proposed to be changed to create a new special permit (74-145(c)) under a concurrent related application for a zoning text amendment (N 240354 ZRM).

**Note: Portions of West 39th Street, West 40th Street, West 41st Street, West 42nd Street, 9th Avenue and 10th Avenue are proposed to be demapped under a concurrent related application for a City Map change (C 240336 MMM).

Plans for this proposal are on file with the City Planning Commission and may be seen on the Zoning Application Portal at <https://zap.planning.nyc.gov/projects/2024M0270>, or at 120 Broadway, 31st Floor, New York, NY 10271-0001.

No. 2

CD 4 N 240354 ZRM

IN THE MATTER OF an application by The Port Authority of New York and New Jersey, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 4 (Special Permits by the City Planning Commission).

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution.

* * *

**ARTICLE VII
ADMINISTRATION**

**Chapter 4
Special Permits by the City Planning Commission**

* * *

**74-10
SPECIAL PERMIT USES**

* * *

**74-14
Public Service Facilities and Infrastructure**

* * *

**74-144
Airports**

* * *

**74-145
Bus stations**

The City Planning Commission may permit bus stations listed under Use Group IV(B) with fewer than 10 berths pursuant to paragraph (a)

of this Section, and with 10 or more berths pursuant to paragraph (b). or paragraph (c), as applicable.

All bus stations lawfully existing on December 15, 1961 are permitted to continue for the duration of the term for which such #use# has been authorized but the #enlargement#, #extension#, reconstruction or relocation of any bus station heretofore or hereafter constructed shall not be permitted except in accordance with the provisions set forth in this Section.

- (a) In C1, C2, C4, C6, C7 or C8 Districts, or in any #Manufacturing District#, the Commission may permit bus stations with fewer than 10 berths for buses on a site of not less than 20,000 square feet, provided that the following findings are made:

* * *

- (b) In C4, C6 or #Manufacturing Districts#, the Commission may permit the construction of a bus station with 10 or more berths for buses on a site of not less than 20,000 square feet, provided that the following findings are made:

* * *

In addition, the Commission shall require the provision of adequate #accessory# off-street parking spaces necessary to prevent the creation of traffic congestion caused by the curb parking of vehicles generated by such #use# and shall determine the required spaces in accordance with the purposes established in this Resolution with respect to other major traffic-generating facilities. The Commission shall require, in any event, no less than 20 spaces for the temporary parking of automobiles.

- (c) In any #Commercial District# or #Manufacturing District#, located within Community District 4 in the Borough of Manhattan, the Commission may permit the construction of a bus station with 10 or more berths for buses on a site of any size.

In conjunction with a permit for a bus station, when the air space above a #street# or portion thereof is closed, demapped and conveyed by the City to the owner of an adjoining #zoning lot# that will contain such bus station, the Commission may permit in such demapped air space the #development# or #enlargement# of a #building# or portion thereof which is part of such bus station. Additionally, the Commission may permit the modification of any applicable regulations of this Resolution, other than #floor area ratio# provisions, in connection with such bus station or any other #use# #developed# on the same #zoning lot# as such bus station.

In order to grant such a permit, the Commission shall determine that the conditions set forth in paragraph (c)(1) and the findings set forth in paragraphs (c)(2) and (c)(3) of this Section, as applicable, are met.

Where the bus station and related facilities allowed under this Section will be #developed# pursuant to Chapter 8 of Title 17 of the Unconsolidated Laws of New York, any #buildings or other structures# comprising such bus station and related facilities shall not be subject to the #bulk# regulations or other applicable regulations of this Resolution, and the floor space within such #buildings or other structures# shall be excluded from the calculation of #floor area#.

The curb level of a zoning lot of which the demapped air space is a part shall not be affected by the closing and demapping of air space above such street. However, the Commission may establish an appropriate level or levels instead of curb level as the reference plane for the applicable regulations relating to open space, yards, level of yards, equivalent rear yards, rear yard setback, minimum distance between buildings, and height and setback.

- (1) Conditions

Where the #development# or #enlargement# of a #building# is allowed within one or more demapped air spaces pursuant to this Section, such demapped air spaces and any adjoining tracts of land containing such #building# may be considered as part of a single #zoning lot#, but such demapped air spaces shall not generate #floor area# to be utilized on such #zoning lot#.

- (2) Findings applicable to bus station #use#

In order to allow such bus station #use#, the Commission shall find that:

- (i) the operation of such bus station does not create serious traffic congestion, and is not detrimental to public health or general welfare of the city;
- (ii) the principal access for such #use# is not located on a local #street# but is located either on an arterial highway, a major #street# or a secondary #street# within one-quarter mile of an arterial highway or major #street#;

- (iii) the site plan for the bus station and related facilities includes pedestrian-oriented public spaces that, in their sizes and locations, reflect appropriate consideration of existing or planned at-grade pedestrian circulation networks;
- (iv) the design of the facility, including public entrances to the bus station, vehicular entrances and exits, bus ramps or overpasses, and accessory #uses# within the bus station and related facilities are sited and designed in a manner that reflects appropriate consideration of the civic importance of the site and of the experience of pedestrians within existing or planned #streets# or open areas;
- (v) the locations of at-grade entrances to such bus station and related facilities are designed to encourage pedestrian circulation into and on the #zoning lot# and are well-situated in relation to existing and proposed at-grade pedestrian and bicycle circulation networks;
- (vi) the bus station provides adequate connections to and from existing transportation facilities;
- (vii) the bus station and surrounding transportation network accommodate projected bus volumes and reduces potential conflicts between buses and other modes of transportation in the surrounding area; and
- (viii) the #use# and #development# of the bus station will not have undue adverse impacts on the character of or land uses in the surrounding area.

(3) Findings applicable to modifications other than those allowing the bus station #use#

In order to modify any other applicable regulations of this Resolution, the Commission shall find that:

- (i) such modifications will facilitate an improved site plan for the bus station and related facilities or are otherwise in furtherance of the bus station project;
- (ii) such modifications will not unduly obstruct access to light and air from surrounding #streets#, open areas and properties; and
- (iii) any proposed modification of regulations governing #zoning lots# divided by district boundaries or the permitted transfer of #floor area# will not unduly increase the #bulk# of any #development# or #enlargement# on the #zoning lot# or the intensity of #use# on any #block# to the detriment of occupants of #buildings# on the #block# or the surrounding area.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

**74-146
Heliports**

* * *

No. 3

CD 4 C 240336 MMM

IN THE MATTER OF an application submitted by The Port Authority of New York and New Jersey pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et-seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance, and closing of a portion of West 41st Street between Eighth Avenue and Ninth Avenue, a portion of West 40th Street between Tenth Avenue and Eleventh Avenue; and
- the elimination, discontinuance, and closing of various volumes from West 41st Street, West 42nd Street, Ninth Avenue, West 40th Street, Tenth Avenue, West 39th Street and Eleventh Avenue;

including authorization for any acquisition or disposition of real property related thereto, in Community District 4, Borough of Manhattan, in accordance with Map No. 30275 dated May 21, 2024 and signed by the Borough President.

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

Accessibility questions: (212) 720-3508, AccessibilityInfo@planning.nyc.gov, by: Wednesday, September 4, 2024, 5:00 P.M.



COMMUNITY BOARDS

■ PUBLIC HEARINGS

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 18 - Wednesday, September 18, 2024, 7:00 P.M., Board Office Meeting Room, 1097 Bergen Avenue and via WebEx for participants who wish to participate online.

The Bureau of Coastal Resilience at the NYC Department of Environmental Protection will do a short 10-minute presentation about what our new bureau is doing, the coastal protection projects that are at various stages of planning and construction, what this means for our community and how communities can be better prepared for storms. Followed by questions and discussion afterwards.

Please Note:

- Videoconferencing information for those who wish to participate online, is as follows:

Webinar topic:
REGULAR MONTHLY BOARD MEETING

Date and time:
Wednesday, September 18, 2024, 7:00 P.M. | (UTC-04:00) Eastern Time (US & Canada)

Join link:
<https://nyccb.webex.com/nyccb/j.php?MTID=m7ef98607f59071e85697f103c8a7a5d3>

Webinar number:
2348 911 8519

Webinar password:
rcXJGbZj27 (72954295 from phones and video systems)
Join by phone
+1-646-992-2010 United States Toll (New York City)
+1-408-418-9388 United States Toll
Global Call-in numbers

◀ a28-s18

HOUSING AUTHORITY

■ MEETING

The next Audit & Finance Committee Meeting of the New York City Housing Authority is scheduled for Friday, September 13, 2024, at 10:00 A.M. in the Ceremonial Room on the 5th Floor of 90 Church Street, New York, New York. Copies of the Agenda will be available on NYCHA's Website or may be picked up at the Department of Internal Audit and Assessment at 90 Church Street, 9th Floor, New York, NY, no earlier than twenty-four (24) hours before the upcoming Audit & Finance Committee Meeting. Copies of the draft Minutes are available on this web page or can be picked up at the Department of Internal Audit and Assessment no earlier than 3:00 P.M. on Tuesday, two weeks after the Audit & Finance Committee Meeting.

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

The meeting will be streamed live on YouTube Channel and on NYCHA's Website, at <https://www1.nyc.gov/site/nycha/about/audit-committee-meetings.page> for public access.

The meeting is open to the public. For those wishing to provide public comment, pre-registration is required, at least 45 minutes before the scheduled Committee Meeting. Comments are limited to the items on the Agenda.

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

Any person requiring a reasonable accommodation in order to participate in the Audit & Finance Committee Meeting should contact the Department of Internal Audit and Assessment by phone at (212) 306-3441 or by e-mail at audit@nycha.nyc.gov, no later than Friday, August 30, 2024, at 5:00 P.M.

For additional information regarding the Audit & Finance Committee Meeting, please visit NYCHA's Website, contact by phone, at (212) 306-3441, or by email, at audit@nycha.nyc.gov.

Accessibility questions: Kenichi Mitchell 212-306-3441, by: Friday, August 30, 2024, 5:00 P.M.



a23-s13

INDEPENDENT BUDGET OFFICE

■ MEETING

The New York City Independent Budget Office's (IBO) Advisory will meet in a hybrid meeting on Wednesday, September 11, 2024, at 8:30 A.M. Contact iboenews@ibo.nyc.ny.us for the Zoom link to attend online. There will be an opportunity for public comment at this meeting.

Accessibility questions: yolandar@ibo.nyc.ny.us, by: Friday, September 6, 2024 4:30 P.M.



◀ a28-s11

OFFICE OF LABOR RELATIONS

■ MEETING

The New York City Deferred Compensation Board will hold its next meeting on Wednesday, September 4, 2024 from 10:00 A.M. to 12:00 P.M. The meeting will be held at 22 Cortlandt Street, 15th Floor, New York, NY 10007. Please visit the below link to access the audio recording of the Board meeting, or to access archived Board meeting audio/videos: <https://www1.nyc.gov/site/olr/deferred/dcp-board-webcasts.page>.

◀ a28-s4

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, September 10, 2024, a public hearing will be held in the public hearing room at 1 Centre Street, 9th Floor, Borough of Manhattan, with respect to the following properties, and then followed by a public meeting. Participation by video conference may be available as well. Please check the hearing page on LPC's website (<https://www.nyc.gov/site/lpc/hearings/hearings.page>) for updated hearing information.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website the Friday before the hearing. Please note that the order and estimated times are subject to change. An overflow room is located outside of the primary doors of the public hearing room. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact Gregory Cala, Community and Intergovernmental Affairs Coordinator, at gcala@lpc.nyc.gov or (212) 602-7254 no later than five (5) business days before the hearing or meeting. Members of the public not attending in person can observe the meeting on LPC's YouTube channel at www.youtube.com/nyclpc and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, on the Monday before the public hearing.

**144 Lafayette Avenue - Fort Greene Historic District
LPC-24-09546** - Block 2120 - Lot 19 - **Zoning:** R6B
CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse built c. 1856 with later alterations. Application is to install a stoop, replace windows, and alter the façade and front areaway.

**192 MacDonough Street - Stuyvesant Heights Historic District
LPC-25-01205** - Block 1856 - Lot 26 - **Zoning:** R6B
CERTIFICATE OF APPROPRIATENESS

French Neo-Grec style rowhouse designed by Arthur Taylor and built in 1888. Application is to construct a second floor balcony at the rear façade.

**123 St. Marks Avenue - Prospect Heights Historic District
LPC-24-10610** - Block 1143 - Lot 67 - **Zoning:** R6B
CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse designed by John V. Porter and built in 1870-72. Application is to alter masonry openings at the rear façade and construct a rear yard addition.

**6 Beverly Road - Douglaston Historic District
LPC-23-04171** - Block 8029 - Lot 3 - **Zoning:** R1-1
CERTIFICATE OF APPROPRIATENESS

A free-standing Colonial Revival style house designed by William H. Van Steenberg and built in 1912. Application is to construct an addition and deck, and replace windows.

**803 Greenwich Street - Greenwich Village Historic District
LPC-25-00981** - Block 625 - Lot 3 - **Zoning:** R6
CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse built in 1858. Application is to alter the first floor of the front façade and install a garage door, and modify the rear façade.

**338-340 Bowery - NoHo Historic District Extension
LPC-24-08423** - Block 530 - Lot 36 - **Zoning:** C6-1
CERTIFICATE OF APPROPRIATENESS

A late Arts and Crafts style lodging house built in 1928-29. Application is to repaint windows, replace doors, modify openings, and install signage.

**153-159 Sullivan Street - Sullivan-Thompson Historic District
LPC-24-08053** - Block 517 - Lot 11 - **Zoning:** R7-2
CERTIFICATE OF APPROPRIATENESS

A Romanesque Revival style church building designed by Arthur Crooks and built in 1886-1888. Application is to install HVAC equipment and planters, relocate and replace statuary, and install signage.

**122 Washington Place - Greenwich Village Historic District
LPC-24-11905** - Block 592 - Lot 8 - **Zoning:** R6, C1-5
CERTIFICATE OF APPROPRIATENESS

An late Federal style rowhouse built in 1832-33. Application is to install a stoop gate.

**8 West 86th Street - Upper West Side/Central Park West Historic District
LPC-24-09829** - Block 1199 - Lot 39 - **Zoning:** R10A
CERTIFICATE OF APPROPRIATENESS

A Georgian Revival style rowhouse designed by Taylor & Levi and built in 1908. Application is to construct rear yard and rooftop additions, and alter the main entrance and areaway.

a27-s10

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, September 10, 2024, at 9:30 A.M., a public hearing will be held in the public hearing room at 1 Centre Street, 9th Floor, Borough of Manhattan, with respect to the following properties, and then followed by a public meeting. Participation by video conference may be available as well. Please check the hearing page on LPC's website (<https://www.nyc.gov/site/lpc/hearings/hearings.page>) for updated hearing information.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website the Friday before the hearing. Please note that the order and estimated times are subject to change. An overflow room is located outside of the primary doors of the public hearing room. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact Gregory Cala, Community and Intergovernmental Affairs Coordinator, at gcala@lpc.nyc.gov or (212) 602-7254 no later than five (5) business days before the hearing or meeting. Members of the public not attending in person can observe the meeting on LPC's YouTube channel at www.youtube.com/nyclpc and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, on the Monday before the public hearing.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website the Friday before the hearing. Please note that the order and estimated times are subject to change. An overflow room is located outside of the primary doors of the public hearing room. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact Gregory Cala, Community and Intergovernmental Affairs Coordinator, at gcala@lpc.nyc.gov or (212) 602-7254 no later than five (5) business days before the hearing or meeting. Members of the public not attending in person can observe the meeting on LPC's YouTube channel at www.youtube.com/nyclpc and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, on the Monday before the public hearing.

**50 West 13th Street - Jacob Day Residence
LP-2658** Block 576 - Lot 15
ITEM PROPOSED FOR PUBLIC HEARING

A three-story Greek Revival style row house built in 1845 which from 1859 to 1884 was the home and business of the prominent African American abolitionist and businessman Jacob Day.

a27-s10

PROPERTY DISPOSITION

The City of New York in partnership with PublicSurplus.com posts online auctions. All auctions are open to the public.

Registration is free and new auctions are added daily. To review auctions or register visit <https://publicsurplus.com>

CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

The City of New York in partnership with IAAI.com posts vehicle and heavy machinery auctions online every week at: <https://iaai.com/search?keyword=dcas+public>.

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

Vehicles can be viewed in person at:
Insurance Auto Auctions, Green Yard
137 Peconic Ave., Medford, NY 11763
Phone: (631) 207-3477

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

ja19-jy3

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

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

ja16-d31

PROCUREMENT

“Compete To Win” More Contracts!

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

- Win More Contracts, at nyc.gov/competetowin

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

HHS ACCELERATOR PREQUALIFICATION

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York (“PPB Rules”), vendors must first complete and

submit an electronic HHS Accelerator Prequalification Application using the City’s PASSPort system. The PASSPort system is a web-based system maintained by the City of New York for use by its Mayor Agency to manage procurement. Important business information collected in the Prequalification Application is required every three years. Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete. Prequalification applications will be reviewed to validate compliance with corporate filings and organizational capacity. Approved organizations will be eligible to compete and would submit electronic proposals through the PASSPort system. The PASSPort Public Portal, which lists all RFPs, including HHS RFPs that require HHS Accelerator Prequalification, may be viewed, at https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public

All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding. For additional information about HHS Accelerator Prequalification and PASSPort, including background materials, user guides and video tutorials, please visit <https://www.nyc.gov/site/mocs/hhsa/hhs-accelerator-guides.page>

ADMINISTRATION FOR CHILDREN’S SERVICES

OFFICE OF INFORMATION TECHNOLOGY

■ AWARD

Services (other than human services)

FIELD OPERATIONS SPECIALIST - QUEENS - M/WBE
Noncompetitive Small Purchase - PIN# 06825W0008001 - AMT: \$169,932.00 - TO: Infopeople Corporation, 450 7th Ave, Ste 1106, New York, NY 10123-0105.

☛ a28

WINTEL PHONES - M/WBE Noncompetitive Small Purchase -
PIN# 06825W0013001 - AMT: \$22,150.00 - TO: Compulink Technologies Inc, 260 W 39th St, Rm 302, New York, NY 10018-4434.

☛ a28

ENVIRONMENTAL PROTECTION

WASTEWATER TREATMENT

■ INTENT TO AWARD

Services (other than human services)

82625Y0572-1594-DISTRIBUTED CONTROL SYSTEM AT THE HUNTS POINT WRRF, BOWERY BAY WRRF AND CFS PAERDEGAT - Request for Information - PIN# 82625Y0572 - Due 9-13-24 at 4:00 P.M.

DEP intends to enter into a Sole Source Agreement with Emerson Process Management Power & Water Solutions, Inc., to furnish labor, parts, materials, and equipment necessary for the service and repair of the Distributed Control System (DCS) at the Hunts Point WRRF, Bowery Bay WRRF and CFS Paerdegat.

The Bureau of Wastewater Treatment (BWT) has Emerson Distributed Control System (DCS) at Hunts Point WRRF, Bowery Bay WRRF and CFS Paerdegat and is in place to monitor and control critical processes and equipment that treat wastewater at these facilities. Distributed Control System (DCS) is a computerized control system for plant process with various complex loops. DCS manages complex processes by collecting information from field devices (Sensors and gauges), processes it internally and controls/automates the output devices. DCS increases reliability by distributing control process across various nodes therefore negating possibility of large-scale failure.

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 August 2nd, 2024, 4:00 P.M. at: Department of Environmental Protection, Agency Chief Contracting Office, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373, Attn: Vanessa Soto, VSOTO@dep.nyc.gov.

a27-s3

WATER AND SEWER OPERATION

■ AWARD

Construction Related Services

PREVENTIVE MAINTENANCE AND REPAIR OF EMERGENCY SYSTEMS - Competitive Sealed Bids - PIN# 82623B0071001 - AMT: \$1,391,300.00 - TO: Lifeline Energy Solutions Inc, 531 Coster Street, Bronx, NY 10474.

Preventive maintenance and repair of emergency generators, diesel engines, and associated mechanical and electrical systems in various subterranean chambers and associated Department of Environmental Protection facilities.

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WATER SUPPLY

■ INTENT TO AWARD

Goods

82625Y0598-BWS YSI FIELD MONITORING EQUIPMENT 5018042X - Request for Information - PIN# 82625Y0598 - Due 9-9-24 at 2:00 P.M.

Pursuant to Procurement Policy Board Rule Section 3-05, Department of Environmental Protections, intends to enter into a sole source agreement with YSI Inc. for YSI field equipment. All related inquiries should be sent via the Discussion Forum in PASSPort or to Noah Shieh at noahs@dep.nyc.gov, no later than September 17, 2024 by 2:00 P.M.

a27-s3

■ AWARD

Services (other than human services)

BWS WATER UTILITY CLIMATE ALLIANCE MEMBERSHIP 5010010X - Other - PIN# 82625U0003001 - AMT: \$25,000.00 - TO: Metropolitan Water District of Southern California, 700 N Alameda St, Los Angeles, CA 90012.

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FIRE DEPARTMENT

■ AWARD

Services (other than human services)

ASSIST FDNY IN DEVELOPING A LEADERSHIP COURSE - M/WBE Noncompetitive Small Purchase - PIN# 05725W0003001 - AMT: \$258,045.00 - TO: Advance Talent Solutions Incorporated, One Liberty Plaza, Ste 2372, 23rd Floor, New York, NY 10006.

The Fire Department of the City of New York ("FDNY" or "the Department") seeks the services of a qualified Contractor to collaborate with the FDNY's Leadership Development Working Group to create a Leadership Course suitable for all supervisory FDNY personnel.

← a28

FACILITY MANAGEMENT

■ AWARD

Goods

WASHERS, DRYERS, DISHWASHERS, REFRIGERATORS - M/WBE Noncompetitive Small Purchase - PIN# 05725W0002001 - AMT: \$500,000.00 - TO: Kemlot Global Associates Inc, 648 Dorothea Ln, Elmont, NY 11003-4520.

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HEALTH AND MENTAL HYGIENE

■ AWARD

Goods

LAB SUPPLIES, BUREAU OF PUBLIC HEALTH CLINICS - M/WBE Noncompetitive Small Purchase - PIN# 81625W0005001 -

AMT: \$1,500,000.00 - TO: CEN-MED Enterprises Inc, 121 Jersey Avenue, New Brunswick, NJ 08901.

Laboratory Testing Supplies for STAT Lab Services.

← a28

ADMINISTRATION

■ AWARD

Construction Related Services

PREVENTIVE MAINTENANCE AND REPAIR SERVICES FOR HVAC - M/WBE Noncompetitive Small Purchase - PIN# 81625W0004001 - AMT: \$1,500,000.00 - TO: Infinity Contracting Services, Corp, 112-20 14th Avenue, College Point, NY 11356.

← a28

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

APPLICATIONS

■ AWARD

Services (other than human services)

7-858-0394A MYCITY SR PERFORMANCE TEST ENGINEER - M/WBE Noncompetitive Small Purchase - PIN# 85824W0131001 - AMT: \$285,740.00 - TO: Rangam Consultants Inc, 270 Davidson Avenue, Suite #103, Somerset, NJ 08873.

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PARKS AND RECREATION

REVENUE

■ SOLICITATION

Goods and Services

RENOVATION, OPERATION, AND MAINTENANCE OF A FOOD SERVICE FACILITY WITH THE OPTION TO OPERATE ONE (1) MOBILE UNIT AT ALLEY POND PARK, QUEENS - Request for Proposals - PIN# Q1-SB-2024 - Due 9-27-24 at 3:00 P.M.

In accordance with Section 1-13 of the Concession Rules of the City of New York, the New York City Department of Parks and Recreation ("Parks") is issuing, as of the date of this notice, a Request for Proposals for the Renovation, Operation, and Maintenance of a Food Service Facility with the option to operate one (1) mobile unit at Alley Pond Park, Queens. There will be a recommended remote proposer meeting on Friday, August 30, 2024 at 3:00 P.M. If you are considering responding to this RFP, please make every effort to attend this recommended remote proposer meeting.

The link for this remote site meeting is as follows: https://teams.microsoft.com/join/19%3ameeting_YzZmZWYwZmMtYzE3Yy00MDBjLThiNTMtNDVhZDA4ODkzMmNm%40thread.v2/0?context=%7b%22Tid%22%3a%2232f56fc7-5f81-4e22-a95b-15da66513bef%22%2c%22Oid%22%3a%2299859205-5e01-4a03-b672-0ad8fdb16e2d%22%7d

Meeting ID: 251 187 376 474

Passcode: 58PUMV

Or call in (audio only) +1 646-893-7101 (insert phone number)

Phone Conference ID: 564 297 819#

Subject to availability and by appointment only, we may set up a meeting at the proposed concession site (Block #7860 & Lot #20), which is located at 79-20 Winchester Boulevard, Queens, NY 11427 ("Licensed Premises").

All proposals submitted in response to this RFP must be submitted no later than Friday, September 27, 2024 at 3:00 P.M.

Hard copies of the RFP can be obtained, at no cost, commencing on Tuesday, August 20, 2024 by contacting Kat Cognata, Senior Project Manager at (212) 360-3407 or at katherine.cognata@parks.nyc.gov.

The RFP/RFB is also available for download, on Tuesday, August 20, 2024 on the Parks' website. To download the RFP, visit www.nyc.gov/parks/businessopportunities, click on the link for "Concessions Opportunities at Parks" and, after logging in, click on the download" link that appears adjacent to the RFP's description.

For more information, prospective proposers may contact Kat Cognata, Senior Project Manager, at (212) 360-3407 or at Katherine.Cognata@parks.nyc.gov.

Deaf, hard-of-hearing, deaf-blind, speech-disabled, or late-deafened people who use text telephones (TTYs) or voice carry-over (VCO) phones can dial 711 to reach a free relay service, where specially trained operators will relay a conversation between a TTY/VCO user and a standard telephone user.

Alternatively, a message can be left on the Telecommunications Device for the Deaf (TDD). The TDD number is 212-New York (212-639-9675).

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

Parks and Recreation, 830 5th Avenue, Room 407, New York, NY, 10065. Katherine Cognata (212) 360-3407; katherine.cognata@parks.nyc.gov

a20-s3

REVENUE AND CONCESSIONS

AWARD

Services (other than human services)

OPERATION OF A MOBILE FOOD TRUCK AT BLOOMINGDALE PARK (ENTRANCE TO PARK AT MAGUIRE AVE) - Competitive Sealed Bids - PIN# R106-2-MT - AMT: \$26,000.00 - TO: Taha Findik, 2832 Bragg Street, Brooklyn, NY 11235.

The City of New York Department of Parks & Recreation ("Parks") has awarded a concession to Taha Findik, of 2832 Bragg Street, Brooklyn, NY 11235 for the operation of a processing truck for the sale of Parks approved items at Bloomingdale Park (Entrance to the Park at Maguire Ave), Staten Island. The concession, which was solicited by a Request for Bids, will operate pursuant to a permit agreement for one (1) five (5) year term. Compensation to the City will be as follows: Year 1: \$5,000; Year 2: \$5,100; Year 3: \$5,200; Year 4: \$5,300; Year 5: \$5,400.

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OPERATION OF A MOBILE TRUCK AT BLOOMINGDALE PARK (RICHMOND PARK LENEVAR AVE) - Competitive Sealed Bids - PIN# R106-MT - AMT: \$75,600.00 - TO: Taha Findik, 2832 Bragg Street, Brooklyn, NY 11235.

The City of New York Department of Parks & Recreation ("Parks") has awarded a concession to Taha Findik, of 2832 Bragg Street, Brooklyn, NY 11235 for the operation of a processing truck for the sale of Parks approved items at Bloomingdale Park (Richmond Park Lenevar Ave), Staten Island. The concession, which was solicited by a Request for Bids, will operate pursuant to a permit agreement for one (1) five (5) year term. Compensation to the City will be as follows: Year 1: \$13,000; Year 2: \$14,000; Year 3: \$15,000; Year 4: \$16,000; Year 5: \$17,600.

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SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

SOLICITATION

Goods and Services

REQUEST FOR QUALIFICATIONS AND EXPRESSION OF INTEREST ("RFQEI"): CSI 50 CONVERSION, PLA FEASIBILITY, MASTER PLANNING SERVICES, DESIGN BUILD REQUIREMENTS CONSULTANT (OWNER'S REPRESENTATIVE) - Request for Information - PIN# 24-0924 - Due 8-28-24 at 5:00 P.M.

Description:

This Request for Qualifications and Expression of Interest ("RFQEI") is being issued by the New York City School Construction Authority ("SCA") to solicit industry feedback and to evaluate vendor interest and qualifications in connection with certain Scopes of Services.

The SCA is responsible for the project delivery of new and major renovations of public school facilities throughout the five (5) boroughs of New York City. The SCA oversees all capital planning, contracting, design, and construction management of all projects in the five-year Capital Plan. To learn more about the SCA's Capital Plan visit https://www.nycsca.org/Community/Capital-Plan-Reports-Data#Capital-Plan-67.

One or more Consultants will be identified, via a formal Request for Proposal process, to perform Services in one or more of the following areas:

- (1) Transitioning the SCA from the MasterFormat Construction Specifications Institute (CSI) 16 Divisions to the current industry 50 Divisions, and training SCA users thereon;
(2) Conduct a Project Labor Agreement ("PLA") Feasibility study for Design Build efforts related to both Capacity (new school) and Capital Improvement Program ("CIP" renovation/rehabilitation) projects.
(3) Master Planning Services; and
(4) Design Build Requirements Consulting (also known as "Criteria Consultant" or "Owner's Rep") Services.

Scopes of Services

- (1) "CSI 50 Implementation": The SCA develops and maintains design standards for public school designs that in-house and consultant architects reference to develop construction documents. The SCA performance specifications, which are based on the Construction Specifications Institute (CSI) 16 divisions MasterFormat breakdown, are used for all SCA project types. The selected Consultant will be responsible for SCA-wide conversion from the 5-digit code specifications standards that have been modified over the years to the industry's latest 50 division MasterFormat with an 8-digit code.
(2) "PLA Study": Section 1, § 4 of the via Assembly Bill A7636B (https://www.nysenate.gov/legislation/bills/2019/A7636), the New York City Public Works Investment Act ("Act"), requires that all Design Build efforts be accomplished pursuant to a Project Labor Agreement. A Project Labor Agreement (PLA) is a pre-hire collective bargaining agreement with one or more labor organizations that establishes the terms and conditions of employment and project delivery for specific construction projects. The SCA has a current PLA with the Building & Construction Trades Council of Greater New York (BCTC) covering specified rehabilitation and renovation work. In order to implement a PLA that would govern the SCA's Design Build projects, the SCA must, pursuant to Labor Law Section 222, Section 2.a.2 (New York Labor Law Section 222), determine that the PLA would further the SCA's "interest in obtaining the best work at the lowest possible price, preventing favoritism, fraud and corruption, and other considerations such as the impact of delay, the possibility of cost savings advantages, and any local history of labor unrest". The selected Consultant will be tasked with undertaking, or supporting an SCA-led, "Feasibility Study" specific to a Design Build Project Labor Agreement.
(3) "Master Planning Services": In response to this RFQEI we are also asking interested firms to demonstrate their ability to perform Master Planning Services with the goal of updating the SCA's Design Standards for its large portfolio of school buildings. Interested firms should respond with prior examples of their master planning experience relating to standards. Associated disciplines/areas of expertise required for this Master Plan service effort shall include, but not be limited to Architectural, Structural, Civil, Geotechnical, Electrical, Lighting, Heating Ventilation and Air-Conditioning, Fire Protection, Plumbing and Drainage, Interior Design, Sustainability, Landscaping, Cost Estimating, Acoustical, Elevator, Signage and Wayfinding, Waste Management, Kitchen, Traffic Engineering, ADA Accessibility, Forensic Architect, Educators, Graphic Design, Security Consultant, Historical Preservation and Energy Modeling Services. It is expected that the components of the study will include Engagement, Data Gathering and Educational & Building Standards. The required services include but are not limited to:
a. Submission of reports in InDesign, PDF, PowerPoint and other electronic format for all documents as required by the SCA.
b. Detailed review and assessment of all existing NYCSCA Design Standards.
c. Engagement In-person and virtual engagement with stakeholders at the SCA, New York City Department of Education, New York City School Construction Authority, Communities (targeted outreach), SCA Design Consultants, and other parties via workshops (visioning) to ensure that collection of comprehensive data to support the update and creation of additional Design Standards. Listening sessions, workshops and surveys shall be included as means of collecting data for this Master Plan.
d. In-person and virtual community engagement to identify highest needs, a vision for teaching and learning in the form

- of educational specification standards and building and architectural design standards.
- e. Preparation of recommendations based on data collected from stakeholders, best pedagogical practice and associated cost estimates for the recommendations. Cost estimates will be instrumental in the decision-making process as it will impact the SCA's 2025-2029 Capital Plan.
- f. Updating and adding to the SCA's current suite of standards.
- (4) "Design Build Requirements Consultant": The SCA is authorized, via the Act, to award Design Build contracts for certain public works within the City. The Act requires that the SCA utilize a two-step procurement process for Design Build contracts: a request for qualifications and then a request for proposals to short-listed vendors. The Act also requires that the SCA select the Design Build proposal that provides the best value to the City, taking into consideration the qualifications of the Design Builder, the quality of the proposal, and the proposed cost. Design Build contracts awarded pursuant to the Act may be for a lump sum, guaranteed maximum price ("GMP"), or other price format. Firms reviewing this RFQEI should be familiar with the Act, and with the Design Build model, and are being asked to respond to certain SCA-specific nuances in connection therewith. The selected Consultant will be tasked with Program and Project Development, including, but not limited to, development of Design Build strategies, creation of internal program materials, risk assessments, development of project specific performance-based specifications, pre- and post-award support, and project management/administration services, for SCA Design Build projects. Ultimately, guided by primers and best practices promulgated by the Design Build Institute of America ("DBIA"), the SCA intends to seek Requirements Consulting Phase 2 services from proposers with strong leadership, technical, and facilitative skills that have extensive experience developing and managing Design Build projects. Services required by the SCA include, without limitation, the following:
 - a. Program Development:
 - i. Strategize and develop the initial NYCSCA Design Build program, outlining project objectives, priorities, opportunities and requirements.
 - ii. Collaborate with SCA stakeholder departments including Architecture & Engineering, Construction Management, Capital Plan Management, Design & Construction Innovation Management (including Technical Standards and Cost Estimating), Environmental & Regulatory Compliance, Finance, Information Technology, Legal and Operations to define program goals and objectives.
 - iii. Recommendations on how to ensure that the Design Professional's standard of care is maintained as it relates to the Owner.
 - b. Procurement Support:
 - i. Draft and issue all elements of the two-stage Design Build procurement process including the RFQ and RFP, with particular emphasis on the development of appropriate evaluation criteria to be used during each phase.
 - ii. Evaluate proposals at both stages and make recommendations based on project requirements and budget constraints.
 - c. Contract Development and Administration:
 - i. Develop contract documents, including terms, conditions, and scope of work, specific to Design Build program.
 - ii. Negotiate contract terms on behalf of the owner to ensure best value and protection of interests.
 - iii. Administer contracts throughout the project lifecycle, including dispute resolution.
 - d. Design and Construction Oversight:
 - i. Review design documents to ensure compliance with SCA Specifications, Design Requirements and all regulations including NYC building codes, SHPO, if applicable, FDNY, etc.
 - ii. Monitor construction progress and quality through site visits, inspections, and coordination meetings.
 - iii. Address design and construction issues in a timely manner to mitigate risks and ensure project success.

- e. Stakeholder Coordination : Facilitate communication and collaboration among internal and external project stakeholders.
- f. Budget and Financial Management:
 - i. Develop, maintain and track project budgets, including cost estimates, forecasts, and expenditures.
 - ii. Liaise with the selected Design Build team, identify cost-saving and value engineering opportunities and recommend strategies to optimize project spending.
- g. Risk Management: Identify potential risks and challenges throughout the project lifecycle and develop mitigation strategies and proactive measures, including appropriate insurance requirements, to minimize disruptions and delays.
- h. Quality Assurance and Control:
 - i. Implement quality assurance measures to ensure that the selected Design Build partner meets project requirements and delivers high-quality work.
 - ii. Conduct regular inspections and reviews to verify compliance with design and construction standards.
- i. Project Closeout:
 - i. Manage the closeout process, including commissioning, final inspections, certifications, and documentation.
 - ii. Facilitate the transition of the completed facility, including collection of operating manuals, warranties and guarantees.

The Design Build Requirements Consultant will also be expected to prepare or facilitate reports, minutes, or other program and project-related documentation, including with regard to MWBE participation, and to maintain comprehensive project records, including contracts, correspondence, and all documentation required in order to support and respond to any future audit.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 School Construction Authority, 25-01 Jackson Avenue, Long Island City, NY 11101. Martina Mercaldo (718) 472-8587; mmercaldo@nycsca.org

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TRANSPORTATION

TRANSPORTATION PLANNING AND MANAGEMENT

■ AWARD

Services (other than human services)

WAREHOUSE RENTAL AND INVENTORY MANAGEMENT

- Competitive Sealed Bids - PIN# 84123B0031001 - AMT: \$1,993,350.00
 - TO: Deluxe Delivery Systems Inc, 729 Seventh Avenue, 2nd Floor, New York, NY 10019.

Warehousing space and inventory management are needed to support both the Public Space and Street Furniture unit as they fulfil their State of the City, Covid response and legislatively mandated missions.

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CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. FOR FURTHER INFORMATION ON ACCESSIBILITY OR TO MAKE A REQUEST FOR ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION SERVICES, PLEASE CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES (MOCS) VIA E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 298-0734. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



ENVIRONMENTAL PROTECTION

■ NOTICE

THIS PUBLIC HEARING HAS BEEN CANCELED

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Department of Environmental Protection via conference call on August 29, 2024, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed Purchase Order/Contract between the Department of Environmental Protection and K Systems Solutions LLC. located at 405 Kearny Ave., Suite 2B, Kearny, NJ 07032 for Commvault Premium Support. The Contract term shall be three calendar years from the date of the written notice to proceed. The Contract amount shall be \$545,906.04 Location: 59-17 Junction Blvd, Flushing, NY 11373 PIN#5300013X.

The Vendor was selected by MWBE Noncompetitive Small Purchase pursuant to Section 3-08(c)(1)(iv) of the PPB Rules.

In order to access the Public Hearing and testify, please call 1-347-921-5612, Access Code: 622835889# no later than 9:55 A.M. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at noahs@dep.nyc.gov.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DEP does not receive, by August 21, 2024, from any individual a written request to speak at this hearing, then DEP need not conduct this hearing. Requests should be made to Mr. Noah Shieh via email at noahs@dep.nyc.gov.

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YOUTH AND COMMUNITY DEVELOPMENT

■ NOTICE

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Tuesday, September 3, 2024 via Phone Conference (Dial In: 646-893-7101/Access Code: 857 143 03#) commencing at 10:00 A.M. on the following:

IN THE MATTER OF three (3) proposed Neighborhood Development Area Non-Competitive Negotiated Acquisition contracts between the Department of Youth and Community Development and the Contractors listed below. These contractors will provide Immigration Services: Application Assistance services Brooklyn 3, Brooklyn 10, & Staten Island 1 and Immigration Services: ESOL/CIVICS services in Manhattan 12.

The term of these contracts shall be from 4/1/2024 to 6/30/2025 with an option to renew for up to three additional years.

Below are the DYCD contract numbers, contractor's name, contractor's addresses and contract amounts.

DYCD CONTRACT NUMBER: 260240460022
CONTRACTOR NAME: Arab American Association of NY, Inc. (Brooklyn 10)

CONTRACTOR ADDRESS: 6803 5th Avenue, Brooklyn, NY 11220
CONTRACT AMOUNT: \$195,313.00

DYCD CONTRACT NUMBER: 260240460023
CONTRACTOR NAME: New York Legal Assistance Group (Brooklyn 3)
CONTRACTOR ADDRESS: 100 Pearl Street, 19th Floor, New York, NY 10004

CONTRACT AMOUNT: \$195,313.00

DYCD CONTRACT NUMBER: 260240460024
CONTRACTOR NAME: Project Hospitality, Inc. (Staten Island 1)
CONTRACTOR ADDRESS: 100 Park Avenue, Staten Island, NY 10302
CONTRACT AMOUNT: \$156,250.00

DYCD CONTRACT NUMBER: 260240460025
CONTRACTOR NAME: Inwood Community Services (Manhattan 12)
CONTRACT ADDRESS: 651 Academy Street, New York, NY 10034
CONTRACT AMOUNT: \$195,313.00

The proposed contractors are being funded in accordance with section 3-04(b)(2)(i)(D) of the Procurement Policy Board (PPB) Rules.

In order to access the Public Hearing or to testify, please join the public hearing conference call at the toll-free number 646-893-7101: Access Code: 857 143 03#) Tuesday, September 3, 2024, no later than 9:50 A.M.

If you require further accommodations, please contact DYCD ACCO via email, ACCO@dycd.nyc.gov no later than three business days before the hearing date.

Pursuant to Section 2-11(c) (3) of the Procurement Policy Board Rules, if DYCD does not receive by August 27, 2024 from any individual a written request to speak at this hearing, then DYCD need not conduct this hearing.

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AGENCY RULES

CAMPAIGN FINANCE BOARD

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? We are proposing amendments to the Campaign Finance Board's (the "CFB") rules regarding:

- complaints
- Conflict of Interest Board filings,
- contributions,
- disclosures,
- expenditures,
- independent expenditures,
- loans,
- public funds payments,
- registration and certification,
- statements of need,
- training, and
- transition and inauguration entities.

When and where is the hearing? The CFB will hold a public hearing on the proposed rules in person and online. The public hearing will take place at 1:00 p.m. on September 27, 2024, at 100 Church Street, 12th Floor, New York, New York 10007.

- To join the hearing via your internet browser, click on the following URL link: https://us06web.zoom.us/webinar/register/WN_exIiiAmxTba8hirB_UcNrg
- Then, follow the instructions to join the meeting using Zoom in your browser or on your device.

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

- **By speaking at the hearing.** Anyone who wants to comment on the proposed rules at the public hearing must sign up to speak. You can sign up before the hearing by calling Joseph Gallagher, Interim General Counsel, at (212) 409-1865. You can also sign up in the hearing room before the hearing begins. You may speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a "Question and Answer" format.
- **Website.** You can submit comments to the Board through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to Rules@nycfb.info.
- **Mail.** You can mail written comments to Joseph Gallagher, Interim General Counsel, Campaign Finance Board, Church Street Station, P.O. Box 3525, New York, NY 10008-3525.
- **Fax.** You can fax written comments to the CFB at (212) 409-1705.

Is there a deadline to submit comments? Comments must be submitted by September 27, 2024.

What if I need assistance to participate in the hearing? Accessibility accommodations are available. If you require assistance to participate in the hearing, you must contact the Board to request a reasonable accommodation at the hearing. You can also request a reasonable accommodation by email at Access@nycfb.info or by phone

at (212) 409-1800. Advance notice is required to allow sufficient time to arrange the accommodation. Please request any accommodations by September 25, 2024.

This location has the following accessibility option(s) available: Simultaneous transcription for people who are deaf or hard of hearing, audio-only access for persons with vision impairments, and sign language interpretation (upon request) are available. We also offer a remote option to watch and/or participate in the hearing.

Can I review the comments on the proposed rules? You can review the online comments at <http://rules.cityofnewyork.us/>. After the hearing, copies of online and written comments will be available at 100 Church, 12th Floor, New York, New York, 10007. An online recording of the hearing will be available on the Board's website.

What authorizes the CFB to propose this rule? Sections 1043 and 1052(a)(5), (a)(8), (a)(12), (a)(15), and (d) of the City Charter, sections 3-702(24), 3-703(1-c), 3-703(15), 3-703(16), 3-704(1), 3-705(4), 3-705(7)(a)(1), 3-706(6), 3-708(5), 3-708(8), 3-710(1), 3-710.5(i), 3-801(1), and 12-110 pursuant to 3-703(1)(m) of the Administrative Code and sections 14-118(2) and 14-130(2) of New York State Election Law authorize the Board to propose these rules and amendments.

Was the proposed rule included in the CFB's regulatory agenda? This proposed rule was included in the CFB's regulatory agenda for this Fiscal Year.

Where can I find the CFB rules? The CFB rules are in title 52 of the Rules of the City of New York at NYC Rules and the website of American Legal Publishing Corporation.

Statement of Basis and Purpose of Proposed Rules

The Campaign Finance Board (the "CFB" or "Board") is a nonpartisan, independent City agency that empowers New Yorkers to make a greater impact in elections. The CFB administers the City's campaign finance system, overseeing and enforcing the regulations related to campaign finance and holding candidates accountable for using public funds responsibly. The CFB publishes detailed public information about money raised and spent in City elections by candidates and independent spenders, and engages and educates voters through community outreach, the Voter Guide pursuant to § 3-709.5 of the Code, and the Debate Program pursuant to § 1053 of the Charter.

The CFB is proposing amendments to its rules regarding the handling of complaints against campaigns. The CFB may use its investigative powers pursuant to § 1052(a)(5) of the Charter and §§ 3-708(5) and 3-710(1) of the Code to conduct investigations into potential violations of the Charter, the New York City Campaign Finance Act, codified in Chapter 7 of Title 3 of the Code, or the CFB's rules. The CFB is proposing amendments to clarify the way in which it will use these powers with regards to complaints about campaigns or independent spenders.

The CFB is proposing amendments to its rules regarding compliance with Conflicts of Interest Board reporting requirements. Campaigns must demonstrate compliance with § 12-110 of the Ad. Code in order to be eligible for participation in the public campaign finance system. The CFB is proposing amendments to clarify its position on the deadline for demonstrating compliance.

The CFB is proposing amendments to its rules regarding contributions. New York Election Law § 14-118(2) limits the types of financial instruments that can be used to make contributions greater than one hundred dollars. Furthermore, Charter § 1052(a)(8) and Admin. Code § 3-708(8) requires the CFB to promulgate rules for the administration of a voluntary system of public finance, which includes regulation of contributions eligible to be matched by public funds. Additionally, Admin. Code § 3-703(1-c) provides that contributions made by text message may not exceed \$99. The CFB is proposing amendments to ensure compliance with the foregoing statutes and to clarify what limitations affect the public campaign finance system's contribution matching.

The CFB is proposing amendments to its rules regarding daily pre-election disclosures. Pursuant to Admin. Code § 3-708(8), the CFB has promulgated rules regarding the periods during which campaigns must file disclosures. The CFB is proposing amendments to clarify and harmonize the application of the filing requirements.

The CFB is proposing amendments to its rules regarding expenditures. On December 13, 2023, Local Law 168 of the year 2023, which exempted certain bank and credit card fees from the expenditure limit of the public campaign finance program, went into effect. The local law is now codified as Admin. Code §§ 3-702(24) and 3-706(6). The CFB is proposing amendments to its rules regarding expenditures to conform to the Admin. Code, as required under § 3-706(6). Admin. Code § 3-703(16) requires campaigns to include a disclosure when the campaign pays for certain communications. The CFB is proposing amendments to make the rules for campaigns similar to those for independent spenders. Finally, pursuant to Admin. Code § 3-704(1), the

CFB is proposing amendments to clarify its position on using campaign funds for contributions to certain charitable organizations.

The CFB is proposing amendments to its rules regarding independent expenditures. Pursuant to Charter § 1052(a)(15), the CFB has promulgated rules related to disclosure requirements for independent spenders in city elections. The CFB is proposing amendments to clarify its position on evidence of coordination between a spender and a campaign. Further, the CFB is proposing amendments to ensure that the reporting requirements capture emerging communication technologies.

The CFB is proposing amendments to its rules regarding loans. New York Election Law § 14-130(2) prohibits the use of campaign funds to pay interest on loans from the candidate or the spouse of the candidate. The CFB is proposing amendments to clarify when loan interest may be paid by campaigns.

The CFB is proposing amendments to its rules regarding public funds payments. Pursuant to Charter § 1052(a)(8) and Admin. Code § 3-708(8), the CFB must promulgate rules for the administration of a voluntary system of public finance, and pursuant to Admin. Code § 3-703, campaigns must demonstrate eligibility for public funds payments. Finally, Admin. Code § 3-705(4) requires the CFB to reconsider nonpayment determinations when a candidate petitions the CFB. The CFB proposes amendments to clarify some of the factors that might lead to a determination that a campaign is ineligible, as well as the form and timing of petitions for reconsideration of a nonpayment determination.

The CFB is proposing amendments to its rules regarding registration and certification. Pursuant to Charter § 1052(a)(8) and Admin. Code 3-708(8), the CFB must promulgate rules for the administration of a voluntary system of public finance. The CFB is proposing amendments to clarify when a campaign must register with the CFB and to conform the language of the rule with CFB computer systems.

The CFB is proposing amendments to its rules regarding statements of need. Pursuant to Admin. Code § 3-705(7)(a)(1), certain candidates must submit a certified signed statement to demonstrate the need for additional public funds payments. The CFB is proposing rules to clarify the deadlines for the submission of these statements.

The CFB is proposing amendments to its rules regarding training. Pursuant to Admin. Code § 3-703(15), certain campaign personnel are required to attend trainings provided by the CFB. The CFB is proposing amendment to clarify when and by whom the trainings must be attended.

The CFB is proposing amendments to its rules regarding transition and inauguration entities ("TIEs"). Pursuant to Admin. Code § 3-801(1), the CFB is required to promulgate rules regarding the time and manner of registration for TIEs. The CFB is proposing amendments clarifying when TIEs must be registered.

The following is a summary of the substantive changes.

Summary of Proposed Rules

Complaints

Section 12-02(c)(ii) of Title 52 of the Rules of the City of New York is amended to provide that, if a complaint is moot, facially meritless, or not in substantial compliance, the Board need not follow the procedural requirements that would otherwise apply.

Conflicts of Interest Board (COIB) Filings

Section 3-05(b) is amended to extend the deadline for proof of compliance with COIB filing requirements to 36 hours prior to the payment date on which a candidate seeks public funds.

Contributions

Section 5-03(e) is amended to clarify that contributions made with an instrument other than check, money order, cashier's check, or credit or debit card are limited to \$100. This is consistent with New York State Election Law § 14-118(2), which states: "No candidate, political committee, or agent thereof may receive from any one person an aggregate amount greater than one hundred dollars except in the form of a check, draft or other instrument payable to the candidate, political committee or treasurer and signed or endorsed by the donor; except that such a candidate, political committee or agent may receive contributions in amounts greater than one hundred dollars which are made by credit card..." Additionally, Admin. Code § 3-703(1-c) provides that contributions made by text message may not exceed \$99. Similarly, section 5-05(y) is amended to provide that contributions aggregating over \$100 from a single contributor made using any instrument other than check, credit card, or debit card are not matchable. Previously the rule stated that contributions over \$100 via cash, money order, or cashier's check were not matchable. This change creates consistency with the amended section 5-03(e) while preserving the ineligibility for

matching for money order and cashier's check contributions aggregating over \$100.

Section 5-05 is amended to provide that contributions made using digital assets are not matchable. For a contribution to be matched with public funds, it is critical to verify both its true source and its true value; digital assets present a unique challenge in this regard due to their anonymity and volatility.

Section 5-05(z), providing that contributions for which a matching claim was previously withdrawn are not matchable, is repealed, as matching claims may no longer be withdrawn.

Section 5-10(b)(iv), providing the method of analyzing the source of contribution subject to the "doing business" contribution limit, is repealed, as contributions related to the "doing business" limit will no longer be assessed differently from those subject to the general contribution limit.

Disclosures

Section 6-01(h)(iii)(A) is amended to remove the daily disclosure requirement for candidates who wish to claim the primary expenditure limit but do not appear on a primary ballot. This brings the rule in line with CFB practice and out of contradiction with Rule 4-09.

Expenditures

Section 6-01 is amended to conform to Local Law No. 168 for the year 2023, which provides that credit card processing fees paid by a campaign for contributions received by the campaign and any bank fees paid by the campaign do not count against the expenditure limitation for that campaign.

Section 6-06 is amended to ensure that the candidate requirements for identification of communications are comparable to those applicable to independent spenders. As with the independent spender rules, the provision specific to text messages is deleted, because text messages are included as visual communications. Section 6-06 is further amended to require a paid for by identification on communications for which a candidate has paid an individual or entity to create, distribute, or publish favorable or unfavorable content regarding any candidate or ballot proposal.

Section 7-07(a)(ii) is amended to provide that contributions made to 501(c)(3) organizations using campaign funds will be deducted from the amount of public funds the candidate is eligible to receive, unless the contributions are made from a segregated account. Contributions to 501(c)(3) organizations are presumed to be a permissible use of campaign funds pursuant to Admin. Code § 3-702(21)(a)(1) but should be made sparingly by candidates who receive public funds.

Independent Expenditures

Section 6-04(a) is amended to add five new factors that the Board may consider in determining whether an expenditure is made independently of a campaign:

- the candidate serves or has served as a principal member or professional or managerial employee of the person or entity making the expenditure, during the same election cycle in which the expenditure is made;
- the candidate, or an individual or entity who previously worked for the candidate, has conveyed strategic, non-public information to the spender during the same election cycle in which the expenditure is made;
- the spender utilizes strategic information or data related to the candidate that either is not from a public source, or has been made publicly available by the candidate, or an individual or entity who previously worked for the candidate, in a manner which the candidate or the individual or entity knew or should have known would facilitate the spender's use of the information;
- the spender is or has been established, financed, maintained, or controlled by a member of the candidate's family; and
- a member of the candidate's family holds or held a ten percent or more ownership interest in, or holds or held a management position in, the entity making the expenditure during the election cycle in which the expenditure is made.

The addition of these factors will strengthen the Board's ability to ensure that candidates and outside parties do not coordinate in campaign spending as a means of circumventing the contribution and expenditure limits.

Sections 14-01, 14-02, and 14-04 are amended to remove the distinctions between different reporting and identification requirements based on the method by which a communication is distributed, in favor of distinctions based on the type of communication, and to expand coverage to include internet-based communications. Section 14-02 is also amended to clarify that expenditures to single vendors aggregating \$100 or greater are covered expenditures for the purposes of that section. Provisions specific to mass mailings, text

message communications, and telephone communications are deleted, as those are included as visual and audio communications, respectively. Section 14-04(a) is further amended to provide that, if it is impracticable to display a clearly readable notice in an online communication that contains a link to a location controlled by the independent spender, the communication may contain the words "Paid for by" followed by the name of the independent spender, provided that the full text of the required notice must appear at the redirected location. These changes are made to allow the CFB and independent spenders to adapt to evolving modes of technology such as text messaging, social media, and podcasts. Because it is impossible to predict all of the ways in which information will be disseminated in future election cycles, basing the requirements on type of communication rather than method of distribution creates the flexibility required to avoid obsolescence.

Loans

A new section 5-09(j) is added to provide that interest may not be charged on loans made to a campaign by the candidate or the candidate's spouse, consistent with New York State Election Law § 14-130(2). The section further prohibits interest payments to the candidate's domestic partner, child, grandchild, parent, grandparent, or sibling, to a spouse or domestic partner of those family members of the candidate, or to an entity in which the candidate or any of the listed family members has a 10% or greater ownership interest.

Public Funds Payments

Section 3-01(d) is amended to distinguish between mandatory and discretionary bases for public funds ineligibility during the pre- and post-election periods. The mandatory bases, most of which are required by the New York City Campaign Finance Act, codified in Chapter 7 of Title 3 of the Code, deem a candidate automatically ineligible to receive public funds during the applicable period, while the discretionary bases are subject to the Board's discretion. Section 3-01(d) is also amended to clarify that campaigns must timely attend both a compliance training and a campaign finance software training in order to be eligible for public funds. Finally, section 3-01(d) is amended to define the types of facts that evince spending funds, seeking endorsements, and broadly soliciting votes, all of which constitute campaign activity as defined by the Act.

Sections 7-09(a) and 8-05 are amended to provide that a petition for review of a public funds determination may be rejected if it does not state the specific grounds for reconsideration or otherwise does not comply with the procedural requirements. Section 8-05 is further amended to clarify that the deadline to file a petition is 30 days from the issuance of the final board determination, rather than the final audit report.

Additionally, section 7-09(a) is amended to clarify the deadlines applicable to pre-election petitions for review of public funds determinations. Section 7-09(d) is amended to clarify that a pre-election determination on a petition for a review of a public funds determination may only be challenged via Article 78 after the issuance of a final Board determination pursuant to Rule 10-03(c), since pre-election public funds determinations are preliminary determinations.

Registration and Certification

Section 2-01 is amended to require candidates to register with the Board prior to conducting financial activity and within 10 business days of filing a petition or a certificate of nomination or substitution to get on the ballot in a particular election. Section 2-01 is further amended to bring the language into conformity with the language used by candidates to register on the CFB portal.

Sections 2-02 and 2-03 are also amended to bring the language into conformity with the language used by candidates to register on the CFB portal.

Statements of Need

Section 7-04(a) is amended to make the statement of need deadlines for regular payments occur after those for early payments.

Training

Section 2-06 is amended to specify that only candidates and treasurers can fulfill CFB training requirements. Section 2-06 is further amended to lay out that when a treasurer is replaced, they must complete training within 30 days in an election year, and within 45 days in a non-election year. Finally, section 2-06 is amended to require training to be completed before the 15th business day before a payment prior to an election and for a post-election payment, prior to election day.

Section 15-05 is amended to reflect that the same requirements will apply to special election campaigns.

Transition and Inauguration Entities (“TIEs”)

Section 13-01(b) is amended to provide that candidates who win the primary election and are unopposed in the general election may register a TIE beginning on the day after their primary results are certified or when the general election ballot is set, whichever is later.

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

Section 1. Section 2-01 of chapter 2 of Title 52 of the Rules of the City of New York is amended to read as follows:

§ 2-01 [Filer] Registration.

[A candidate must submit a Filer Registration, prior to filing disclosure statements, in the form and manner required by the Board, unless such candidate has previously submitted a Certification for the same election] A candidate in a covered election must register in the form and manner required by the Board prior to conducting financial activity or within 10 business days of filing a petition or a certificate of nomination or substitution to get on the ballot in a covered election, whichever is earlier.

(a) **Not a statement of intent.** The submission of a [Filer] Registration shall not be construed as a statement of intent to join the Program.

(b) **Applicable requirements.** Because the requirements of the Act and these rules apply to financial transactions that take place before a candidate [joins the Program] registers, the Board advises candidates to begin compliance with all applicable requirements set forth in the Act and these rules prior to [joining the Program] registering.

(c) **Deadline.** A candidate must submit a complete[Filer] Registration [no later than the day that the candidate files the first disclosure statement for an election] prior to conducting financial activity and within 10 business days of filing a petition or a certificate of nomination or substitution to get on the ballot in a covered election.

(d) **Form.** The [Filer] Registration must contain any [signatures and notarizations] verifications of identity and affirmations as may be required by the Board.

(e) **Contents.** The [Filer] Registration must include:

- (i) the candidate’s name, residential address information and telephone numbers, email address, and employment information;
- (ii) a sworn statement from the candidate authorizing the committee to make, on the candidate’s behalf, any filings as may be required by the Board to disclose all financial activity, including that of the candidate, related to the candidate’s campaign;
- (iii) the name and mailing address, and treasurer name, treasurer residential address information and telephone numbers, treasurer email address, and treasurer employment information, of every political committee authorized by the candidate that has not been terminated, and, in the case of a participant or limited participant, an indication of which such committee is the principal committee, and a sworn statement from the treasurer of such committee that the candidate has authorized the committee to aid or take part in this election;
- (iv) the name, mailing address, email address, and telephone number of any person designated by the candidate to act as liaison with the Board for each committee filing disclosure statements;
- (v) by the earlier of the candidate’s first required disclosure statement filing or 15 business days following submission of the [Filer] Registration, identification of all bank accounts and other depository accounts, including merchant and payment processor accounts, into which receipts have been, or will be, deposited, and all bank accounts used for the purpose of repaying debt from a previous election; all bank accounts used for the purpose of repaying debt from a previous election; and
- (vi) the specific office to which the candidate is seeking nomination or election; and
- (vii) other information as required by the Board.

(f) **Small campaign registration.**

- (i) If neither the expected total cumulative receipts nor the expected total cumulative expenditures of a campaign, including expenditures made with the candidate’s personal funds, exceeds an amount equal to the amount applicable

to qualify for the exception provided in § 14-124(4) of the New York State Election Law, the candidate may[, instead of submitting a Filer Registration, submit] register as a small campaign [registration form, which must contain] by submitting such information as may be required by the Board. The small campaign registration [form] must also include an affirmation stating that neither the total cumulative receipts nor the total cumulative expenditures of the campaign, including expenditures made with the candidate’s personal funds, will exceed the amount applicable to qualify for the exception provided in § 14-124(4) of the New York State Election Law, and that if such amount is exceeded, beginning on or before the deadline to file the next disclosure statement, the candidate will [submit a Filer] amend the Registration and submit all subsequent required disclosure statements, which must include all prior financial activity beginning at the inception of the campaign.

(ii) A candidate who has [filed] registered as a small campaign [registration form] pursuant to this section need not submit disclosure statements. If a candidate who has [filed] registered as a small campaign [registration form] raises or spends an amount exceeding the amount necessary to qualify for the exception provided in § 14-124(4) of the New York State Election Law, the candidate must [submit a Filer] amend their Registration and submit all subsequent required disclosure statements, beginning on or before the deadline to file the next disclosure statement. The first such statement filed must include all prior financial activity beginning at the inception of the campaign.

§ 2. Section 2-02 of chapter 2 of Title 52 of the Rules of the City of New York is amended to read as follows:

§ 2-02 Certification.

To join the Program, a candidate must [submit] register as a participant by submitting a Certification online by the deadline as provided in §§ 3-703(1)(c) and 3-705(4) of the Code. A candidate may [submit a Certification, instead of the Filer Registration] register as a participant before filing disclosure statements.

(a) **Applicability.** The Certification applies to all covered elections that are held in the same calendar year or to a special election to fill a vacancy in an office covered by the Act. A candidate only needs to file one Certification for the primary and general elections. Special elections and all other elections require separate Certifications.

(b) **Deadlines.**

- (i) For primary and general elections, the deadline for filing a Certification is the later of the ninth Monday preceding the primary election or the thirtieth day after a special election is held to fill a vacancy for the office sought by the candidate. To be eligible to receive an optional early public funds payment, candidates must file a Certification no less than fifteen business days before the date on which the payment is scheduled to be made.
- (ii) If the Board declares an extraordinary circumstance, the deadline for filing a Certification will be the seventh day following the declaration.

(c) **Failure to timely certify.** A candidate who does not file a timely Certification is a nonparticipant.

(d) **Rescission.** A candidate who files a Certification prior to the deadline may rescind the Certification by submitting a Certification rescission form on or before the deadline or prior to receiving public funds, whichever happens first. A candidate who timely rescinds a Certification is a non-participant and may not submit an additional Certification for the same election cycle.

(e) **Form.** The Certification must contain any [signatures and notarizations] verifications of identity and affirmations required by the Board. [Certifications submitted non-electronically must contain original notarized signatures from both the candidate and the principal committee treasurer.]

(f) **Contents.** The Certification must include all [filer] registration information required by section 2-01 and such other information as required by the Board, including all information necessary to receive payment by electronic funds transfer. In the Certification, the candidate shall designate a principal committee.

(g) **Legal effect.** The candidate must comply fully with Program requirements in all elections for which the Certification is submitted, regardless of the office sought and regardless of whether the candidate: (1) meets all the requirements of law to have such candidate’s name on the ballot in the election; (2) [meets the Act’s threshold for eligibility for] is eligible to receive

public funds in the election; or (3) accepts public funds; or (4) is otherwise eligible to receive public funds in the election].

§ 3. Section 2-03 of chapter 2 of Title 52 of the Rules of the City of New York is amended to read as follows:

§ 2-03 Amendments to [Filer] Registration [or Certification].

(a) The candidate must notify the Board of any material change in the information required to be listed on the candidate's [Filer] registration [or Certification,] including any new information or any change to any required information, concerning any political committee, bank account, merchant or payment processor account, candidate or treasurer employment, address, telephone number, or email address, in such manner as may be provided by the Board, if such change occurs prior to the covered election or within a period of five years from the filing of a final statement showing satisfaction of all liabilities and disposition of all assets arising from the covered election, including payment of any penalties or repayment of public funds owed to the Board. Such notification must be submitted no later than the next deadline for filing a disclosure statement, or, in the case of changes that occur after the deadline for the final disclosure statement required to be filed, no later than 30 days after the date of the change.

(b) A candidate may amend the Certification with regard to the specific office sought on or before the certification deadline or prior to receiving public funds, whichever happens first.

(i) A candidate may amend the Certification with regard to the specific office sought if the Board declares an extraordinary circumstance pursuant to § 3-703(1)(c)(iii) of the Code, provided that such declaration pertains to the election for either the candidate's original office sought or the candidate's new office sought. The candidate must refund the excess portion of any contributions that exceed the limits applicable to the new office sought, raise additional funds required to meet the threshold applicable to the new office sought, and repay any amount of public funds previously received that exceeds the amount the candidate is eligible to receive for the new office sought. A candidate who fails to promptly satisfy the requirements of this paragraph may be required to repay all public funds previously received for the covered election.

(ii) Absent a declaration of an extraordinary circumstance, a candidate who amends the Certification with regard to the specific office sought after receiving public funds shall remain a participant, but shall be ineligible to receive additional public funds for the covered election and shall be required to repay all public funds previously received for that election.

(c) If the treasurer of a candidate's principal committee resigns or is removed, the Board will consider the candidate to be the treasurer of the principal committee until the candidate submits an amended [Filer] Registration [or Certification] that designates a new treasurer.

§ 4. Section 2-06 of chapter 2 of Title 52 of the Rules of the City of New York is amended to read as follows:

§ 2-06 Training. [A candidate or the candidate's representative must attend a training provided by the Board concerning compliance with the requirements of the Program and use of the disclosure software.

The training must be completed on or before the final day of the 32-day pre-primary election disclosure period; provided, however, that for the candidate to be eligible to receive a public funds payment, such training must be completed on or before the final day of the 32-day pre-primary election disclosure period or the 15th business day before the payment is scheduled to be made, whichever is earlier. The individual attending the training may be the candidate, the candidate's campaign manager or treasurer, or another individual with significant managerial control over the campaign. For this section, campaign consultants are not individuals with significant control over the campaign. The training attendee must be listed on the candidate's Filer Registration or Certification.]

(a) Campaigns must attend training as follows:

(i) The candidate must attend a training provided by the Board concerning compliance with the requirements of the Act and Rules.

(ii) Upon registration or replacement, any treasurer must attend training concerning compliance with the requirements of the Act and Rules and use of disclosure software. If the treasurer is replaced before the election, the new treasurer must complete the training requirement.

(b) Training must be completed:

(i) prior to an election year, the training requirement must be completed within 45 days of registration or upon replacement

of a treasurer, or by the last day of the reporting period for the next disclosure statement, whichever is later;

(ii) during an election year, the training requirement must be completed within 30 days of registration or upon replacement of a treasurer, or by the last day of the reporting period for the next disclosure statement, whichever is later;

(iii) provided that for a candidate to be eligible to receive a public funds payment, such training requirements must be completed on or before the 15th business day before the payment is scheduled to be made and for a post-election payment, training must be completed prior to election day.

§ 5. Subdivision (d) of section 3-01 of chapter 3 of Title 52 of the Rules of the City of New York is amended to read as follows:

(d) Basis for ineligibility determination[.]

(i) Pre-election[.]

(A) Mandatory ineligibility. [The Board may determine that a pre-election public funds payment will] Prior to the election, public funds will not be paid to a candidate if:

[(A)](1) the candidate fails to submit a disclosure statement required by these rules;

[(B)](2) the candidate fails to provide to the Board, upon its request, documents or records required by Chapter 4 of these rules, or other information that verifies campaign activity;

[(C)](3) the difference between the candidate's reported receipts and documented receipts, or between the candidate's reported expenditures and documented expenditures, exceeds a maximum threshold percentage. The threshold percentage for each election cycle will be determined and publicized by the Board on or before July 11 in the year before the year of the election;

[(D)](4) the number of matching claims for which a candidate has failed to provide complete and accurate documentation exceeds a maximum threshold percentage of such candidate's total matching claims. The threshold percentage for each election cycle will be determined and publicized by the Board on or before July 11 in the year before the year of the election;

[(E)](5) the number of contributions for which a candidate has failed to report employer information as required by section 4-05(c)(ii)(A) exceeds a maximum threshold percentage of the total number of contributions exceeding \$99 received by such candidate. The threshold percentage for each election cycle will be determined and publicized by the Board on or before July 11 in the year before the year of the election; or

[(F)](6) Either the candidate or [such candidate's representative] treasurer fails to attend a compliance training or a campaign finance software training by the deadline provided in section 2-06(b)[.]; or[.]

[(G)](B) Discretionary ineligibility. Prior to the election, the Board may determine that public funds will not be paid to a candidate if there is reason to believe that the candidate has committed a violation of the Act or these rules not otherwise enumerated in paragraph (ii) of this subdivision, and which is not a basis for withholding pursuant to section 7-06.

(ii) Pre-election or post-election[.]

(A) Mandatory ineligibility. [The Board may determine that neither] Neither a pre-election nor a post-election public funds payment shall be paid to a candidate if:

[(A)](1) the candidate has failed to meet one of the eligibility criteria of the Act or these rules;

[(B)](2) the candidate is required to repay public funds previously received, as described in sections 9-01 and 9-02, or the candidate has failed to pay any outstanding claim of the Board for the payment of civil penalties or the repayment of public funds against such candidate or such candidate's authorized committee or an authorized committee of such candidate from a prior covered election, provided that the candidate has received written notice of the potential payment obligation and potential ineligibility determination 90 days in advance of the [certification deadline for the current covered election] first payment for the election and an opportunity to present reasons for such candidate's eligibility for public funds to the Board;

[(C)](3) previous public funds payments to the candidate for the election equal the maximum permitted by the Act;

[(D)](4) the candidate fails to demonstrate compliance with § 12-110 of the Code, as required pursuant to § 3-703(1)(m) of the Code and section 3-05;

[(E)](5) the candidate fails to demonstrate compliance with the training requirement of § 3-703(15) of the Code and Sections 2-06 or 15-05 of these rules;

(6) the candidate endorses or publicly supports such candidate's opponent for election pursuant to § 3-705(9) of the Code;

[(F)](7) the candidate loses in the primary election but remains on the ballot for the general election and fails to certify and demonstrate to the Board, as required by § 3-705(10) of the Code, that such candidate will actively campaign for office in the general election, provided that such certification must be complete on or before the 32-day pre-general election disclosure statement deadline; or the candidate certifies and demonstrates to the Board that such candidate will actively campaign for office in the general election but thereafter fails to engage in campaign activity that shall include but not be limited to, raising and spending funds, and broadly soliciting votes;];

(I) Raising and spending funds. The candidate is required to demonstrate an aggregate of three times the participant contribution limit for the office sought in funds raised or spent by such candidate's authorized committee in the disclosure following the certification of the primary election.

(II) Seeking endorsements. Evidence of seeking or obtaining endorsements must relate specifically to the general election campaign.

(III) Broadly soliciting votes. Evidence of broadly soliciting votes must consist of links to a campaign website and any campaign social media sites that have been updated to reflect the ballot line the candidate is running on in the general election; and campaign literature, documentation of campaign events or fundraisers held by the candidate, or other advertising soliciting support of the candidate specifically for the general election and listing the ballot line on which the candidate is running in the general election.

[(G)](8) the candidate has exceeded the applicable expenditure limits provided in § 3-706 of the Code;

[(H)](9) the candidate has been found by the Board, in the course of Program participation, to have committed fraud or material misrepresentation or to be in breach of certification pursuant to section 3-01(e) [; or] _

[(I)] (B) Discretionary ineligibility. The Board may determine that neither a pre-election nor post-election public funds payment will be paid to a candidate if there is reason to believe that, in the course of Program participation, the candidate has engaged in conduct detrimental to the Program that is in violation of any other applicable law.

§ 6. Paragraph (b) of section 3-05 of chapter 3 of Title 52 of the Rules of the City of New York is amended to read as follows.

(b) Due dates. [A candidate may submit proof of compliance to the Board. Proof is timely if it is submitted to the Board on or before the deadline to file a Certification for the covered election, except as provided by subdivision (a)] A candidate must demonstrate compliance with the requirements of subdivision (a) of this section 3 days prior to the next payment date. Failure to demonstrate compliance may result in a delay of any payment by the Board.

§ 7. Subdivision (e) of section 5-03 of chapter 5 of Title 52 of the Rules of the City of New York is amended to read as follows:

(e) [Cash contributions] Contributions in excess of \$100. A candidate may not accept [cash receipts] contributions aggregating in excess of \$100 from a single source except by check, money order, cashier's check, or credit or debit card.

§ 8. Subdivision (y) of section 5-05 of chapter 5 of Title 52 of the Rules of the City of New York is amended to read as follows:

(y) [Cash, money order, or cashier's check] Certain contributions exceeding \$100. [Cash, money order, or cashier's check contributions] Contributions from any one contributor that are greater than \$100 in

the aggregate and are made by any instrument other than check, credit card, or debit card.

§ 9. Section 5-05 of chapter 5 of title 52 of the rules of the city of New York is amended by deleting subdivision (z) and relettering subdivisions (aa) and (bb), as follows:

(z) [Withdrawn matching claims. Contributions for which a matching claim was previously withdrawn by the candidate.

(aa) Non-matchable contributions. Contributions that are otherwise not matchable contributions within the meaning of the Act.

[(bb)] (aa) Contributions made by digital assets. Digital assets, such as cryptocurrencies or non-fungible tokens based upon blockchain or similar software.

(bb) Additional factors. In addition, the Board will consider the following factors in determining whether matchable contribution claims are invalid and in projecting a rate of invalid matchable contribution claims:

- (i) any information that suggests that a contribution has not been processed or reported in accordance with Program requirements;
- (ii) any other information that suggests that matchable contribution claims may be invalid; and
- (iii) calculation errors in totals reported.

§ 10. Section 5-09 of chapter 5 of Title 52 of the Rules of the City of New York is amended by adding a new subdivision (j), to read as follows:

(j) Interest. A candidate's committee shall not pay interest or other finance charges on a loan made from the personal funds of the candidate, from the personal funds of a spouse, domestic partner, child, grandchild, parent, grandparent, or sibling of the candidate or spouse or domestic partner of such child, grandchild, parent, grandparent, or sibling, or from an entity in which the candidate or any such person has a 10% or greater ownership interest.

§ 11. Paragraphs (iv) and (v) of subdivision (b) of section 5-10 of chapter 5 of Title 52 of the Rules of the City of New York are amended to read as follows:

(iv) [Attributing single source "doing business" contributions. If a candidate accepts multiple contributions from a single source consisting of at least one contribution from an individual having business dealings with the city and one or more contributions from an entity established, maintained, or controlled by that individual, the limit applicable to persons having business dealings with the city shall apply.

(v) Burden is on the candidate. If multiple contributions appear to be from a single source in excess of the contribution limit, the candidate has the burden of demonstrating that they are from different sources. Candidates must review the relationship between contributors who appear to constitute a single source before accepting and depositing contributions.

§ 12. Subparagraph (A) of paragraph (iii) of subdivision (h) of section 6-01 of chapter 6 of Title 52 of the Rules of the City of New York is amended to read as follows:

(A) If there is a contested or write-in primary election in any party for an office, every participant or limited participant seeking that office, regardless of whether the participant or limited participant is in the primary election, may make expenditures subject to the primary election expenditure limit of § 3-706(1) of the Code, provided the participant or limited participant files the two pre-primary and 10 day post-primary election disclosure statements [and daily disclosures] pursuant to sections 4-05(b) (ii)(B)[,] and (C) [, and 4-06] in a timely manner. In this case, the general election expenditure limit will first apply after the date of the primary election.

§ 13. Subparagraph (D) of paragraph (i) of subdivision (i) of section 6-01 of chapter 6 of Title 52 of the Rules of the City of New York is amended, and new subparagraphs (E) and (F) are added, to read as follows:

(D) expenditures for childcare services made pursuant to § 3-702(21)(a)(13) of the Code for an aggregate amount of \$20,000 or less;

(E) expenses for credit card processing fees paid by a campaign for contributions received by the campaign; and

(F) expenses for fees charged by a banking or financial institution on demand deposit account holders for regular use or maintenance of an account, including check fees, monthly fees, overdraft fees, and wire fees.

§ 14. Subdivision (a) of section 6-04 of chapter 6 of Title 52 of the Rules of the City of New York is amended to read as follows:

(a) Factors for determining independence. In determining whether an expenditure is independent, the Board may consider whether any of the factors from the following non-exhaustive list apply:

- (i) [whether] the person or entity making the expenditure is also an agent of [a] the candidate;
- (ii) [whether any] a person authorized to accept receipts or make expenditures for the person or entity making the expenditure is also an agent of [a] the candidate;
- (iii) [whether a] the candidate has authorized, requested, suggested, fostered, or otherwise cooperated in any way in the formation or operation of the person or entity making the expenditure;
- (iv) [whether] the person or entity making the expenditure has been established, financed, maintained, or controlled by any of the same persons or entities as those that have established, financed, maintained, or controlled a political committee authorized by the candidate;
- (v) [whether] the candidate shares or rents space for a campaign-related purpose with or from the person or entity making the expenditure;
- (vi) [whether] the candidate has solicited or collected funds on behalf of the person or entity making the expenditure, during the same election cycle in which the expenditure is made;
- (vii) [whether] the candidate, or any public or private office held or entity controlled by the candidate, including any governmental agency, division, or office, has retained the professional services of the person making the expenditure, or a principal member of the entity making the expenditure, or an individual or entity who has been previously compensated, reimbursed, or retained as a consultant; political, media, or fundraising advisor, employee, vendor, or contractor by the entity making the expenditure, during the same election cycle in which the expenditure is made; [and]
- (viii) [whether] the candidate serves or has served as a principal member or professional or managerial employee of the entity making the expenditure, or as a professional or managerial employee of the person making the expenditure, during the same election cycle in which the expenditure is made;
- (ix) the candidate and the person or entity making the expenditure have each consulted or otherwise been in communication with the same third party or parties, if the candidate knew or should have known that the candidate's communication or relationship to the third party or parties would inform or result in expenditures to benefit the candidate;
- (x) the candidate, or an individual or entity who has been previously compensated, reimbursed, or retained by the candidate as a consultant; political, media, or fundraising advisor; employee; vendor; or contractor, has conveyed strategic information not obtained from a publicly available source to the person or entity making the expenditure or its agent, during the same election cycle in which the expenditure is made, provided that, for purposes of this subdivision, information shall be deemed strategic if it relates to the candidate's or an opponent's electoral campaign plans, projects, or activities;
- (xi) the person or entity making the expenditure has utilized strategic information or data that either (A) is not from a publicly available source or otherwise available by subscription, or (B) has been made publicly available by the candidate, or an individual or entity who has been previously compensated, reimbursed, or retained by the candidate as a consultant; political, media, or fundraising advisor; employee; vendor; or contractor, in a manner which the candidate or such individual or entity knew or should have known would facilitate such utilization;
- (xii) the person or entity making the expenditure is, or has been established, financed, maintained, or controlled by, the candidate's spouse, domestic partner, child, grandchild, parent, grandparent, aunt, uncle, or sibling, or the spouse, domestic partner, or child of such child, grandchild, parent, grandparent, aunt, uncle, or sibling; or
- (xiii) the expenditure is made by an entity in which the candidate, or the candidate's spouse, domestic partner, child, grandchild, parent, grandparent, aunt, uncle, or sibling, or the spouse, domestic partner, or child of such child, grandchild, parent, grandparent, aunt, uncle, or sibling, holds or has held an ownership interest of ten percent or more or a management position, including, but not limited to, being an officer, director, or trustee, during the same election cycle in which the expenditure is made.

§ 15. Subdivision (a) of section 6-06 of chapter 6 of Title 52 of the Rules of the City of New York is amended to read as follows:

(a) **"Paid for by."** When a candidate makes expenditures for any literature, advertisement, or other communication, including by paying an individual or entity to create, publish, or distribute favorable or unfavorable content about a candidate or ballot measure, the communication must include the words "paid for by" followed by the first and last name of the candidate or the name of the authorized committee that made the expenditures; provided that, if the name of the committee does not include the first or last name of the candidate, the words "paid for by" must be followed by the first and last name of the candidate, either instead of or in addition to the name of the committee.

§ 16. Subdivision (c) of section 6-06 of chapter 6 of Title 52 of the Rules of the City of New York is amended to read as follows:

(c) Form. The identification required by subdivision (a) or (b) of this section must be in the following form:

- (i) Visual communications. For [printed material] a visual non-video communication [, an internet text advertisement, or a website] in any medium, the identification must be written in a font of conspicuous size and style and contained in a box within the borders of the communication.
- (ii) Video communications. For [an audio] a video communication [broadcast on radio or over the internet] in any medium, the identification must be clearly spoken at the beginning or end of the communication and, simultaneous with the spoken disclosure, written in a font of conspicuous size and style contained in a box within the borders of the communication.
- (iii) Audio communications. For [a video] an audio communication [broadcast by television, satellite, cable, internet, or similar] in any medium, including automated telephone calls, the identification must be clearly spoken at the beginning or end of the communication [and, simultaneous with the spoken disclosure, written in a font of conspicuous size and style contained in a box within the borders of the communication].
- (iv) For a non-automated telephone communication, the identification must be clearly spoken at the beginning or end of the communication. If the identification is spoken at the end of the communication, the name of the candidate must also be clearly spoken at the beginning of the call.
- (v) For a text message communication, the identification must be written at the beginning or end of the communication. If the identification is written at the end of the communication, the name of the candidate must also be clearly written at the beginning of the communication.]

§ 17. Subdivision (a) of section 7-04 of chapter 7 of Title 52 of the Rules of the City of New York is amended to read as follows:

(a) A candidate shall not be eligible to receive more than one quarter of the applicable maximum pursuant to § 3-705(2)(b) of the Code unless the Board determines that one of the conditions set forth in § 3-705(7)(a)(2) or (3) of the Code is satisfied, or the candidate submits a certified signed statement attesting to the need for additional public funds and demonstrating that at least one of the conditions set forth in §3-705(7)(a)(1) of the Code is satisfied. The statement must be filed with the Board no later than the due date of the applicable disclosure statements or fifteen business days prior to the payment date, whichever is later [as follows], except that, if the basis for filing the statement arises after the due date, and no basis existed prior to such due date, then the statement shall be due by the deadline for the disclosure statement immediately preceding the next date on which a public funds payment is scheduled to be made:

- (i) Candidates in the primary election must file the statement of need no later than the due date of the 32-day pre-primary election disclosure statement.
- (ii) Candidates in the general election must file the statement of need no later than the due date of the 32-day pre-general election disclosure statement.

§ 18. Subparagraphs (E) and (F) of paragraph (ii) of subdivision (a) of section 7-07 of chapter 7 of Title 52 of the Rules of the City of New York are amended, and a new subparagraph (G) is added, to read as follows:

(E) loans to or spending for political party committees and political clubs that are not reimbursed within 30 days or by the date of the election, whichever is earlier, provided that if the candidate demonstrates that the expenditure was for a tangible item that directly promotes the candidate's election, such as an advertisement in a fundraising journal, this subparagraph shall not apply to the fair market value of that item; [and]

(F) expenditures made for the purpose of furthering the candidate's selection as Speaker of the City Council; and

(G) contributions to charitable organizations designated as 501(c)(3) organizations pursuant to the Internal Revenue Code.

§ 19. Section 7-09 of chapter 7 of Title 52 of the Rules of the City of New York is amended to read as follows:

§ 7-09 Petitions for review.

(a) After the Board provides a [candidate] written determination to a candidate specifying the basis for payment or non-payment of public funds prior to the election, the candidate may petition the Board in writing for reconsideration of such determination. Such petition must state [the] one or more specific grounds for reconsideration and must also include either a request to appear before the Board concerning the petition or a statement that the candidate waives such candidate's right to appear. [The Board shall review the determination that is the subject of the petition within five business days of the filing of such petition. If the Board is unable to convene within five business days, the Board may delegate to the Chair of the Board or the Chair's designee authority to make a determination regarding the petition.]

(b) To be considered by the Board, a petition for review of a pre-election payment or non-payment determination must not include any documentation or factual information not submitted to the Board prior to the determination under review, unless the participating candidate can demonstrate good cause for the previous failure to submit such documentation or information and for any failure to communicate on a timely basis with the Board.

(c) If a petition is moot, facially meritless, or not in substantial compliance with the requirements of this section, it may be rejected, and the candidate will be deemed to have waived the right to appear before the Board. If the petition is not rejected, the Board will review the determination that is the subject of the petition within five business days of the filing of such petition.

(i) Candidates who waive the right to appear before the Board. If the Board is unable to convene within five business days of receipt of the petition, or if the petition is filed less than three business days prior to the next scheduled Board meeting, then the Board may delegate to the Chair of the Board or the Chair's designee authority to make a determination regarding the petition.

(ii) Candidates who exercise the right to appear before the Board

(A) If the Board is unable to convene within five business days of receipt of the petition, the candidate may appear at the next scheduled Board meeting.

(B) If the petition is filed less than three business days prior to the next scheduled Board meeting, the Board may make a determination regarding the petition at a subsequent Board meeting occurring no later than the next scheduled public funds payment date.

(d) The Board [shall] will timely issue a written determination on the subject of the petition. If the petition is denied or rejected, the determination shall inform the candidate of the right to appeal [such determination] pursuant to Article 78 of the Civil Practice Law and Rules.

§ 20. Subdivisions (b) and (c) of section 8-05 of chapter 8 of Title 52 of the Rules of the City of New York are amended to read as follows:

(b) A petition for review of a post-election payment determination must be submitted within 30 days of the candidate's final audit report or final board determination, whichever is earlier, and must include:

- (i) a statement of [the] one or more specific grounds for reconsideration;
- (ii) information or documentation that was unavailable to the Board previously and is material to such determination;
- (iii) a showing that the candidate had good cause for the previous failure to provide such information or documentation; and
- (iv) either a request to appear before the Board concerning the petition or a statement that the candidate waives such candidate's right to appear.

(c) [The] If a petition is moot, facially meritless, or not in substantial compliance with the requirements of this section, it may be rejected, and the candidate will be deemed to have waived the right to appear before the Board. If the petition is not rejected, the Board [shall] will timely issue a written determination on the subject of the petition. If the petition is denied, the determination [shall] will inform the candidate of the right to appeal such determination pursuant to Article 78 of the Civil Practice Law and Rules.

§ 21. Paragraph (ii) of subdivision (c) of section 12-02 of chapter 12 of Title 52 of the Rules of the City of New York is amended to read as follows:

(ii) Deficient complaints.

[(A) If the complaint is moot, facially meritless, or not in substantial compliance, it may be rejected, and the complainant so notified.

[(B) If the complaint is not in substantial compliance, the] The Board may investigate the subject matter of the complaint, but need not follow the procedural requirements of this chapter.

§ 22. Subdivision (b) of section 13-01 of chapter 13 of Title 52 of the Rules of the City of New York is amended to read as follows:

(b) The registration may be submitted at any time between the day after the general election and the due date of the first disclosure statement following the date of the candidate's election, at such time as the form is made available by the Board; provided, however, that a candidate who wins the primary election and is unopposed on the ballot in the general election may register a TIE beginning on the day after the date on which the results of such primary election are certified by the Board of Elections or when the general election ballot is set, whichever is later.

§ 23. The definitions of "electioneering communication" and "express advocacy communication" set forth in section 14-01 of chapter 14 of Title 52 of the Rules of the City of New York are amended, and the definitions of "mass mailing," "telephone communication," and "text message communication" are deleted, to read as follows:

"Electioneering communication" means a communication that: (1) is disseminated by radio, television, cable, internet, mail, or satellite [broadcast] transmission,]; or is a paid advertisement[,]; or is a [mass mailing] communication that is delivered or served in any medium to specific individuals if 500 or more messages of a substantially similar nature are transmitted within any 30-day period; (2) is disseminated within 60 days of a covered primary, general, or special election; and (3) refers to one or more clearly identified ballot proposals or candidates for a covered election. Electioneering communication does not include a candidate-related communication made by an organization operating and remaining in good standing under § 501(c)(3) of the Internal Revenue Code of 1986.

"Express advocacy communication" means a communication disseminated in any written, audio, or video format that contains a phrase including, but not limited to, "vote for," "re-elect," "support," "cast your ballot for," "[[(Candidate)]] for [[(elected office)]]], "vote against," "defeat," "reject," or "sign the petition for," or a campaign slogan or words that in context and with limited reference to external events, such as the proximity to the election, can have no reasonable meaning other than to advocate the election, passage, or defeat of one or more clearly identified ballot proposals or candidates in a covered election [, and is disseminated by: (1) radio, television, cable, or satellite broadcast; (2) telephone communication; (3) mass mailing; (4) other printed material; or (5) any other form of paid electoral advertising. Paid electoral advertising shall not include communications over the internet, except for: (1) communications placed for a fee on another individual or entity's website; or (2) websites formed primarily for, or whose primary purpose is, the election, passage, or defeat of a candidate in a covered election or of a ballot proposal] and is (1) broadcast or (2) delivered or served to specific individuals if 500 or more messages of a substantially similar nature are transmitted within any 30-day period.

["Mass mailing" means a mailing by United States mail, common carrier, or facsimile of more than 500 pieces of mail matter of an identical or substantially similar nature within any 30-day period.]

["Telephone communication" means 500 or more telephone calls, whether live or recorded, of an identical or substantially similar nature within any 30-day period.]

["Text message communication" means 500 or more text messages of an identical or substantially similar nature sent within any 30-day period.]

§ 24. Paragraph (i) of subdivision (b) of section 14-02 of chapter 14 of Title 52 of the Rules of the City of New York is amended to read as follows:

(i) When an independent spender makes covered expenditures aggregating \$1,000 or more during an election cycle for communications that refer to a specific candidate or ballot proposal, it must report these communications and each future communication associated with an expenditure of \$100 or more that refers to that candidate or ballot proposal. [Expenditures] Aggregate expenditures to a single vendor of less than \$100 shall not be covered expenditures for the purposes of this subdivision. Each communication must be

disclosed in the reporting period in which it is first published, aired, or otherwise distributed, except that no communication is required to be disclosed before the \$1,000 threshold has been reached. For each communication, the independent spender must provide:

- (A) The type of communication;
- (B) Its distribution date;
- (C) The names of the candidates and/or ballot proposals referred to in the communication;
- (D) For a [printed] visual communication, an electronic or paper copy of the communication as it was distributed to the public;
- (E) For [a broadcast or internet] an audio or video communication, [an audio, video, or source file] a copy of the communication as it was distributed to the public, except that for a live telephone call or [if a source file is not available for] an audio communication of which a recording is not available, [then] a script will be accepted; [and]
- (F) For any communication containing a website link, the URL, and an image of the link destination; and
- (G) Such other similar information as the Board may require.

§ 25. Subdivision (a) of section 14-04 of chapter 14 of Title 52 of the Rules of the City of New York is amended to read as follows:

(a) Independent spender identification. When an independent spender makes covered expenditures of \$100 or more aggregating \$1,000 or more during an election cycle, the communication associated with the expenditure that meets the \$1,000 threshold and all subsequent communications, regardless of dollar value, must include:

- (i) [Printed material] Visual communications. For [printed material] a visual, non-video communication in any medium, the words “Paid for by” must appear, followed by [(i)] (A) the name of the independent spender; [(ii)] (B) if the spender is an entity: [(A)] (1) the name of any individual or entity that owns or controls more than 50% of the independent spender, [(B)] (2) the name of the independent spender’s chief executive officer or equivalent, if any, and [(C)] (3) the independent spender’s top donors as described in subdivision (b) of this section; and [(iii)] (C) the words “Not expressly or otherwise authorized or requested by any candidate or the candidate’s committee or agent. More information at nyc.gov/FollowTheMoney”. Such words must appear in a conspicuous size and style and must be enclosed in a box within the borders of the communication.
- (ii) [Television, internet video, other video] Video communications. For [television, internet videos, or other types of] a video [communications] communication in any medium, the words “Paid for by” followed by the name of the independent spender must be clearly spoken at the beginning or end of the communication in a pitch and tone substantially similar to the rest of the communication. Additionally, simultaneous with the spoken disclosure, in a conspicuous size and style and enclosed in a box, the words “Paid for by” must appear followed by: [(i)] (A) the name of the independent spender; [(ii)] (B) if the spender is an entity, the spender’s top donors as described in subdivision (b) of this section; and [(iii)] (C) the words “Not expressly or otherwise authorized or requested by any candidate or the candidate’s committee or agent. More information at nyc.gov/FollowTheMoney”.
- (iii) [Radio, internet audio, automated telephone calls] Audio communications. For an audio communication in any medium, including [radio, internet audio, or] automated telephone calls, the words “Paid for by” followed by [(i)] (A) the name of the independent spender; [(ii)] (B) if the spender is an entity, the spender’s top donors as described in subdivision (b) of this section; and [(iii)] (C) the words “Not expressly or otherwise authorized or requested by any candidate or the candidate’s committee or agent. More information at nyc.gov/FollowTheMoney”, must be clearly spoken at the end of the communication in a pitch and tone substantially similar to the rest of the communication. For [radio and internet] audio communications of 30 seconds in duration or shorter, except for telephone calls, subparagraph [(ii)] (B) of this paragraph may be omitted.
- (iv) Non-automated telephone calls longer than 10 seconds. For non-automated telephone calls lasting longer than 10 seconds, the words “This call is paid for by” followed by the name of the independent spender and the words “Not expressly or otherwise authorized or requested by any candidate or the candidate’s committee or agent. More information is available at nyc.gov/FollowTheMoney” must be clearly spoken during the call in a pitch and tone substantially similar to the rest of the call. (v) [Text message communications. For text message communications, the words “Paid for by” must appear, followed by: (i) the name of the independent spender; and (ii) the words “Not

authorized or requested by any candidate, their committee, or agent. More information at nyc.gov/FollowTheMoney.” Such words must be written at the beginning or end of the communication.] Impracticability. If it is impracticable to display a clearly readable notice in an online communication that contains a link to a location controlled by the independent spender, the communication may contain the words “Paid for by” followed by the name of the independent spender, provided that the full text of the required notice must appear at the redirected location.

§ 26. Subparagraph (A) of paragraph (ii) of subdivision (b) of section 14-04 of chapter 14 of Title 52 of the Rules of the City of New York is amended to read as follows:

(A) [Printed] Written identification shall be the words “Top Three Donors” followed by the names of such donors;

§ 27. Subdivision (d) of section 14-04 of chapter 14 of Title 52 of the Rules of the City of New York is amended to read as follows:

(d) **Modification.** The requirements of this section may be modified by the Board concerning items upon which [disclosures cannot be reasonably printed] identification would be impracticable, pursuant to § 1052(a)(15)(c)(i) of the Charter or any other items whose disclosures are not otherwise provided for in § 1052(a)(15)(c) of the Charter.

§ 28. Section 15-05 of chapter 15 of Title 52 of the Rules of the City of New York are amended to read as follows:

§ 15-05 Training. [A candidate in a special election, or such candidate’s representative, must attend a compliance training session designed specifically for such election. Such training must be completed on or before the financial disclosure cut-off date of the 11-day pre-election disclosure statement.]

- (a) Candidates and treasurers must complete training in accordance with Rule 2-06(a).
- (b) For any candidate to be eligible to receive a public funds payment, such training must be completed on or before the 15th business day before the payment is scheduled to be made, or for a post-election payment, by the last day of the reporting period of the January semi-annual disclosure statement in the year following the election.

**NEW YORK CITY LAW DEPARTMENT DIVISION
OF LEGAL COUNSEL
100 CHURCH STREET NEW YORK,
NY 10007 212-356-4028
CERTIFICATION PURSUANT
TO CHARTER §1043(d)**

RULE TITLE: 2024 Campaign Finance Board Rule Amendments
REFERENCE NUMBER: 2024 RG 036
RULEMAKING AGENCY: Campaign Finance Board

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
Senior Counsel

Date: July 26, 2024

**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: 2024 Campaign Finance Board Rule Amendments
REFERENCE NUMBER: CFB-15
RULEMAKING AGENCY: Campaign Finance Board

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 it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

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

July 26, 2024
Date

◀ a28

FINANCE

■ NOTICE

Notice of Adoption

Pursuant to the authority vested in the New York City Department of Finance ("DOF") in accordance with sections 1043(a), and 1504 of the City Charter, as well Chapter 5-A of Title 7 of the Administrative Code of the City of New York (as added by Part G of Chapter 55 of the Laws of 2024), DOF is adopting a rule to establish a regulatory framework for the City Sheriff to conduct administrative inspections of businesses engaged in illicit cannabis activity; to specify the civil penalties for violations of Administrative Code Section 7-551; to establish how the City Sheriff may designate personnel of other City agencies to conduct enforcement efforts; to outline the circumstances in which the Sheriff may seal a place of business; and to detail other mechanisms necessary to achieve a comprehensive enforcement of unlicensed cannabis activity. This rule is a continuation of the rule adopted on an emergency basis and published in the May 7, 2024 issue of the City Record in accordance with Section 1043(i) of the City Charter. Pursuant to such section, a proposed permanent version of these rules was published on June 27, 2024. A hearing for public comment was held on July 31, 2024. This rule will take effect immediately pursuant to a determination made pursuant to Section 1043(f)(1)(d) of the City Charter.

Statement of Basis and Purpose

Section 11 of Part G of Chapter 55 of the Laws of 2024 added a new Chapter 5-A to Title 7 of the New York City Administrative Code (the "Administrative Code"). Section 7-552(a) of the Administrative Code establishes a regulatory framework applicable to the Office of the City Sheriff ("City Sheriff"), which is contained within the Department of Finance ("DOF"). This regulatory framework enables the City Sheriff to conduct administrative inspections of places of business where cannabis, cannabis products, or any product marketed or labeled as such, are sold or offered to be sold, where no registration, license, or permit has been issued pursuant to the New York State Cannabis Law. Administrative Code section 7-551 authorizes the City Sheriff to issue civil summonses for engaging in such conduct, among other violations. Section 7-552(b)(1) authorizes the City Sheriff to issue an order to anyone engaged in conduct prohibited by section 7-551 to cease such prohibited conduct. An order to cease may only be issued to the business engaged in the prohibited conduct or the owner of such business. Administrative Code section 7-552(b)(2) authorizes the City Sheriff to execute and order the sealing of certain places of business where such conduct continues after an inspection has revealed violations, or where such conduct poses an imminent threat to public health, safety, and welfare.

On May 2, 2024, City Sheriff Anthony Miranda, DOF Commissioner Preston Niblack and Mayor Eric Adams approved an emergency rule to implement the regulatory scheme authorized by Chapter 5-A of Title 7 of the Administrative Code pursuant to Charter section 1043(i). On May 7, 2024, a copy of this emergency rule was published in the City Record. This emergency rule was necessary because unlicensed cannabis retailers pose a risk to the public by selling unregulated cannabis products that have the potential to cause harm to consumers, among other reasons. Before the emergency rule was implemented, The Office of the City Sheriff estimated that 2,800 unlicensed cannabis retailers were operating within its borders, and despite the effectiveness of the emergency rule, most of those retail stores continue to operate. Since the implementation of the emergency rule, the public has submitted additional complaints regarding unlicensed retail stores, which resulted in an updated estimate of 3,600 unlicensed cannabis retail stores operating within the City's borders. Many of these retail stores are located near schools and public youth facilities and sell cannabis products in packaging displaying cartoon characters and bright colors, which entice children to purchase them. These unlicensed cannabis retailers operate in flagrant violation of the law and

undermine the statutory framework of licensure and permit issuance established by the State Cannabis Law.

The emergency rule was scheduled to expire on July 1, 2024; however, on June 27, 2024, this permanent rule was proposed and published in the City Record, and extended the effectiveness of the emergency rule pursuant to Charter section 1043(i). On July 31, 2024, DOF held a public hearing on the proposed rule.

DOF received both written comments via email and through the NYC Rules web-portal, as well as oral comments delivered at the July 31, 2024 public hearing. Commentators were largely supportive of the goals motivating this rulemaking. Commenters, including New York City Public Advocate Jumaane Williams and New York City Council Member Carlina Rivera, commended the efforts of the City Sheriff to enforce the law against illicit cannabis stores and facilitate the growth of legal cannabis businesses, contrasting this administrative enforcement scheme with historic efforts that focused on criminal enforcement. Public Advocate Williams also emphasized the importance of protecting civil liberties in the implementation of this rule. Representatives of Community Board 5 in Manhattan expressed support for goals behind this regulation, as well. Several commentators noted that illicit commercial cannabis operations harm the social equity aims of the New York Cannabis Law and have a negative effect on the legacy business community that the legalization of cannabis intended to uplift.

Some commentators focused on the operational practices of cannabis inspections, speculating on the adaptive business practices of illegal cannabis operations and opining on the range of potential law enforcement responses to this illegal conduct. These comments, though relevant to the Padlock-to-Protect program overall, generally did not relate to the administrative policies established in this rule, but related to granular and site-specific inspection tactics. Other commentators offered recommendations regarding the siting of legal cannabis retailers, which is outside the scope of DOF's regulatory authority. Several commentators expressed concern regarding the uniformity of application of this regulation. The City Sheriff is committed to inspecting illegal retailers pursuant to the administrative inspection framework set forth in these rules and Chapter 5-A of Title 7 of the Administrative Code without prejudice or favoritism, in order to address the detrimental effects of illicit cannabis on New Yorkers' health and safety.

One commenter inquired as to how the City Sheriff estimates the number of currently operating illicit stores, cited above. DOF is committed to closing as many illicit stores as possible to protect City residents from the various harms of illegal cannabis, and the Sheriff uses a variety of data sources to evaluate the illegal market for cannabis.

Similar to the May 2, 2024 emergency rule, this permanent rule implements various elements of the statutory framework contained within Chapter 5-A of Title 7 of the Administrative Code by establishing a permanent section 42-04 to Title 19 of the Rules of the City of New York, titled Sheriff's Enforcement of Unlicensed Cannabis Activity. This rule establishes a regulatory framework for the City Sheriff to conduct administrative inspections; specifies the civil penalties for violations of Administrative Code 7-551; establishes how the City Sheriff may designate personnel of other City agencies to conduct enforcement efforts; outlines the circumstances in which the Sheriff may seal a place of business; and details other mechanisms necessary to achieve comprehensive enforcement of unlicensed cannabis activity.

Subdivision a of section 42-04 of this rule defines the terms "cannabis," "City Sheriff," "place of business," "property owner," "public youth facility," and "school," which apply throughout section 42-04. Multiple commentators, including Community Board 5 in Manhattan, proposed expansions to several defined terms, including "public youth facility" and "school," and pressed for a broad interpretation of the term "house of worship" in the context of the statutory framework of Chapter 5-A. After carefully considering these recommendations, DOF chose to craft these definitions in a manner that maintains substantial harmony with corresponding state law and regulations, and elected not to include a definition of the term "house of worship."

Subdivision b of section 42-04 establishes a framework for the City Sheriff to conduct administrative searches pursuant to Administrative Code section 7-552(a). Specifically, subdivision b elaborates on the statutory civil administrative enforcement framework by authorizing the City Sheriff to establish a schedule of inspections based on an inspection roster. One commenter expressed concerns at the public hearing regarding how the roster is assembled. Pursuant to this rule, the roster is compiled by the City Sheriff, and the places of business listed on it are inspected based on observations by law enforcement officers, statements made, signage, advertising materials associated with a place of business, and complaints received by the City Sheriff. The roster authorized by this rule carries over the existing roster

document established under the May 2, 2024 emergency rule. The purpose of the inspection roster is to ensure that the inspections authorized under the applicable statutory framework are conducted with regularity and certainty, while still allowing the City Sheriff to promote the goals of Part G of Chapter 55 of the Laws of 2024 and prioritize searches where the City Sheriff reasonably believes a place of business poses an imminent threat to public health, safety, and welfare, where illegal conduct has been confirmed to be occurring, or where a store included on the roster is operating proximate to retail store listed in the New York State Office of Cannabis Management's directory as licensed or registered to sell cannabis. To promote the efficient use of enforcement resources, the City Sheriff is authorized to inspect any place of business that is within a reasonable vicinity of a place of business otherwise scheduled for inspection. This roster may be subdivided into two or more geographic zones for the purposes of organizing inspection activity to further the efficiency of the City Sheriff's efforts.

Subdivision b of section 42-04 also clarifies that the City Sheriff is authorized to conduct these inspections within both the public and non-public portions of a place of business but does not limit any City agency's authority to engage in law enforcement activity. For example, the establishment of this administrative inspection framework does not limit agencies from conducting otherwise authorized law enforcement activity in the public portions of places of business, or pursuant to any other existing authority. Community Board 9 in Manhattan expressed enthusiasm for greater community involvement in targeting illegal smoke-shop locations. This subdivision provides that community complaints are an explicit basis for including a suspected smoke-shop onto the roster.

Subdivision c of this section establishes a regulatory penalty schedule for violations of Administrative Code section 7-551(a). Administrative Code section 7-551(a) authorizes civil penalties for violations of Cannabis Law sections 125(1) and (1-a) and 132(1) and (8). These provisions of the Cannabis Law cover a wide range of illegal conduct, including distributing for sale or selling at wholesale or retail (which includes, among other things, keeping for the purposes of sale) or delivering to consumers any cannabis, or engaging in an indirect sale or offering to sell such products, without obtaining the appropriate registration, license, or permit therefor required by the New York State Cannabis Law. These provisions also authorize civil summonses against persons who own such places of business. Civil summonses issued pursuant to this authority are subject to adjudication before the City Office of Administrative Trials and Hearings, in accordance with Administrative Code section 7-551(c). For each day in which a violation occurs, the place of business or the person who owns the place of business, as applicable, is subject to a \$10,000 penalty. Failure to appear for the hearing at the date, place and time designated for the hearing, or the scheduled date following an adjournment, results in a \$10,000 default penalty. A commenter submitted a written comment urging DOF to consider how to enforce the law against cannabis vendors for whom issuance of an order to seal would not be the most effective enforcement mechanism, such as sidewalk or vehicle-based vendors. This subdivision addresses that concern directly by authorizing the Sheriff's Office to issue civil penalties against those illegally selling cannabis. Community Board 5 in Manhattan expressed the view that Community Boards should have the opportunity to testify at proceedings relating to civil summonses before the Office of Administrative Trials and Hearings ("OATH"). While community input is a critical component of government, DOF regulations do not govern the procedural rules of OATH hearings.

Penalties imposed pursuant to each civil summons are in addition to, and are not offset or modified by, any fines or penalties imposed pursuant to any other provision of law or rule. Other remedies under the law, such as injunctive relief or sealing orders, are independent of and in addition to the penalties set forth in subdivision c. The City Sheriff is authorized to issue multiple violations pursuant to this subdivision to a person or place of business under a single civil summons; however, the cumulative penalties that may be imposed under a single civil summons are not authorized to exceed \$25,000. The \$25,000 cumulative maximum penalty does not apply across multiple civil summonses issued to the same respondent.

Subdivision d of section 42-04 establishes a framework through which the City Sheriff may designate the personnel of other agencies of the City to exercise various enforcement powers pursuant to Administrative Code section 7-552(e). To provide adequate public notice, this subdivision provides that the City Sheriff must designate such personnel in writing and post such designation on the website of DOF. Subdivision d also allows for the revocation of designations through a similar process. During the public hearing, commenters raised the issue of the training of officers who engage in enforcement actions. DOF agrees that it is imperative that officers are trained properly so as to best protect and serve communities. Officers involved in cannabis enforcement are given extensive training by the City Sheriff and are well-versed in best practices that protect

the safety of City residents. For this reason, DOF has determined that no amendment to this rule was necessary. Another commenter submitted a written comment urging the City to expand the number of entities involved in cannabis enforcement. This subdivision, which was included in both the May 2, 2024 emergency rule and the proposed rule, authorizes the City Sheriff to take such action, and expand the agencies involved in illicit cannabis enforcement as necessary.

Subdivision e of section 42-04 establishes a framework for the Office of the Sheriff to determine those activities that pose an imminent threat to public health, safety, and welfare. Administrative Code section 7-552(b)(2) authorizes a procedure to seal a place of business, akin to Cannabis Law section 138-b, in circumstances including but not limited to where such an imminent threat is identified. In the public hearing, a commenter raised concerns over how businesses are classified by officers as posing an "imminent threat" to the community. Cannabis Law Section 138-b(4) establishes a list of factors that may result in a finding of an imminent threat. Subdivision e of section 42-04 of this rule provides that the City Sheriff will consider the totality of such factors in determining whether an imminent threat is present and provides that a single factor is sufficient to give rise to that determination.

During the public hearing, one commenter urged DOF to prioritize enforcement against stores located in close proximity to houses of worship. In addition, a commenter expressed concern regarding teenagers becoming dependent on cannabis products if illicit cannabis stores are allowed to operate in close proximity to schools. This subdivision addresses these concerns directly by clarifying what constitutes proximity to a place of worship, a school or a public youth facility for the purpose of this rule and allowing for the Sheriff to efficiently and fairly find that an illicit store poses an imminent threat if it is located in close proximity to one of these facilities. One commenter suggested that targeting proximity to houses of worship could conflict with certain individuals' religious practices; however, the policy of deeming proximity to houses of worship to be an imminent threat was established by State Law and is important tool for protecting communities in the City.

The standards for determining proximity set forth in this rule are reasonable considering the legislative purpose of Part G of Chapter 55 of the Laws of 2024 and associated public welfare concerns. The distances listed in this rule differ from some other similar metrics in the Cannabis Law, which are applicable to the siting of regulated cannabis retailers. The distances in this rule are determined to be appropriate considering the illegal nature of the businesses and conduct subject to this rule. The greater distances included in this rule reflect the more serious risks that illegal businesses pose. This risk, including the associated deleterious effect upon the regulated legal cannabis industry, is at the heart of the Legislature's enactment of Part G.

Several additional comments relating to this subdivision could not be fully addressed in this final rule. Representatives of Community Board 9 in Manhattan suggested that proximity to residences and harm reduction facilities should also be treated as a basis for an imminent threat; however, such a policy is not authorized under Administrative Code Section 7-552 and Cannabis Law Section 138-b. Community Board 9 also suggested that measurements for determining proximity to a facility be determined by walking distance, as opposed to a straight-line measurement. Given the potential impracticality and potential ambiguities of measuring walking distance, DOF did not adopt this recommendation. Another commenter who testified at the public hearing expressed concern about the health and safety effects of the cannabis that is permitted to be sold in New York State. While the standards for testing and labeling cannabis are established by the State and outside the scope of DOF's rulemaking authority, this rule allows for stores that sell untested cannabis to the public to be deemed an imminent threat for the purpose of the enforcement framework set forth in Chapter 5-A of Title 7 of the Administrative Code.

Subdivision f of section 42-04 of this rule sets forth the procedure for the Sheriff to provide tracking information and broad categorical summaries of cannabis and other related items seized by the City Sheriff that were offered for sale or otherwise used as an instrumentality of a violation of Administrative Code section 7-551(a). This subdivision also establishes requirements for the storage and cataloging of seized cannabis and other items.

Subdivision g of section 42-04 provides a process for individuals to petition in writing for the return of cannabis or other related items seized pursuant to Administrative Code section 7-552(b)(3), or to challenge orders to cease prohibited conduct issued pursuant to Administrative Code section 7-552(b)(1). This subdivision also clarifies that City Sheriff must not return cannabis or other related items that have been seized where the return of such seized cannabis or other related items is a violation of, or facilitates the violation of, any applicable law.

Subdivision h of section 42-04 establishes the procedures applicable to properties for which a sealing order is in place or for which a sealing order has been ordered to continue under Administrative Code section 7-552(b)(2). Multiple commenters, both during the public hearing and through written comments, raised the question of how a property owner may unseal a property after it has been sealed by the City Sheriff. This subdivision establishes a process for a respondent or property owner to petition the City Sheriff for a decision to vacate an order to seal issued pursuant to Administrative Code section 7-552(b)(2) and Cannabis Law Section 138-b(9) and (11). This provision clarifies that where a respondent has submitted a petition to vacate a sealing order while an administrative proceeding regarding the sealing is ongoing, the City Sheriff will not review such petition until the administrative proceeding is concluded. This framework strikes a careful balance between the need to ensure that the conduct has abated, or the tenant has vacated, as applicable, and the need to ensure the rights of property owners and respondents seeking to engage in lawful business activities. This provision was not included in the May 2, 2024 emergency rule described above, and the final version of this rule also includes language designed to ensure that the City Sheriff has adequate flexibility to review such petitions. A commenter submitted a written comment urging DOF to modify this provision to require the Sheriff's Office to provide a reason for denying a petition to unseal. The final rule reflects this feedback and includes this requirement.

In order to ensure adequate notice to individuals regarding the City Sheriff's response to petitions challenging such seizures and orders to cease, as well as determinations regarding the continuation of orders to seal pursuant to Administrative Code section 7-552(b)(2) and the vacatur of orders pursuant to subdivision h of this rule, subdivision i of this rule includes a process to determine the appropriate address to which correspondence must be mailed in subdivision h of section 42-04.

This rule will take effect immediately pursuant to a determination made pursuant to Section 1043(f)(1)(d) of the City Charter and replace the May 2, 2024 emergency rule.

Section 1. Chapter 42 of Title 19 of the Rules of the City of New York is amended by adding a new section 42-04, to read as follows:

§ 42-04. Sheriff's Enforcement of Unlicensed Cannabis Activity.

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

Cannabis. The term "cannabis" means any cannabis or a cannabis product, as such terms are defined in section 3 of the Cannabis Law, or any product marketed or labeled as such.

City Sheriff. The term "City Sheriff" means the Sheriff of the City of New York, deputies of the City Sheriff and other authorized personnel of the Office of such City Sheriff.

Place of business. The term "place of business" means any building, structure or vehicle where cannabis, is sold or offered to be sold, where no registration, license, or permit has been issued pursuant to the Cannabis Law. "Place of business" shall not include a residence or other real property not otherwise held out as open to the public or otherwise being utilized in a business or commercial manner, or any private vehicle on or about such property, unless probable cause exists to believe that such residence, real property, or vehicle are being used in such business or commercial manner for a purpose described in the preceding sentence.

Property owner. The term "property owner" means any person, agent, firm, partnership, corporation or other legal entity having a legal or equitable interest in, or control of the subject premises.

Public youth facility. The term "public youth facility" means a building or structure, including any surrounding outdoor grounds, entrances and exits, any portion of which:

1. is owned by a governmental entity;
2. is accessible to the public; and

3. has a primary purpose to provide recreational opportunities or services to children or adolescents of whom the primary population is reasonably expected to be 17 years of age or younger.

School. The term "school" means a building or structure, including any surrounding outdoor grounds, entrances and exits, that contains a public or private pre-school, nursery school, elementary or secondary school.

b. Administrative inspections. 1. For the purposes of civil administrative enforcement of Chapter 5-A of Title 7 of the Administrative Code, the City Sheriff may conduct regulatory

inspections of any place of business where cannabis is sold or offered to be sold, where no registration, license, or permit has been issued pursuant to the Cannabis Law, in accordance with the procedures set forth in this subdivision.

2. For the purpose of detecting administrative violations in accordance with the regulatory scheme set forth in section 7-552 of the Administrative Code, the City Sheriff will inspect each place of business listed on the inspection roster compiled pursuant to paragraph 3 of this subdivision such that each place of business included on such roster, or a discrete geographic zone of such roster, is inspected at least annually, or on a more frequent periodic basis deemed appropriate by the City Sheriff, provided that:

(a) the City Sheriff is not required to conduct an inspection of a place of business during a period in which such place of business is either closed or sealed;

(b) the City Sheriff may prioritize inspections of places of business included on the inspection roster that the City Sheriff reasonably believes pose an imminent threat to public health, safety, and welfare, as determined in accordance with subdivision e of this section, or where the City Sheriff reasonably believes that conduct in violation of Chapter 5-A of Title 7 of the Administrative Code has continued after an initial investigation;

(c) in furtherance of the efficient use of enforcement resources, the City Sheriff may inspect any place of business included on the inspection roster that is within a reasonable vicinity to a place of business otherwise scheduled for inspection; and

(d) the City Sheriff may prioritize inspections of places of business included on the inspection roster that are within 1000 feet, as measured based on the methodology set forth in paragraph (3) of subdivision e of this section, from places of business for which a registration, license, or permit has been issued pursuant to the Cannabis Law or that are otherwise listed in the directory maintained by the New York State Office of Cannabis Management pursuant to subdivision 13 of section 11 of the Cannabis Law; and

3. The City Sheriff will create an inspection roster, which may be subdivided based on two or more discrete geographic zones, and include on such roster each place of business at which the City Sheriff reasonably believes cannabis is sold or offered to be sold, provided that no place of business shall be included on such roster for which a registration, license, or permit has been issued pursuant to the Cannabis Law or that is otherwise listed in the directory maintained by the New York State Office of Cannabis Management pursuant to subdivision 13 of section 11 of the Cannabis Law. Such reasonable belief may be established based on:

(a) observations of places of business by law enforcement officers or other agency representatives;

(b) complaints received in accordance with a procedure developed by the City Sheriff, provided such complaints are subsequently substantiated by the City Sheriff; or

(c) signage, statements and advertisements associated with a place of business.

4. Records of each inspection shall be maintained by the City Sheriff.

5. Inspections authorized by section 7-552 of the Administrative Code shall only occur during the operating hours of a place of business.

6. Inspections may be conducted pursuant to this subdivision in both the public and non-public portions of a place of business.

7. The provisions of this section shall neither be interpreted to limit any law enforcement officer from conducting law enforcement activity, including but not limited to issuing summonses pursuant to subdivision c of this section or orders pursuant to section 7-552 of the Administrative Code, with respect to the portion of the place of business that is open to the public nor be interpreted to limit any enforcement activity authorized under law when illegal activity is observed or occurs during an inspection conducted pursuant to this subdivision. The provisions of this section shall not be interpreted to limit any agency's authority to conduct inspections for any purpose where such inspections are authorized pursuant to a provision of law or rule other than subdivision a of section 7-552 of the Administrative Code.

8. The City Sheriff will consider all relevant available information in determining whether to remove a place of business from the inspection roster developed pursuant to this subdivision.

c. Penalty schedule. 1. The penalty schedule applicable to violations of section 7-551 of the Administrative Code shall be as follows:

Citation	Violation Description	Violation Penalty	Violation Default Penalty
Administrative Code § 7-551(a)	Any violation of subdivision a of section 7-551 by a place of business	\$10,000	\$10,000
Administrative Code § 7-551(a)	Any violation of subdivision a of section 7-551 by an individual owner of a place of business	\$10,000	\$10,000

2. Each day in which the conduct described in the schedule included in paragraph 1 of this subdivision occurs or continues to occur shall constitute a distinct violation and be subject to penalty pursuant to such schedule.

3. Penalties imposed pursuant to each civil summons issued pursuant to this section shall be in addition to, and shall not be offset or modified by, any fines or penalties imposed pursuant to any other provision of law or rule, penalties imposed pursuant to other civil summonses issued pursuant to this section or any other remedies sought by the City. Notwithstanding any other provision of this subdivision, where the City Sheriff issues multiple violations of section 7-551 of the Administrative Code to a person or place of business pursuant to this subdivision for conduct occurring over multiple days and such violations are issued pursuant to a single civil summons, the cumulative penalties that may be imposed pursuant to such single civil summons shall not exceed \$25,000.

d. Designation. 1. Personnel of agencies of the City may be designated to exercise powers authorized under Chapter 5-A of Title 7 of the Administrative Code in accordance with subdivision e of section 7-552 of the Administrative Code, provided that the City Sheriff designates such personnel in writing and posts such designation on the website of the Department of Finance.

2. Notwithstanding any other provision of this section, any personnel designated pursuant to this subdivision shall have all the powers of the City Sheriff described in this section and Chapter 5-A of Title 7 of the Administrative Code, subject to terms of such designation.

3. The City Sheriff may revoke any designation made pursuant to this subdivision in whole or in part, provided that the City Sheriff revokes such designation in writing and posts such revocation on the website of the Department of Finance.

e. Imminent threats to public health, safety, and welfare. 1. In determining whether conduct poses an imminent threat to public health, safety, and welfare, the City Sheriff will consider the totality of the factors set forth in subdivision 4 of section 138-b of the Cannabis Law, provided that any factor specified in such subdivision 4 shall be sufficient on its own to determine an imminent threat.

2. For the purposes of paragraph e of subdivision 4 of section 138-b of the Cannabis Law and paragraph 2 of subdivision b of section 7-552 of the Administrative Code, a place of business at which conduct prohibited by subdivision a of section 7-551 of the Administrative Code occurs shall be considered proximate to a school, house of worship, or public youth facility if such place of business is temporarily or permanently located within 1000 feet of such school, house of worship or public youth facility.

3. Distances measured pursuant to this subdivision will be determined based on a straight line from the center of the nearest entrance of a place of business to the center of the nearest entrance of a school, public youth facility, or house of worship, as applicable, provided that where a school, public youth facility or house of worship, as applicable, has no physical entrance, the nearest boundary of such school, public youth facility or house of worship may be a basis for such measurement.

f. Seizure and destruction of cannabis and other related items. In each instance in which the City Sheriff seizes cannabis or other related items found in the possession of a person engaged in a violation of subdivision a of section 7-551 of the Administrative Code, including but not limited to seizures resulting from inspections conducted pursuant to subdivision b of this section, the City Sheriff will:

1. serve a summary of cannabis and other related items seized at such place of business and a tracking number associated with such items in the same manner as an order issued pursuant to subdivision g of section 7-552 of the Administrative Code, provided that the City Sheriff is not required to post any such summary or such tracking number at such place of business, and only such tracking number is required to be included in any mailing made pursuant to this paragraph; and

2. store such cannabis and other related items in a secure location pursuant to a cataloging system determined by the City

Sheriff or a designee of the City Sheriff, subject to the provisions of subdivision g of this section.

g. Rights to challenge seizure and orders to cease prohibited conduct. 1. No later than 20 business days after issuance of the earliest notice issued pursuant to paragraph 1 of subdivision f of this section, an individual may petition in writing to the address, email address, or by using the applicable electronic form referenced on such summary or mailing, as applicable, to challenge the seizure of cannabis or other related items and may provide reasons that such cannabis or other related items were neither offered for sale in violation of subdivision a of section 7-551 of the Administrative Code, nor used as instrumentalities in furtherance of a violation of such subdivision.

2. No later than 20 business days after issuance of an order to cease prohibited conduct pursuant to paragraph 1 of subdivision b of section 7-552 of the Administrative Code, an individual may petition in writing to the address, email address, or by using the applicable electronic form referenced on such order to challenge such order.

3. The City Sheriff will respond in writing rejecting or accepting any petition made pursuant to either paragraph 1 or paragraph 2 of this subdivision no later than 10 business days of receipt of such petition. Any order to cease prohibited conduct pursuant to paragraph 1 of subdivision b of section 7-552 of the Administrative Code shall remain in effect and all cannabis and other related items seized will be retained during the period preceding such response.

4. The City Sheriff may destroy any seized cannabis or other related items 20 business days after:

(a) issuance of the earliest notice pursuant to paragraph 1 of subdivision f of this section, if no individual makes a petition within the timeframe required by paragraph 1 of this subdivision; or

(b) issuance of a notice pursuant to paragraph 3 of this subdivision rejecting in whole or in part, as applicable, a petition made pursuant to paragraph 1 of this subdivision.

5. This subdivision shall only apply to seizures made pursuant to Chapter 5-A of Title 7 of the Administrative Code and shall not apply to a seizure made pursuant to any other provision of law, including but not limited to the seizure of tobacco, electronic cigarettes, or any item that is a controlled substance pursuant to state law.

6. Notwithstanding any other provision of this subdivision, the City Sheriff will not return cannabis or other related items that have been seized where the return of such seized cannabis or other related items would be a violation of, or would facilitate the violation of, any applicable law.

h. Procedures following issuance of a sealing order.

1. Duration of order. A sealing order issued pursuant to Chapter 5-A of Title 7 of the Administrative Code shall be effective for one year from the date of the posting of the order.

2. Vacatur of a sealing order upon request by a property owner that is not the respondent.

(a) A property owner of a premises at which a sealing order has been issued pursuant to Chapter 5-A of Title 7 of the Administrative Code, other than the respondent, may petition the City Sheriff in writing to request that the City Sheriff vacate such order.

(b) A property owner requesting such a vacatur must provide sufficient proof, including an affidavit executed by each co-owner of the property and the attorney submitting such affidavit for the property owner, if applicable, and any additional documents requested by the City Sheriff, which may include a copy of a lease with a subsequent tenant and photographic evidence. Such affidavits and additional documents must demonstrate that the respondent has vacated the premises and that the conduct in violation of Chapter 5-A of Title 7 of the Administrative Code has ceased. Where the property owner seeks a vacatur of the sealing order and the respondent has not vacated the premises, the procedures set forth in paragraph (3) of this subdivision for vacatur of a sealing order upon request of a respondent shall apply.

(c) In making a determination as to whether to vacate a sealing order pursuant to a petition by a property owner, the City Sheriff will consider the reliability and completeness of the documentation submitted to the City Sheriff and whether such documentation demonstrates (i) that the tenant has vacated the premises and (ii) that the conduct in violation of Chapter 5-A of Title 7 of the Administrative Code has credibly ceased following the sealing of the property.

3. Vacatur of a sealing order upon request by a respondent.

(a) A respondent subject to a sealing order issued pursuant to Chapter 5-A of Title 7 of the Administrative Code may petition the City Sheriff in writing to request that the City Sheriff vacate such order.

(b) A respondent requesting such a vacatur must provide sufficient proof, including an affidavit executed by each co-owner of the respondent and the attorney submitting such affidavit for the respondent, if applicable, demonstrating that conduct in violation of Chapter 5-A of Title 7 of the Administrative Code at the premises has been abated. A respondent must attach to such affidavit:

(1) a business plan detailing the respondent's intended use of the property following vacatur of the sealing order that includes: (i) documentation illustrating the actions that the respondent has taken in furtherance of implementing such business plan; and (ii) financial estimates of the revenue that will be generated through such business plan;

(2) proof that the respondent has submitted a verified statement setting forth the information specified in subdivision 5 of section 17 of the cannabis law;

(3) documentation indicating: (i) whether the respondent has the right to occupy the premises, as demonstrated by an affidavit or other representation from the property owner that the respondent lawfully occupies the premises or a detailed explanation regarding why the respondent is unable to obtain such affidavit or representation; and (ii) the term of the respondent's lease or right to occupy the property, as applicable;

(4) documentation indicating that the respondent consents to reinspection pursuant to subdivision 9 of section 138-b of the Cannabis Law and will maintain or arrange for the maintenance of sufficient financial records on the premises or otherwise provide access to such financial records to the City Sheriff such that the City Sheriff can review the respondent's business activity in furtherance of such reinspection;

(5) documentation regarding any business activity relating to the sale of cannabis conducted by the respondent, and any person who owns 10 percent or more of the voting stock or shares of such respondent, at any other location; and

(6) documentation indicating that all signage and all other marketing materials indicating an intent to sell illicit cannabis, including but not limited to such signage and marketing materials located on the premises and marketing materials featured on internet webpages associated with the respondent, have been removed.

(c) In determining whether to vacate a sealing order pursuant to a petition by a respondent, the City Sheriff will consider factors including but not limited to:

(1) the reliability and completeness of the documentation submitted to the City Sheriff;

(2) the degree to which, following the sealing, conduct in violation of Chapter 5-A of Title 7 of the Administrative Code has abated, including but not limited to whether the respondent continues to be engaged in unlicensed cannabis activities at other properties; and

(3) the threat to public health, safety, and welfare posed by the respondent based on such respondent's previous conduct.

(d) Notwithstanding any other provision of this section, the City Sheriff may, on a temporary basis and upon request, grant access to a premises notwithstanding a sealing order for the limited purpose of removing physical signage and all other marketing materials indicating an intent to sell illicit cannabis, or for otherwise ensuring that the premises will not be used for unlawful activity, where such request is made in connection with a petition pursuant to this paragraph that the City Sheriff determines contains sufficient proof in other respects separate and apart from the proof necessary for clause (6) of subparagraph (b) of this paragraph.

4. Notice. Except as otherwise provided by paragraph 5 of this subdivision, the City Sheriff will respond in writing notifying a property owner or respondent, as applicable, of the City Sheriff's determination regarding the sealing order within a reasonably practicable period after receipt of any petition pursuant to this subdivision. Such response will state whether the order to seal has been vacated, whether the order to seal has been held to continue, or whether additional documents are required to render a determination. Where the City Sheriff responds to a petition with the determination that an order to seal shall continue, the City Sheriff shall state in writing its reasoning for denying the petition.

5. The City Sheriff will not consider any petition to vacate a sealing order submitted pursuant to paragraph 3 of this subdivision while any administrative proceeding relating to such sealing order remains pending.

i. Notice addresses. Any response by the City Sheriff pursuant to paragraph 3 of subdivision g of this section, or paragraph 4 of subdivision h of this section, and any notice of a determination with respect to continuation of an order to seal pursuant to paragraph 2 of subdivision b of section 7-552 of the Administrative Code will be mailed

to the address provided by the petitioner or respondent, as applicable, or if no such address is provided, to the address provided pursuant to subdivision g of section 7-552 of the Administrative Code.

FINDING OF SUBSTANTIAL NEED FOR EARLIER IMPLEMENTATION

I hereby find and represent to the Mayor that there is a substantial need for the implementation, immediately upon its final publication in the City Record, of a New York City Department of Department of Finance rule to establish a regulatory framework for the City Sheriff to conduct administrative inspections; to specify the civil penalties for violations of New York City Administrative Code Section 7-551; to establish how the City Sheriff may designate personnel of other City agencies to conduct enforcement efforts; to outline the circumstances in which the Sheriff may seal a place of business; and to detail other mechanisms necessary to achieve a comprehensive enforcement of unlicensed cannabis activity. This rule is necessary address an imminent threat to the health and safety of New Yorkers.

This rule amendment to Chapter 42 of Title 19 of the Rules of the City of New York is necessary to regulate the proliferation of unlicensed cannabis retail stores across the City. Unlicensed retail stores pose a risk to the public by selling unregulated cannabis products that have the potential to cause physical illness to consumers. Many of the retail stores are located proximate to schools and public youth facilities and sell cannabis products in packaging displaying cartoon characters and bright colors. These unlicensed cannabis retailers operate in flagrant violation of the law and undermine the statutory framework of licensure and permit issuance established under the Cannabis Law. Delaying implementation of this rule would foreseeably impair the quality of life for New Yorkers who currently endure the effects of this illegal industry and permit the imminent threat posed by this industry to continue at an unacceptable level.

Therefore, I find pursuant to Charter Section 1043(f)(1)(d) that there is a substantial need for this rule's earlier implementation.

/s/
Anthony Miranda, City Sheriff
New York City Department of Finance

/s/
Preston Niblack, Commissioner
New York City Department of Finance

APPROVED:

/s/
Eric Adams
Mayor

◀ a28



MANAGEMENT AND BUDGET

■ NOTICE

THE CITY OF NEW YORK - OFFICE OF MANAGEMENT AND BUDGET COMMUNITY DEVELOPMENT BLOCK GRANT- DISASTER RECOVERY PROGRAM

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

NYC Mayor's Office of Management and Budget (NYC OMB)
255 Greenwich Street, 8th Floor
New York, NY 10007
(212) 788-6130

On or about September 9, 2024, the City of New York ("the City") will submit a request to the U.S. Department of Housing and Urban Development for the release of Community Development Block Grant- Disaster Recovery (CDBG-DR) funds authorized under the Community Development Act of 1974, as amended, and the Continuing Appropriations Act, 2023 (Public Law 117-180), to undertake a project known as NYCHA Green Infrastructure for the purpose of managing stormwater runoff across seventeen (17) New York City Housing Authority ("NYCHA")-owned developments. The funds will be requested for two (2) of these sites (GI Sites):

- 1. Lafayette Gardens
- 2. Pomonok Houses

The City proposes to award funds to the NYCHA, which will procure a contractor to install green infrastructure at the GI Sites as part of the NYCHA Green Infrastructure project. The GI Sites will include a total of eight (8) assets. These include sub-surface slow-release detention chambers, which will temporarily store rainwater below ground and then release it slowly into the combined sewer after the storm has passed and capacity has returned, and retention chambers, which are designed to collect rain and channel it to below-ground natural aquifers.

The green infrastructure practices in this project are all located in parking lots or other open spaces on NYCHA properties. Excavation is required to install subsurface chambers and reconstruct catch basins and outlet control structures that are reconnected to existing sewer pipes. Once installation and reconstruction are complete, the area will be backfilled, resurfaced, and restored to its pre-existing condition; features at or above ground level will be replaced in kind. For each green infrastructure practice, the sewer's capacity is fixed.

The primary addresses of the of the GI Sites locations include:

- Lafayette Gardens – 387 Lafayette Avenue, Brooklyn, NY 11205
- Pomonok Houses – 67-10 Parsons Boulevard, Fresh Meadows, NY 11365

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements. An Environmental Review Record (ERR) that documents the environmental determinations for this project will be made available to the public for review either electronically or by U.S. mail. Please submit your request by U.S. mail to Julie Freeman, Senior Assistant Director, New York City Office of Management and Budget, at 255 Greenwich Street, 8th Floor, New York, NY 10007, or by email to CDBGComments@omb.nyc.gov.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the New York City Office of Management and Budget (NYC OMB) at the above address or via email to CDBGComments@omb.nyc.gov. All comments received by September 8, 2024 will be considered by NYC OMB prior to authorizing submission of a request for release of funds.

ENVIRONMENTAL CERTIFICATION

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

OBJECTIONS TO RELEASE OF FUNDS

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

City of New York: Eric Adams, Mayor
 Jacques Jiha, Ph.D., Director, NYC OMB
 Julie Freeman, Certifying Officer, NYC OMB

Date: August 23, 2024

a23-29

PARKS AND RECREATION

■ NOTICE

TO: To Whom It May Concern
 FROM: New York City Department of Parks and Recreation
 SUBJECT: Notification re: Product Waiver
 DATE: 08/14/24

In accordance with Section 17-1206 of chapter 12 of title 17 of the administrative code of the city of New York, as amended by Local Law 56 of 2021, the New York City Department of Parks and Recreation (Parks) is applying for a waiver for use from the Department of Health and Mental Hygiene for the following restricted product(s) and use(s):

Product name(s): **Milestone**
 Active ingredient: **Aminopyralid**
 EPA registration #: **62719-519**

Method of application: **Foliar spray**

Pest/Weed targeted: **Invasive herbaceous species *Rumex acetosella* (Sheep's sorrel), *Rumex crispus* (Curled dock), *Rumex obtusifolius* (Broad-leaved dock), *Saponaria officinalis* (Soapwort), *Lathyrus latifolius* (Perennial Pea), and *Melilotus alba* (White Sweetclover).**

Location(s) of use: **Alley Pond Park, Conference House Park, Cunningham Park, Idlewild Park, Inwood Hill Park, Marine Park, Pelham Bay Park, Riverdale Park, Van Cortlandt Park, Willow Lake Park**

Waiver duration request: **August 31st 2024 – August 31st 2025**

If, after careful consideration by health experts, the above waiver(s) are granted by the DOHMH you will be notified within 30 days of the granted date.

◀ a28

TO: To Whom It May Concern
 FROM: New York City Department of Parks and Recreation
 SUBJECT: Notification re: Product Waiver
 DATE: 08/14/24

In accordance with Section 17-1206 of chapter 12 of title 17 of the administrative code of the city of New York, as amended by Local Law 56 of 2021, the New York City Department of Parks and Recreation (Parks) is applying for a waiver for use from the Department of Health and Mental Hygiene for the following restricted product(s) and use(s):

Product name(s): **Garlon 4 Ultra, Vastlan**
 Active ingredient: **Triclopyr**
 EPA registration #: **62719-527, 62719-687**

Method of application: **Cut stump, basal bark spray (woody species), foliar spray (herbaceous species)**

Pest/Weed targeted: **Invasive woody species *Broussonetia papyrifera* (Paper mulberry), *Elaeagnus angustifolia* (Russian olive), *Ligustrum vulgare* (Wild privet), *Malus spp.* (Crabapple), *Pyrus calleryana* (Callery pear), *Rhodotypos scandens* (Jethead), *Viburnum sieboldii* (Siebold's viburnum), and *Wisteria floribunda* (Japanese wisteria); and invasive herbaceous species *Galium spp.* (Catchweeds), *Rumex acetosella* (Sheep's sorrel), *Rumex crispus* (Curled dock), *Rumex obtusifolius* (Broad-leaved dock), *Saponaria officinalis* (Soapwort), *Lathyrus latifolius* (Perennial Pea), and *Melilotus alba* (White Sweetclover).**

Location(s) of use: **Alley Pond Park, Conference House Park, Cunningham Park, Idlewild Park, Inwood Hill Park, Marine Park, Pelham Bay Park, Riverdale Park, Van Cortlandt Park, Willow Lake Park**

Waiver duration request: **August 31st 2024 – August 31st 2025**

If, after careful consideration by health experts, the above waiver(s) are granted by the DOHMH you will be notified within 30 days of the granted date.

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TO: To Whom It May Concern
 FROM: New York City Department of Parks and Recreation

SUBJECT: Notification re: Product Waiver
DATE: 08/14/24

In accordance with Section 17-1206 of chapter 12 of title 17 of the administrative code of the city of New York, as amended by Local Law 56 of 2021, the New York City Department of Parks and Recreation (Parks) is applying for a waiver for use from the Department of Health and Mental Hygiene for the following restricted product(s) and use(s):

Product name(s): Clearcast

Active ingredient: Imazamox

EPA registration #: 241-437

Method of application: Cut stump, basal bark spray (woody species), foliar spray (herbaceous species)

Pest/Weed targeted: Invasive woody species Ligustrum vulgare (Wild privet), Wisteria floribunda (Japanese wisteria); Carex kobomugi (Asiatic sand sedge), Convolvulus arvensis (Field bindweed), Saponaria officinalis (Soapwort), Rumex acetosella (Sheep's sorrel), Rumex crispus (Curled dock), Rumex obtusifolius (Broad-leaved dock), Lathyrus latifolius (Perennial Pea), and Melilotus alba (White Sweetclover).

Location(s) of use: Alley Pond Park, Conference House Park, Cunningham Park, Great Kills Park, Idlewild Park, Marine Park, Pelham Bay Park, Rockaway Beach, Van Cortlandt Park
Waiver duration request: August 31st 2024 - August 31st 2025

If, after careful consideration by health experts, the above waiver(s) are granted by the DOHMH you will be notified within 30 days of the granted date.

← a28

TO: To Whom It May Concern
FROM: New York City Department of Parks and Recreation
SUBJECT: Notification re: Product Waiver
DATE: 08/14/24

In accordance with Section 17-1206 of chapter 12 of title 17 of the administrative code of the city of New York, as amended by Local Law 56 of 2021, the New York City Department of Parks and Recreation (Parks) is applying for a waiver for use from the Department of Health and Mental Hygiene for the following restricted product(s) and use(s):

Product name(s): Clearcast; Oust XP; Milestone

Active ingredient: Imazamox; Sulfometuron methyl; Aminopyralid-tripromine

EPA registration #: 241-437; 101563-168; 62719-519

Method of application: Foliar Spray with a Backpack Sprayer

Pest/Weed targeted: Arum italicum (Italian arum)

Location(s) of use: Inwood Hill Park, Fort Tryon Park, Fort Washington Park, Riverdale Park, Spuyten Duyvil Shoreline Park, Bronx Park, Givans Creek Woods, Wolfes Pond Park

Waiver duration request: August 31st 2024 - August 31st 2025

If, after careful consideration by health experts, the above waiver(s) are granted by the DOHMH you will be notified within 30 days of the granted date.

← a28

CHANGES IN PERSONNEL

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 07/05/24

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for the Department of Education Administration.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for the Department of Education Administration.

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 07/05/24

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for the Department of Education Administration.

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 07/05/24

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists various staff members and their details.

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 07/05/24

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Continues the list of staff members.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Continues the list of staff members.

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 07/05/24

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Continues the list of staff members.

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 07/05/24

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Final row of the list of staff members.

WILLIAMS	ALEXANDR I	51221	\$65.9300	APPOINTED	NO	06/27/24	740
WILLIAMS	DONNETTE	5124A	\$91.3400	APPOINTED	NO	06/27/24	740
WILLIAMS	ELYSE P	50910	\$66.4100	APPOINTED	YES	06/27/24	740
WILLIAMS	FAITH	51221	\$65.9300	APPOINTED	NO	06/27/24	740
WILLIAMS	GWENDOLY Y	50910	\$64.7100	APPOINTED	YES	06/27/24	740
WILLIAMS	JUDY	51221	\$71.0100	APPOINTED	NO	06/27/24	740
WILLIAMS	MELISSA	51221	\$71.0100	APPOINTED	NO	06/27/24	740
WILLIAMS	VALINA	51221	\$71.0100	APPOINTED	NO	06/27/24	740
WILLIAMS-HASSEL	DOLORES	51221	\$65.9300	APPOINTED	NO	06/27/24	740
WILLNER	ALLYSON P	51221	\$70.6100	APPOINTED	NO	06/27/24	740
WILLS	TAMARA	51221	\$68.4600	APPOINTED	NO	06/27/24	740
WILLSON	THOMAS	51222	\$71.0100	APPOINTED	NO	06/27/24	740
WILSON SMITH	CAROL J	51222	\$71.0100	APPOINTED	NO	06/27/24	740
WINDBISH	SHAKIRAH A	51221	\$64.1900	APPOINTED	YES	06/27/24	740
WINZELBERG	PENINA	51221	\$71.0100	APPOINTED	NO	06/27/24	740
WIVELL	ELIZABET	51221	\$71.0100	APPOINTED	NO	06/27/24	740
WOLD	ANNMARIE	51221	\$71.0100	APPOINTED	NO	06/27/24	740
WOLF	REBECCA A	51221	\$71.0100	APPOINTED	NO	06/27/24	740
WONG	ANDREW A	51221	\$65.9300	APPOINTED	NO	06/27/24	740
WONG	ANNIE	51221	\$65.9300	APPOINTED	NO	06/27/24	740
WONG	ANTHONY	51222	\$70.6100	APPOINTED	NO	06/27/24	740
WONG	JESSICA V	51221	\$71.0100	APPOINTED	NO	06/27/24	740
WONG	JOANNA	51222	\$71.0100	APPOINTED	NO	06/27/24	740
WONG	MARY A	51221	\$71.0100	APPOINTED	NO	06/27/24	740
WONG	MERCENIT P	51222	\$71.0100	APPOINTED	NO	06/27/24	740
WONG	MICHAEL	51222	\$71.0100	APPOINTED	NO	06/27/24	740
WONG	SHARON	51221	\$64.1900	APPOINTED	NO	06/27/24	740
WONG	VIVIAN	51221	\$70.6100	APPOINTED	NO	06/27/24	740
WOODS	LAMAR	56057	\$49486.0000	APPOINTED	YES	06/12/24	740
WOPFSCHALL	ADAM	51221	\$71.0100	APPOINTED	NO	06/27/24	740
WRIGHT	GAIL	56057	\$40929.0000	RETIRED	YES	12/05/17	740
WRIGHT	MEGHAN	51221	\$65.9300	APPOINTED	YES	06/27/24	740
WRIGHT	SHARON K G	51221	\$71.0100	APPOINTED	NO	06/27/24	740
WU	CHELSEA	51222	\$71.0100	APPOINTED	NO	06/27/24	740
WU	FION	51221	\$70.6100	APPOINTED	NO	06/27/24	740
WU	JENNIFER C	51222	\$71.0100	APPOINTED	NO	06/27/24	740
WU	LI LI	51221	\$71.0100	APPOINTED	NO	06/27/24	740
WU	PROSPERA	51222	\$71.0100	APPOINTED	NO	06/27/24	740
WU	VIVIAN W	50910	\$66.4100	APPOINTED	YES	06/27/24	740
WUESTEFELD	ANN	51221	\$70.6100	APPOINTED	NO	06/27/24	740
WUREM	TZIPORA	51221	\$71.0100	APPOINTED	NO	06/27/24	740
WYATT	DACIA C	3114A	\$83993.0000	RESIGNED	YES	06/12/24	740
WYCZAWSKI	MONIKA	51221	\$71.0100	APPOINTED	NO	06/27/24	740
WYNNE	CAROLYN	51221	\$70.6100	APPOINTED	NO	06/27/24	740
WYNTER	MAUREEN	50910	\$66.4100	APPOINTED	YES	06/27/24	740
XIE	JIAYING	51221	\$70.6100	APPOINTED	NO	06/27/24	740
XIE	MELISSA	51221	\$71.0100	APPOINTED	NO	06/27/24	740
YADGAR	DAVID	51222	\$71.0100	APPOINTED	NO	06/27/24	740
YAEGER	JERYL	51221	\$71.0100	APPOINTED	NO	06/27/24	740

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 07/05/24

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
YAGERMAN	JOANNA	51221	\$70.6100	APPOINTED	NO	06/27/24	740
YAKUBOV-NISANOV	MARGARIT	51221	\$70.2000	APPOINTED	NO	06/27/24	740
YAKUBOVA	NATALI	51221	\$65.9300	APPOINTED	NO	06/27/24	740
YAKUTELOV	RUDOLF	51221	\$71.0100	APPOINTED	NO	06/27/24	740
YAKUTILOVA	DIANA	51221	\$71.0100	APPOINTED	NO	06/27/24	740
YAN	KAREN	51221	\$71.0100	APPOINTED	NO	06/27/24	740
YANG	CARINA	50910	\$62.1400	APPOINTED	YES	06/27/24	740
YANG	EVELYN	51221	\$66.7300	APPOINTED	NO	06/27/24	740
YANG	JIE	50910	\$64.2400	APPOINTED	YES	06/27/24	740
YAO	RITCHEVA L	51222	\$71.0100	APPOINTED	NO	06/27/24	740
YAO	SHERRY	51221	\$68.8700	APPOINTED	NO	06/27/24	740
YARON	RENAT	51222	\$70.2000	APPOINTED	NO	06/27/24	740
YAU	JOSEPH	51222	\$71.0100	APPOINTED	NO	06/27/24	740
YAURI QUIZHPI	ERICA	51221	\$70.6100	APPOINTED	NO	06/27/24	740
YBANEZ-CUNANAN	LUISA	51222	\$71.0100	APPOINTED	NO	06/27/24	740
YE	EVELYN	51221	\$71.0100	APPOINTED	NO	06/27/24	740
YE	LUCY	51221	\$68.4600	APPOINTED	NO	06/27/24	740
YEBOAH	CICILIA	50910	\$64.2400	APPOINTED	YES	06/27/24	740
YEBOAH	EDMUND N	51221	\$65.9300	APPOINTED	NO	06/27/24	740
YEE	JADE	51221	\$70.6100	APPOINTED	NO	06/27/24	740
YEE	JANE	51221	\$71.0100	APPOINTED	NO	06/27/24	740
YEE	JESSICA V	51221	\$65.9300	APPOINTED	NO	06/27/24	740
YEH	RONNIE	51222	\$71.0100	APPOINTED	NO	06/27/24	740
YELLINEK	ANDREA	51221	\$71.0100	APPOINTED	NO	06/27/24	740
YI	ANNE	51221	\$71.0100	APPOINTED	NO	06/27/24	740
YONG	LORETTA	51221	\$64.1900	APPOINTED	NO	06/27/24	740
YOO	JENNY H	51222	\$70.2000	APPOINTED	NO	06/27/24	740
YOO	JILLIAN	51221	\$65.9300	APPOINTED	NO	06/27/24	740
YOUNG	ERROL	51221	\$71.0100	APPOINTED	NO	06/27/24	740
YOUNG	KAYLI	51221	\$71.0100	APPOINTED	NO	06/27/24	740
YOUSEFLALEH	TAMAR	51221	\$70.6100	APPOINTED	NO	06/27/24	740
YU	ARLENE	51221	\$70.6100	APPOINTED	NO	06/27/24	740
YU	JENNIFER	51221	\$65.9300	APPOINTED	NO	06/27/24	740

YU	KITTY	50910	\$64.7100	APPOINTED	YES	06/27/24	740
YU	MIAO	50910	\$63.5400	APPOINTED	YES	06/27/24	740
YUEN	YIM TAI	51221	\$71.0100	APPOINTED	NO	06/27/24	740
YUKOV	ILONA	51221	\$71.0100	APPOINTED	NO	06/27/24	740
ZABALA	SHEILA	51222	\$71.0100	APPOINTED	NO	06/27/24	740
ZAC KOSWENER	ZILA	51221	\$71.0100	APPOINTED	NO	06/27/24	740
ZACCARIELLO	JENNIFER	51221	\$71.0100	APPOINTED	NO	06/27/24	740
ZACHAI	HADASSAH E	51221	\$71.0100	APPOINTED	NO	06/27/24	740
ZAK	YANA	51221	\$70.6100	APPOINTED	NO	06/27/24	740
ZAKI	FEBY	51221	\$68.4600	APPOINTED	NO	06/27/24	740
ZALAYET	NATALIE	51221	\$65.9300	APPOINTED	YES	06/27/24	740
ZALAZNICK JR.	MICHAEL	51221	\$70.6100	APPOINTED	NO	06/27/24	740
ZAMBRANO	YEIMMY X	51222	\$71.0100	APPOINTED	NO	06/27/24	740
ZAMOR	MONA	51221	\$71.0100	APPOINTED	NO	06/27/24	740
ZAMPELLA	TONI ANN	50910	\$66.4100	APPOINTED	YES	06/27/24	740
ZANELLI	JENNIFER	51221	\$71.0100	APPOINTED	NO	06/27/24	740
ZARETSKY	BENJAMIN I	51221	\$70.6100	APPOINTED	NO	06/27/24	740
ZARNY	DEBRA A	51221	\$65.9300	APPOINTED	NO	06/27/24	740

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 07/05/24

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ZAYATZ	OKSANA	51221	\$71.0100	APPOINTED	NO	06/27/24	740
ZBYTNIIEWSKI	RICHARD	51221	\$71.0100	APPOINTED	NO	06/27/24	740
ZELTMANN	KATHLEEN	51221	\$71.0100	APPOINTED	NO	06/27/24	740
ZENG	LINGJUAN	50910	\$63.7700	APPOINTED	YES	06/27/24	740
ZENN	JACLYN	51221	\$70.6100	APPOINTED	NO	06/27/24	740
ZEPEDA	CARMEN	51221	\$69.4100	APPOINTED	NO	06/27/24	740
ZEPHYR	KASHA	50910	\$64.2400	APPOINTED	YES	06/27/24	740
ZEZIMA	MICHELE S	51222	\$71.0100	APPOINTED	NO	06/27/24	740
ZHANG	YANGHUI	51222	\$71.0100	APPOINTED	NO	06/27/24	740
ZHAO	CHRISTY	51221	\$64.1900	APPOINTED	NO	06/27/24	740
ZHENG	JENNIE Y	51221	\$71.0100	APPOINTED	NO	06/27/24	740
ZHOU	AMELIA A	51221	\$71.0100	APPOINTED	NO	06/27/24	740
ZHURAVSKY	ALEXANDE	51221	\$71.0100	APPOINTED	NO	06/27/24	740
ZIKOS	ALIKI	51222	\$65.9300	APPOINTED	YES	06/27/24	740
ZITO	MARIA A	54503	\$39950.0000	APPOINTED	YES	06/18/24	740
ZLOTNIKOV	ALLA	51221	\$71.0100	APPOINTED	NO	06/27/24	740
ZUCCONI	RENEE L	51221	\$67.1300	APPOINTED	NO	06/27/24	740
ZUCKERMAN	RUTH	50910	\$66.4100	APPOINTED	YES	06/27/24	740
ZUKER	DINA	51221	\$70.6100	APPOINTED	NO	06/27/24	740
ZVENIYKA	TAFARA	51221	\$71.0100	APPOINTED	NO	06/27/24	740
ZWICK	SHARI	51222	\$71.0100	APPOINTED	NO	06/27/24	740
ZYLBERBERG	ARIEL	51222	\$71.0100	APPOINTED	NO	06/27/24	740

DEPARTMENT OF PROBATION
FOR PERIOD ENDING 07/05/24

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ATAUIPILCO	MIGUEL A	21744	\$94882.0000	APPOINTED	YES	06/16/24	781
BERMUDEZ	ANA M	94325	\$241658.0000	RESIGNED	YES	12/24/22	781
BLACKWELL	KORY L	10029	\$132558.0000	INCREASE	YES	06/07/24	781
CAREY	SADIEQ	51810	\$45934.0000	RESIGNED	YES	06/26/24	781
CUEVAS	FRANCES E	95005	\$160000.0000	APPOINTED	YES	06/16/24	781
CUMBERBATCH	ERIC L	10056	\$190550.0000	RETIRED	YES	02/05/22	781
DAVIS	BRENDA M	10029	\$105844.0000	RETIRED	NO	12/11/22	781
MAFFETT	DEVIN L	51810	\$52824.0000	RESIGNED	NO	06/19/24	781
MANNIS-NELSON	OLIVIEEN D	10029	\$104161.0000	RETIRED	NO	05/07/22	781
ONWU	CHRISTEL N	13377	\$130000.0000	APPOINTED	YES	06/16/24	781
PILE	GWENDOLE P	10124	\$66672.0000	RETIRED	NO	06/22/24	781
PUERTO	ANGEL A	51877	\$92283.0000	APPOINTED	YES	06/23/24	781
PUERTO	MICHAEL A	51877	\$92283.0000	APPOINTED	YES	06/23/24	781

DEPARTMENT OF BUSINESS SERV.
FOR PERIOD ENDING 07/05/24

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
DOMANSKI	ROBERT J	22503	\$99725.0000	RESIGNED	YES	11/16/23	801
KHABBAZIAN	MARYAM	10009	\$128810.0000	RESIGNED	NO	10/12/23	801
O'CONNOR-GRANT	COLLEEN	1002F	\$80000.0000	RESIGNED	YES	06/16/24	801

HOUSING PRESERVATION & DVLPMNT
FOR PERIOD ENDING 07/05/24

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BERMENT	RHONDELL L	31670	\$69328.0000	RESIGNED	YES	06/12/24	806
DALBY	CHRISTIN A	56057	\$49615.0000	RESIGNED	YES	06/16/24	806
GADALLA	ROMANY F	31670	\$69385.0000	RESIGNED	NO	06/09/24	806
GREWAL	MEHNAZ K	56058	\$75000.0000	APPOINTED	YES	06/23/24	806
JARVIS	TORI C	56058	\$77024.0000	RESIGNED	YES	06/23/24	806
JONES	JEVON	56057	\$49615.0000	RESIGNED	YES	05/29/24	806
LALL	DAVIN	31670	\$69328.0000	RESIGNED	YES	04/15/24	806

RAMJAN	BIBI	A	56057	\$48170.0000	APPOINTED	YES	06/23/24	806
ROY	AVIJIT		34202	\$85147.0000	INCREASE	NO	06/17/24	806
TODD	CARLOS		31670	\$69328.0000	RESIGNED	YES	06/06/24	806

DEPARTMENT OF BUILDINGS
FOR PERIOD ENDING 07/05/24

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ALMANZAR	CHEVAL ANGELIS	M 10209	\$17.3000	RESIGNED	YES	06/06/24	810
BOZEMAN JR	GREGORY	L 31622	\$62871.0000	APPOINTED	YES	06/16/24	810
CHIU	KEITH	31622	\$78967.0000	INCREASE	NO	06/23/24	810
CLOUDEN	JENNIFER	30087	\$92446.0000	INCREASE	YES	06/23/24	810
ESGUERRA	CHRISTER	R 30087	\$92446.0000	RESIGNED	YES	06/23/24	810
ESPINAL	JEI	C 31310	\$58333.0000	RESIGNED	YES	06/23/24	810
HEATH-RETEMYER	SHERWIN	J 31622	\$69328.0000	APPOINTED	YES	06/23/24	810
HOSSIN	MOHAMMAD	K 31622	\$79113.0000	RESIGNED	NO	06/23/24	810
KARRAN	TARICK	31622	\$69328.0000	APPOINTED	YES	06/23/24	810
LEE	YULE	J 10024	\$176949.0000	INCREASE	NO	06/23/24	810
LUCAS	TASHYA	A 31622	\$69328.0000	APPOINTED	YES	06/16/24	810
NG	CHUN	W 31622	\$69328.0000	APPOINTED	YES	06/23/24	810
NIEVES	KRISTINA	L 30080	\$54283.0000	RESIGNED	NO	08/20/23	810
OLADIPO	SAMUEL	O 31622	\$62871.0000	APPOINTED	YES	06/23/24	810

DEPARTMENT OF BUILDINGS
FOR PERIOD ENDING 07/05/24

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
OREOLUWA	OLUWAFEM I	31622	\$69328.0000	RESIGNED	YES	06/02/24	810
REDDY	ALLISON	F 30087	\$103055.0000	INCREASE	YES	06/23/24	810
REN	ELLEN	22430	\$73476.0000	APPOINTED	YES	06/23/24	810
SHAMASH	YEGAL	95505	\$255446.0000	INCREASE	YES	06/23/24	810
SINGH	KULMINDE	22405	\$81092.0000	RESIGNED	NO	06/16/24	810
WYLEY	NICOLE	A 1002F	\$97259.0000	RESIGNED	NO	06/23/24	810
YU	BELINDA	10251	\$47100.0000	APPOINTED	YES	06/16/24	810
YUEN	LINDA	10209	\$17.3000	RESIGNED	YES	04/11/24	810

DEPT OF HEALTH/MENTAL HYGIENE
FOR PERIOD ENDING 07/05/24

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ABBASI	HANIYA	21744	\$82506.0000	APPOINTED	YES	06/16/24	816
ADELEKE	ISALIAH	O 10209	\$16.3500	APPOINTED	YES	06/16/24	816
AHNSA	VIDA	O 51011	\$86368.0000	RESIGNED	NO	11/30/23	816
AMOAKO	SAMANTHA	A 31105	\$53045.0000	RESIGNED	YES	06/19/24	816
BARBOSA-EUELL	EVELYN	1006C	\$106690.0000	RETIRED	NO	06/28/24	816
BECKFORD	DIIVION	31215	\$51460.0000	RESIGNED	YES	06/25/24	816
BELL-CHASE	SHAWN	L 10124	\$66672.0000	INCREASE	NO	06/16/24	816
BILACH	ERIC	M 60888	\$69952.0000	APPOINTED	YES	03/20/24	816
BONILLA	NAESHA	J 21512	\$52545.0000	APPOINTED	YES	06/23/24	816
BURGHER	SUE MELI	O 56057	\$50000.0000	RESIGNED	YES	04/19/23	816
CAPLAN	MICHAEL	J 53859	\$238942.0000	APPOINTED	YES	06/16/24	816
CLERKIN	MATTHEW	D 91644	\$555.8400	RESIGNED	NO	06/20/24	816
COLLIARD	ALEXIS	L 10209	\$17.3000	APPOINTED	YES	06/16/24	816
DALEY	CHRISTINA	A 51191	\$59257.0000	APPOINTED	YES	06/16/24	816
DAVIS	HONESTY	J 10209	\$16.5000	APPOINTED	YES	06/16/24	816
DIDOMENICO	VIVIAN	R 10209	\$16.3500	APPOINTED	YES	06/16/24	816
DILLIGARD	TOYA	S 80609	\$24.3800	RESIGNED	NO	04/21/24	816
DOBY	DENNIS	M 70817	\$68099.0000	APPOINTED	NO	06/09/24	816
DUONG	SAMANTHA	10209	\$16.3500	RESIGNED	YES	06/16/24	816
EMANI	HEMANTHI	10209	\$19.9000	APPOINTED	YES	06/21/24	816
FAJARDO	JOHN	A 90610	\$47205.0000	APPOINTED	YES	06/23/24	816
FALK	ALEXANDR	L 10232	\$24.7300	APPOINTED	YES	06/18/24	816
GARCIA	JOXEL	A 5304A	\$266907.0000	APPOINTED	YES	06/16/24	816
GHANI	ADL	T 10209	\$17.3000	APPOINTED	YES	06/16/24	816
GONZALEZ	NATALIO	40910	\$60101.0000	RESIGNED	YES	06/12/24	816
GREENE	DENNIS	N 31215	\$49961.0000	APPOINTED	YES	06/17/24	816
ITWARU	JULIE	P 10209	\$16.3500	APPOINTED	YES	06/16/24	816
JAFFERY	MOHAMMED	S 56058	\$64081.0000	RESIGNED	YES	06/18/24	816
JOHN II	LEANDRE	M 10209	\$16.3500	APPOINTED	YES	06/16/24	816
KALESTROV	ANDREI	91212	\$54557.0000	APPOINTED	NO	04/14/24	816
KERNIZAN	ELIWAH	A 10209	\$17.3000	APPOINTED	YES	06/16/24	816
KIM	ELIZABET	E 10209	\$16.3500	APPOINTED	YES	06/16/24	816
KING	AISHA	S 10209	\$19.9000	APPOINTED	YES	06/18/24	816

DEPT OF HEALTH/MENTAL HYGIENE
FOR PERIOD ENDING 07/05/24

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
KING	KELSEY	C 31215	\$49961.0000	APPOINTED	YES	06/23/24	816
KING	SHARON	V 1002C	\$76301.0000	PROMOTED	NO	06/16/24	816
KROLIK	NATALIA	E 21514	\$95000.0000	RESIGNED	YES	06/11/24	816
KUZMYAK	NANCY	G 56057	\$22.9300	APPOINTED	YES	06/23/24	816
LALDEE	AALIYAH	J 10209	\$17.3000	APPOINTED	YES	06/16/24	816
LEE	REBECCA	Y 51611	\$74160.0000	APPOINTED	YES	06/16/24	816
LINGWALL	NOAH	A 30087	\$79451.0000	RESIGNED	YES	06/11/24	816
MALLOY	SHANNON	E 10209	\$18.3000	APPOINTED	YES	06/23/24	816
MCARDLE	BRENDAN	91644	\$555.8400	RETIRED	NO	06/22/24	816

MINAYA	ANN	M 1002F	\$70753.0000	APPOINTED	NO	06/16/24	816
NOOR	SHAMIYUN	21744	\$94882.0000	APPOINTED	YES	06/16/24	816
ORDONEZ	PHILIP	G 31215	\$49961.0000	APPOINTED	YES	06/23/24	816
OZER	ANAIIS	C 10209	\$16.3500	APPOINTED	YES	06/18/24	816
PEREZ SANCHEZ	JEMILY	10209	\$17.3000	APPOINTED	YES	06/23/24	816
PESSOLANO	CLARE	M 30087	\$108150.0000	RESIGNED	YES	06/18/24	816
PITTMAN	SONYA	M 06853	\$62212.0000	APPOINTED	YES	06/16/24	816
POTEMPA-RIVERS	PAMELA	R 10232	\$24.7300	APPOINTED	YES	06/16/24	816
RAJENDRAN	RESHMA	10209	\$19.9000	APPOINTED	YES	06/12/24	816
SHAVKATOVA	AMIRA	10209	\$16.3500	APPOINTED	YES	06/16/24	816
SIHALOHO	DEWI	A 10209	\$18.3000	APPOINTED	YES	06/23/24	816
SKERRETT	WANITA	A 51191	\$59257.0000	APPOINTED	YES	06/23/24	816
SMITH I	DANTE	C 10209	\$17.3000	APPOINTED	YES	06/23/24	816
SNYDER	ADAM	C 10209	\$19.9000	RESIGNED	YES	06/16/24	816
SROKA	CLAUDIA	53299	\$80725.0000	APPOINTED	YES	06/16/24	816
STERLING	ERIN	V 10209	\$16.3500	APPOINTED	YES	06/16/24	816
STEWART	ZADRIAN	I 10124	\$56000.0000	RESIGNED	NO	06/09/24	816
TAN	XIANGHAN	10209	\$19.9000	APPOINTED	YES	06/20/24	816
TAYLOR	SHANIQUA	S 52020	\$23.9100	RESIGNED	YES	06/27/24	816
THAPA	TEJASWI	10209	\$18.3000	APPOINTED	YES	06/16/24	816
THOMPINS	TIFFANIE	M 10124	\$73758.0000	INCREASE	NO	06/16/24	816
TIWONI	TAYE	J 1020B	\$18.0000	APPOINTED	YES	06/16/24	816
TORRES	RUBEN	80609	\$54919.0000	INCREASE	NO	06/23/24	816
TRIVEDI	KYRA	T 10209	\$17.3000	APPOINTED	YES	06/21/24	816
VILLA RIGGS	NANCY	51011	\$94826.0000	RETIRED	NO	06/22/24	816
WALKER	ELIKA	T 10124	\$73758.0000	APPOINTED	NO	06/09/24	816
WANG	ANNI	10209	\$18.3000	APPOINTED	YES	06/16/24	816
WIGNAL	FARRAH	56058	\$69180.0000	INCREASE	YES	06/23/24	816
WILKINS	DANAH	A 21744	\$97728.0000	RESIGNED	NO	06/07/24	816
WINSTON	SAKIYAH	A 10209	\$16.3500	APPOINTED	YES	06/16/24	816
XU	XANDRO	T 10209	\$16.3500	APPOINTED	YES	06/26/24	816
YEE	KENNETH	S 31215	\$49961.0000	APPOINTED	YES	06/23/24	816

ADMIN TRIALS AND HEARINGS
FOR PERIOD ENDING 07/05/24

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
CAVALLARO	ANTONIO	M 95937	\$57.0500	APPOINTED	YES	06/23/24	820
COOK	JENNIFER	R 95937	\$57.0500	APPOINTED	YES	06/16/24	820
GEIGER	THEODORE	S 95937	\$57.0500	APPOINTED	YES	06/16/24	820
HOLMES	RICHARD	D 56057	\$52200.0000	APPOINTED	YES	06/16/24	820
HU	YUFAN	56057	\$52200.0000	APPOINTED	YES	06/16/24	820
JOHNSON	IBRAHIM	M 56057	\$52200.0000	APPOINTED	YES	06/16/24	820
LIBURD	ROBIN	1002C	\$82262.0000	RETIRED	NO	06/22/24	820
STATZ	OLGA	95005	\$202510.0000	RESIGNED	YES	06/16/24	820
TERUEL	IVAN	10124	\$8485.0000	INCREASE	NO	06/26/24	820
YEUNG	WILLIAM	C 56057	\$52200.0000	APPOINTED	YES	06/23/24	820

DEPT OF ENVIRONMENT PROTECTION
FOR PERIOD ENDING 07/05/24

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
AKTHER	RIMO	10246	\$47415.0000	RESIGNED	YES	06/26/24	826
AMEWU	YAO	S 80609	\$36379.0000	APPOINTED	NO	06/16/24	826
ANTICH	PATRICIA	12158	\$75419.0000	RETIRED	YES	06/29/24	826
ARDIZZONE	ELEFTRH	1002F	\$134598.0000	APPOINTED	NO	05/24/24	826
AYALA	SAMANTHA	C 10209	\$17.0000	RESIGNED	YES	06/15/24	826
BURNICH	STEPHEN	91314	\$85195.0000	RETIRED	YES	06/01/24	826
BURNICH	STEPHEN	91011	\$60017.0000	RETIRED	NO	06/01/24	826
CASEY	WILLIAM	F 20510	\$83427.0000	RESIGNED	YES	06/26/24	826
CHACON	ZOLA	10251	\$60501.0000	RETIRED	NO	06/29/24	826
CHOW	THEINGI	M 12749	\$52968.0000	RESIGNED	NO	05/12/24	826
CIAFONE	JOHN	P 10234	\$16.0000	APPOINTED	YES	06/02/24	826
CLOSE	DEBBIE	13632	\$130364.0000	RETIRED	NO	06/29/24	826
DE JESUS	LUIS	A 10209	\$16.0000	RESIGNED	YES	05/26/24	826
EDOLOVI	OSAGIEHW	O 12749	\$46059.0000	APPOINTED	NO	06/16/24	826
FAUBLE	FRANKLIN	L 70811	\$72871.0000	RESIGNED	NO	06/26/24	826
FERRARA JR.	AUSTIN	M 91717	\$466.9700	RETIRED	YES	06/23/24	826
FERRARA JR.	AUSTIN	M 91011	\$48282.0000	RETIRED	NO	06/23/24	826
GOODMAN	RACHEL	10251	\$45040.0000	RESIGNED	NO	05/28/24	826
GOPALAKRISHNAN	SRIRAM	91406	\$18.0000	APPOINTED	YES	06/03/24	826
GREEN	ERIK	N 90739	\$393.2000	RESIGNED	NO	06/23/24	826
HELTON	JOSEPH	L 90748	\$49852.0000	RESIGNED	YES	06/16/24	826
HUANG	HAO	10232	\$18.0000	APPOINTED	YES	06/02/24	826
JAGESSAR	PATRICK	K 21822	\$117466.0000	RETIRED	NO	06/29/24	826
JOHNSON	CEASAR	D 10234	\$16.0000	APPOINTED	YES	06/02/24	826
KELLY	AKIL	H 13633	\$97553.0000	RESIGNED	YES	06/08/24	826
KILLINGBECK	ROCHELLE	D 60888	\$24.1300	TERMINATED	NO	04/03/24	826
KROELL	JAKE	A 10234	\$16.0000	RESIGNED	YES	06/06/24	826
MADDISON	DECLAN	R 10234	\$16.0000	APPOINTED	YES	06/09/24	826
MANNING	GILHIANE	1002C	\$82200.0000	RETIRED	NO	06/01/24	826
MOORE	KAREN	E 21744	\$122128.0000	RETIRED	YES	06/29/24	826
PAOLILLO	BRIAN	T 91580	\$75365.0000	INCREASE	YES	04/28/24	826

READER'S GUIDE

The City Record (CR) is published each business day. The Procurement section of the City Record is comprised of notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Notice of solicitations and other notices for most procurement methods valued at or above \$100,000 for goods, services, and construction must be published once in the City Record, among other requirements. Other procurement methods authorized by law, such as sole source procurements, require notice in the City Record for five consecutive editions. 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 Special Case Solicitations/Summary of Circumstances:
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	CSB or CSP from Pre-qualified Vendor List/ Advance qualification screening needed
CP/PQ/4	Demonstration Project
DP	Sole Source Procurement/only one source
RS	Procurement from a Required Source/ST/FED
NA	Negotiated Acquisition
NA/8	For ongoing construction project only: Compelling programmatic needs
NA/9	New contractor needed for changed/additional work
NA/10	Change in scope, essential to solicit one or limited number of contractors
NA/11	Immediate successor contractor required due to termination/default
	For Legal services only:

NA/12	Specialized legal devices needed; CSP not advantageous
WA	Solicitation Based on Waiver/Summary of Circumstances (Client Services/CSB or CSP only)
WA1	Prevent loss of sudden outside funding
WA2	Existing contractor unavailable/immediate need
WA3	Unsuccessful efforts to contract/need continues
IG	Intergovernmental Purchasing (award only)
IG/F	Federal
IG/S	State
IG/O	Other
EM	Emergency Procurement (award only): An unforeseen danger to:
EM/A	Life
EM/B	Safety
EM/C	Property
EM/D	A necessary service
AC	Accelerated Procurement/markets with significant short-term price fluctuations
SCE	Service Contract Extension/insufficient time; necessary service; fair price Award to Other Than Lowest Responsible & Responsive Bidder or Proposer/Reason (award only)
OLB/a	anti-apartheid preference
OLB/b	local vendor preference
OLB/c	recycled preference
OLB/d	other: (specify)

HOW TO READ CR PROCUREMENT NOTICES

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

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section.

At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified unless a different one is given in the individual notice. In that event, the directions in the individual notice should be followed.

The following is a SAMPLE notice and an explanation of the notice format used by the CR.

SAMPLE NOTICE

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

BUS SERVICES FOR CITY YOUTH PROGRAM
-Competitive Sealed Bids- PIN# 05602000293 -
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 #05602000293	Procurement identification number
DUE 04-21-03 AT 11:00 A.M.	Bid submission due 4-21-03 by 11:00 A.M.; bid opening date/time is the same.
Use the following address unless otherwise specified or submit bid/proposal documents; etc.	Paragraph at the end of Agency Division listing providing Agency
◀	Indicates New Ad
m27-30	Date that notice appears in The City Record