



THE CITY RECORD

Official Journal of The City of New York

THE CITY RECORD
U.S.P.S. 0114-660

Printed on paper containing
40% post-consumer material

VOLUME CXXXVII NUMBER 199

FRIDAY, OCTOBER 15, 2010

PRICE \$4.00

TABLE OF CONTENTS

PUBLIC HEARINGS & MEETINGS

City Planning	2921
Comptroller	2921
Community Boards	2921
Employees' Retirement System	2922
Information Technology and Telecommunications	2922
Landmarks Preservation Commission	2922
Board of Standards and Appeals	2923

COURT NOTICE

Supreme Court	2923
Richmond County	2923
Court Notice Map	2936

PROPERTY DISPOSITION

Citywide Administrative Services	2924
Municipal Supply Services	2924
Police	2924

PROCUREMENT

Citywide Administrative Services	2924
Municipal Supply Services	2924
Vendor Lists	2924
Environmental Protection	2924
Contract Management Services	2924
Finance	2924
Health and Hospitals Corporation	2924
Health and Mental Hygiene	2925

Agency Chief Contracting Officer	2925
Homeless Services	2925
Office of Contracts and Procurement	2925
Juvenile Justice	2925
Parks and Recreation	2925
Revenue and Concessions	2925
Sanitation	2925
Agency Chief Contracting Officer	2925
School Construction Authority	2925
Contract Administration	2925
Contract Services	2925

AGENCY RULES

Buildings	2925
-----------	------

Environmental Control Board	2928
Taxi and Limousine Commission	2928

SPECIAL MATERIALS

Citywide Administrative Services	2930
City Record	2931
Housing Preservation and Development	2931
Transportation	2931
Changes in Personnel	2931

LATE NOTICES

Aging	2936
Community Boards	2936
Consumer Affairs	2936
Design and Construction	2936

THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

ELI BLACHMAN, Editor of The City Record.

Published Monday through Friday, except legal holidays by the Department of Citywide Administrative Services of the City of New York under Authority of Section 1066 of the New York City Charter.

Subscription—\$500 a year; daily, \$4.00 a copy (\$5.00 by mail) Periodicals Postage Paid at New York, N.Y.
POSTMASTER: Send address changes to THE CITY RECORD, 1 Centre Street, Room 2208, New York, N.Y. 10007 - 1602

Editorial Office
1 Centre Street, Room 2208
New York N.Y. 10007-1602
Telephone (212) 669-8252

Subscription Changes/Information
1 Centre Street, Room 2208
New York N.Y. 10007-1602
Telephone (212) 669-8252

The City of New York Home Page
provides Internet access via the WORLD
WIDE WEB to solicitations and awards
<http://www.nyc.gov/cityrecord>

PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

CITY PLANNING

NOTICE

PROPOSED 2011 CONSOLIDATED PLAN
ONE-YEAR ACTION PLAN
30 DAY PUBLIC COMMENT PERIOD AND PUBLIC
HEARING

NYC Department of City Planning announces the PUBLIC COMMENT PERIOD and PUBLIC HEARING for the Proposed 2011 Consolidated Plan. The thirty-day PUBLIC COMMENT PERIOD will begin on OCTOBER 8, 2010, and will end NOVEMBER 8, 2010.

A PUBLIC HEARING will be held on THURSDAY, NOVEMBER 4, 2010, beginning at 2:30 P.M. at 22 Reade Street, Spector Hall, New York, N.Y. 10007. The Public Hearing will be followed by a question and answer session with City agency representatives in attendance.

The 2011 Proposed Consolidated Plan contains the City's annual application for four U.S. Department of Housing and Urban Development (HUD) Community Planning and Development programs: Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Emergency Shelter Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA).

Proposed Funding allocations for 2011 are as follows: CDBG \$244.556 million; HOME \$124.814 million; ESG \$7.928 million; HOPWA \$54.719 million, totaling \$432.017 million.

The 2011 Proposed Consolidated Plan consists of three volumes: Volume 1. Contains an Executive Summary that provides an overview of the proposed use of entitlement grant dollars during the calendar year and the public's comments to the proposal and the Action Plan: One-Year Use of Funds; Volume 2. Contains the City's Supportive Housing Continuum of Care for the Homeless and Other Non-Homeless Special Needs Populations, and Other Actions, which are the statutory requirements of the Cranston-Gonzalez Housing Act's Comprehensive Housing Affordability Strategy; and Volume 3. Summary of Citizens' Comments, and Appendices.

To obtain a free copy of the 2011 Proposed Consolidated Plan, please visit the City Planning Bookstore, 22 Reade Street, New York, N.Y. (Monday 12:00 P.M. to 4:00 P.M., Tuesday thru Friday 10:00 A.M. to 1:00 P.M.).

Copies of the document can also be obtained at the following Department of City Planning Offices:

BRONX OFFICE
1 Fordham Plaza, 5th fl.

Bronx, New York 10458
(718) 220-8500

BROOKLYN OFFICE
16 Court Street, 7th fl.
Brooklyn, New York 11241
(718) 643-7550

QUEENS OFFICE
120-55 Queens Boulevard, Room 201
Queens, New York 11424
(718) 286-3170

STATEN ISLAND OFFICE
130 Stuyvesant Place, 6th fl.
Staten Island, New York 10301
(718) 556-7240

Also, the Proposed Plan will be made available for downloading through the internet via the Department's website at www.nyc.gov/planning.

Furthermore, copies of the Proposed 2011 Consolidated Plan will be available for review at the main public library in each of the five boroughs. Please call (212) 720-3337 for information on the closest library.

Written comments may be sent by close of business, November 8, 2010 to: Charles V. Sorrentino, New York City Consolidated Plan Coordinator, Department of City Planning, 22 Reade Street, 4N New York, New York 10007
FAX: (212) 720-3495, email:
2011ProposedConPlan@planning.nyc.gov.

o1-15

COMPTROLLER

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held in the Municipal Building, One Centre Street, Room 650 conference room, on Friday, October 29, 2010 at 10:30 A.M. on the following item.

1) IN THE MATTER OF a proposed contract between the New York City Office of the Comptroller, and State Street Global Advisors, One Lincoln Street, Boston, MA 02111-2900, for Non-U.S. Equity Passive Index investment management services for the New York City Employees' Retirement System, the New York City Police Pension Fund, Subchapter 2, the New York City Police Officers' Variable Supplements Fund, and the New York City Fire Department Pension Fund, Subchapter 2, and such additional funds and accounts as may be designated in writing from time to time by the Comptroller. The term of the contract will commence as of November 1, 2010 for a period of three years with one or more additional renewal periods not to exceed six years. The cost of the services will be paid from the corpus of the Systems and city funds. PIN 015-09812600 QI

The proposed contractor was selected pursuant to a competitive sealed proposal process in accordance with Section 3-03 of the PPB Rules.

A copy of the contract, or excerpts thereof, can be seen at the Office of the Comptroller, One Centre Street, Room 650, New

York, New York 10007, Monday through Friday excluding holidays commencing on October 15, 2010 through October 28, 2010 between 10:00 A.M. - Noon and 1:30 P.M. - 4:30 P.M.

o15

COMMUNITY BOARDS

PUBLIC HEARINGS

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 18 - Wednesday, October 20, 2010, 8:00 P.M., Kings Plaza Community Room, Flatbush Ave. and Avenue V, Brooklyn, NY

In preparation for Fiscal Year 2012 Capital and Expense Budget submission, local civic associations, block associations, and community residents are invited to submit budget requests at this time for consideration by the Board for inclusion in the Board's Budget for FY 2012.

o14-20

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 01 - Tuesday, October 19, 2010 at 7:00 P.M., Astoria World Manor, 25-22 Astoria Boulevard, Astoria, NY

#C 100468MMQ
IN THE MATTER OF an application submitted by the NYC Economic Development Corporation and the Department of Citywide Administrative Services, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 of the NYC Administrative Code for an amendment of the City Map, including authorization for any acquisition or disposition of real property related thereto.

o13-19

Manhattan Community Board 8 will hold its Public Hearing on the FY 2012 Capital and Expense Budget Priorities on:

Tuesday, October 19, 2010 - 7:00 P.M.
Community Board Office, 505 Park Avenue, Suite 620, NY

o14-19

Community Board 1 will hold a Public Hearing on our FY 2012 Capital/Expense Budget submissions. Our hearing will be held at:

The Astoria World Manor
25-22 Astoria Boulevard, Astoria, Queens

Tuesday, October 19, 2010 at 6:30 P.M.

If you are unable to attend our hearing, but would like to submit a recommendation, please do so in writing prior to our meeting date.

o14-19

Community Board 16, Brooklyn will hold a Public Hearing to solicit input from the community for new capital and expense items within the district for submission on the FY 2012 City Budget.

The hearing will be on: Tuesday, October 26, 2010 at 7:00 P.M., 444 Thomas S. Boyland Street, Brooklyn, NY 11212.

o12-25

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 10 - Monday, October 18, 2010 at 7:15 P.M., Knights of Columbus, 1305 86th Street, Brooklyn, NY

#130-10-BZ

Application pursuant to Section 73-622 seeks to increase a portion of the perimeter wall height and floor area at 1153 85th Street, Brooklyn, N.Y.

o12-18

EMPLOYEES' RETIREMENT SYSTEM**INVESTMENT MEETING**

Please be advised that the next Investment Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Tuesday, October 19, 2010 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor Boardroom, Brooklyn, NY 11201-3751.

o12-18

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS**FRANCHISE ADMINISTRATION****PUBLIC HEARINGS**

NOTICE OF A FRANCHISE AND CONCESSION REVIEW COMMITTEE ("FCRC") PUBLIC HEARING to be held on Monday, November 8, 2010 commencing at 2:30 P.M. at 22 Reade Street, Borough of Manhattan, regarding two items related to the transfer of control to Light Tower LLC of Lexent Inc., the parent company of Lexent Metro Connect, LLC ("Lexent"). Lexent is currently the holder of: (1) a high-capacity telecommunications franchise and (2) a mobile telecommunications franchise. Lexent seeks the City's approval of said transfer of control with respect to each of these two franchises.

Regarding item number (1), the FCRC approved the high-capacity franchise agreement between the City of New York ("the City") and Lexent on June 12, 2002 (Cal. No. 2). The franchise authorizes Lexent to install, operate and maintain facilities on, over and under the City's inalienable property to provide telecommunications services.

Regarding item number (2), the FCRC approved the mobile telecommunications franchise agreement between the City and Lexent on February 6, 2008 (Cal. No. 1). The franchise provides Lexent with the non-exclusive right to install, operate and maintain telecommunications equipment and facilities on City-owned and managed street light poles, traffic light poles, highway support poles and certain privately-owned utility poles located on, over and under the inalienable property of the City in connection with the provision of mobile telecommunications services.

Copies of the existing franchise agreements and proposed ownership chart may be viewed at DoITT, 75 Park Place, 9th Floor, New York, New York 10007, commencing October 14, 2010 through November 8, 2010, between the hours of 9:30 A.M. and 3:30 P.M., excluding Saturdays, Sundays and holidays. Hard copies of either or both of the franchise agreements may be obtained, by appointment, at a cost of \$.25 per page. All payments shall be made at the time of pickup by check or money order made payable to the New York City Department of Finance. Either or both of the existing franchise agreements may also be obtained in PDF form at no cost, by email request. Interested parties should contact Roxanne Chambers at (212) 788-6610 or by email at RChambers@doitt.nyc.gov.

NOTE: Individuals requesting sign language interpreters at the public hearing should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, New York 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay service.

The Hearing may be cablecast on NYC Media Group channels.

o14-n8

LANDMARKS PRESERVATION COMMISSION**PUBLIC HEARINGS**

PUBLIC HEARING and PUBLIC MEETING
Tuesday, October 26, 2010

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday, October 26, 2010 at 9:30 A.M.**, at the Landmarks Preservation Commission will conduct a *public hearing and a continued public hearing* in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Landmarks, Landmark Sites and Historic Districts. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

PUBLIC HEARING ITEM NO. 1
LP-2423

HOTEL WOLCOTT, 4 West 31st Street (aka 4-10 West 31st Street), Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 832, Lot 49

PUBLIC HEARING ITEM NO. 2

LP-2424

MILLS HOTEL NO. 3, 485 Seventh Avenue (481-489 Seventh Avenue; 155-163 West 36th Street), Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 812, Lot 1

PUBLIC HEARING ITEM NO. 3

LP-2427

500 FIFTH AVENUE BUILDING, 500 Fifth Avenue (aka 500-506 Fifth Avenue; 1-9 West 42nd Street), Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 1258, Lot 34

PUBLIC HEARING ITEM NO. 4

LP-2433

THE NEIGHBORHOOD PLAYHOUSE (later Henry Street Playhouse, now Harry De Jur Playhouse), 466 Grand Street (aka 464-470 Grand Street; 2-8 Pitt Street; Manhattan
Landmark Site: Borough of Manhattan Tax Map Block 336, Lot 28 in part

PUBLIC HEARING ITEM NO. 5

Public Hearing Continued from August 10, 2010

LP-2245

WILLIAM T. and MARCELLITE GARNER MANSION, 355 Bard Avenue (aka 345-355 Bard Avenue), Staten Island.
Landmark Site: Borough of Staten Island Tax Map Block 102, Lot 1 in part

PUBLIC HEARING ITEM NO. 6

LP-2451

SPANISH TOWERS HOMES, 34-30 75TH STREET HOUSE, 34-30 75TH Street. Borough of Queens.
Landmark Site: Borough of Queens Tax Map Block 1261, Lot 22

PUBLIC HEARING ITEM NO. 7

LP-2452

SPANISH TOWERS HOMES, 34-32 75TH STREET HOUSE, 34-32 75th Street, Borough of Queens.
Landmark Site: Borough of Queens Tax Map Block 1261, Lot 24

PUBLIC HEARING ITEM NO. 8

LP-2453

SPANISH TOWERS HOMES, 34-34 75TH STREET HOUSE, 34-34 75th Street, Borough of Queens.
Landmark Site: Borough of Queens Tax Map Block 1261, Lot 25

PUBLIC HEARING ITEM NO. 9

LP-2454

SPANISH TOWERS HOMES, 34-36 75TH STREET HOUSE, 34-36 75th Street, Borough of Queens.
Landmark Site: Borough of Queens Tax Map Block 1261, Lot 26

PUBLIC HEARING ITEM NO. 10

LP-2455

SPANISH TOWERS HOMES, 34-38 75TH STREET HOUSE, 34-38 75th Street, Borough of Queens.
Landmark Site: Borough of Queens Tax Map Block 1261, Lot 27

PUBLIC HEARING ITEM NO. 11

LP-2456

SPANISH TOWERS HOMES, 34-42 75TH STREET HOUSE, 34-42 75th Street, Borough of Queens.
Landmark Site: Borough of Queens Tax Map Block 1261, Lot 29

PUBLIC HEARING ITEM NO. 12

LP-2457

SPANISH TOWERS HOMES, 34-44 75TH STREET HOUSE, 34-44 75th Street, Borough of Queens.
Landmark Site: Borough of Queens Tax Map Block 1261, Lot 30

PUBLIC HEARING ITEM NO. 13

LP-2458

SPANISH TOWERS HOMES, 34-46 75TH STREET HOUSE, 34-46 75th Street, Borough of Queens.
Landmark Site: Borough of Queens Tax Map Block 1261, Lot 31

PUBLIC HEARING ITEM NO. 14

LP-2459

SPANISH TOWERS HOMES, 34-48 75TH STREET HOUSE, 34-48 75th Street, Borough of Queens.
Landmark Site: Borough of Queens Tax Map Block 1261, Lot 32

PUBLIC HEARING ITEM NO. 15

LP-2460

SPANISH TOWERS HOMES, 34-52 75TH STREET HOUSE, 34-52 75th Street, Borough of Queens.
Landmark Site: Borough of Queens Tax Map Block 1261, Lot 34

PUBLIC HEARING ITEM NO. 16

LP-2446

PROPOSED PARK PLACE HISTORIC DISTRICT, Borough of Brooklyn

Boundary Description

The Proposed Park Place Historic District consists of the properties bounded by a line beginning at a point in the northern curblineline of Park Place formed by its intersection with a line extending southerly from the eastern property line of 675 Park Place, then extending northerly along said line and property line, westerly along the northern property lines of 675 to 655 Park Place, westerly long the angled property lines of 653 and 651 Park Place, southerly along the western property line of 651 Park Place to the northern curblineline of Park Place, and easterly along said curblineline to the point of the beginning.

PUBLIC HEARING ITEM NO. 17

LP-2445

PROPOSED WALLABOUT HISTORIC DISTRICT, Borough of Brooklyn

Boundary Description

The Proposed Wallabout Historic District consists of the property bounded by a line beginning at the intersection of the eastern curblineline of Vanderbilt Avenue and a line extending easterly from the southern property line of 132 Vanderbilt Avenue, continuing westerly along said line across the roadbed of Vanderbilt Avenue and along the southern property line of 132 Vanderbilt Avenue, northerly along the western property lines of 132 through 128 Vanderbilt Avenues, easterly along a portion of the northern property line of 128 Vanderbilt Avenue, northerly along the western property lines of 126 through 124 Vanderbilt

Avenue, westerly along a portion of the southern property line of 118-122 Vanderbilt Avenue, northerly along the western property lines of 118-122 through 74 Vanderbilt Avenue, easterly along the northern property line of 74 Vanderbilt Avenue and continuing across the roadbed to the eastern curblineline of Vanderbilt Avenue, northerly along said curblineline to a point formed by its intersection with a line extending westerly from the northern property lines of 69 Vanderbilt Avenue (aka 216 Park Avenue), easterly along said property line, southerly along the eastern property lines of 69 through 71 Vanderbilt Avenue, westerly along a portion of the southern property line of 71 Vanderbilt Avenue, southerly along the eastern property lines of 73 through 83 Vanderbilt Avenue, easterly along a portion of the northern property line of 85 Vanderbilt Avenue and the northern property line of interior lot 132, southerly along the eastern property lines of interior lots 132 through 128, westerly along the southern property lines of interior lot 128 and 93 Vanderbilt Avenue to the eastern curblineline of Vanderbilt Avenue, southerly along said curblineline to a point formed with its intersection with a line extending westerly from the northern property line of 117 Vanderbilt Avenue, easterly along said property line, southerly along the eastern property lines of 117 through 125 Vanderbilt Avenue, easterly along a portion of the northern property line of 127 Vanderbilt Avenue, southerly along the eastern property lines of 127 through 141 Vanderbilt Avenue, easterly along a portion of the northern property line of 143 Vanderbilt Avenue, southerly along the eastern property lines of 143 through 145 Vanderbilt Avenue, westerly along the southern property line of 145 Vanderbilt Avenue to the eastern curblineline of Vanderbilt Avenue, northerly along said curblineline to the point of the beginning.

PUBLIC HEARING ITEM NO. 18

LP-2443

PROPOSED PARK SLOPE HISTORIC DISTRICT EXTENSION, Borough of Brooklyn

Boundary Description

The Proposed Park Slope Historic District Extension, Section 1, consists of the property bounded by a line beginning at northwest corner of Prospect Park West and 16th Street, then proceeding westerly along the northern curblineline to a point extending southerly from the eastern property line of 455 16th Street, then northerly along said property line to the southern property line of 474 15th Street, then westerly along said property line to the northwest corner of 424 15th Street, then northerly along the western property line of 424 15th Street to the southeast corner of 422 15th Street, then westerly along the southern property line of 422 15th Street to the eastern curblineline of Eighth Avenue, northerly along the eastern curblineline of Eighth Avenue to the northern curblineline of 14th Street, then easterly to the center of Eighth Avenue, northerly along the center of Eighth Avenue to a point on a line extending easterly along the northern curblineline of 14th Street, then westerly along said curblineline to a point on a line extending northerly along the eastern property line of 388 14th Street, then southerly across 14th Street and along the eastern property lines 388 14th Street to 439 Seventh Avenue to the north curblineline of 15th Street, then westerly along said line to a point on a line extending southerly from the western property line of 341 15th Street, then northerly along the western property lines of 440 to 432 Seventh Avenue, then westerly along a portion of the southern property line of 430 Seventh Avenue, then northerly along the western property lines of 430 to 424 Seventh Avenue, then across 14th Street along the western property lines of 422 to 414 Seventh Avenue, westerly along the southern property lines of 412 Seventh Avenue, northerly along the western property line of 412 and 410 Seventh Avenue, then easterly along the northern property line of 410 Seventh Avenue, northerly along the western property line of 408 Seventh Avenue, northerly across 13th Street and then easterly along said curblineline to a point on a line formed by extending a line from the western property line of 406 Seventh Avenue, then northerly across 13th Street and along the western property lines of 406 and 404 Seventh Avenue, westerly along the southern property line of 402 Seventh Avenue, and northerly along the western property lines of 402 to 398 Seventh Avenue, easterly along the northern property line of 398 Seventh Avenue and then northerly along the western property line of 392 Seventh Avenue to the northern curblineline of 12th Street, then westerly along said curblineline to a point on a line extending south from the western property line of 390 to 370 Seventh Avenue, northerly along said line across 11th Street to the northern curblineline of 11th Street, westerly along said curblineline to a point on a line extending southerly from the western property line of 368 Seventh Avenue, northerly along said line to the southern property line of 362 Seventh Avenue, westerly along said property line, northerly along the western property lines of 362 and 360 Seventh Avenue, easterly along the northern property line of 360 Seventh Avenue, then northerly along the western property lines of 358 to 350 Seventh Avenue and across 10th Street, northerly along the western property lines of 348 to 340 Seventh Avenue, easterly along the northern property line of 340 Seventh Avenue, northerly along the western property line of 332-36 Seventh Avenue, northerly and across 9th Street to the northern curblineline of 9th Street, westerly along said curblineline to a line extending south along the western property line of 326 Seventh Avenue, then northerly along the western property lines of 326 and 324 Seventh Avenue, westerly along the southern property line of 322 Seventh Avenue, then northerly along 322 to 314 Seventh Avenue to the northern curblineline of 8th Street, then westerly along said curblineline to a point extending southerly from the western property line of 312 Seventh Avenue, then northerly along the western property lines of 312 to 304 Seventh Avenue, then easterly along the northern property line of 304 Seventh Avenue, then northerly along the western property lines of 302 to 294 Seventh Avenue to the south curblineline of 7th Street, then easterly along said curblineline to a point on a line extending from the eastern property line of 701 Eighth Avenue, then southerly along said line to the north curblineline of 8th Street, then westerly to a point extending northerly from the eastern property line of 801 Eighth Avenue, then southerly along said line to southern curb line of 9th Street, then east to a point from a line

extending north from the eastern property line of 522 9th Street, southerly along the eastern property lines of 522 9th Street and 911 Eighth Avenue, to the middle of Eighth Avenue, southerly along a line in the middle of Eighth Avenue to a point on a line extending along the middle of 10th Street, easterly along said line to a point extending northerly from the eastern property line of 640 10th Street, then southerly along said line to the northern property line of 1013 Eighth Avenue, easterly along the northern property line of 1013 Eighth Avenue, then southerly along the eastern property line of 1013 to 1023 Eighth Avenue to a point in the middle of 11th Street, then easterly along a line in the middle of 11th Street to a point extending northerly from the eastern property line of 582 11th Street, then southerly along said line, westerly along the southern property lines of 582 11th Street and 1111 Eighth Avenue to a point in the middle of Eighth Avenue, then southerly along a line in the middle of Eighth Avenue to a point in the middle of 14th Street, easterly along a line in the middle of 14th Street to a point extending northerly from the eastern property line of 442 14th Street, then southerly along said line to southwest corner of 442 14th Street, then easterly along the northern property lines of 448 to 486 14th Street, northerly along the western property line of 496 14th Street to a point in the middle of 14th Street, then easterly along a line in the middle of 14th Street to a point in the middle of Prospect Park West, then southerly along said line to a point extending easterly from the northwest corner of Prospect Park West and Bartell Pritchard Square, then westerly to the western curblin, and then southerly along the curving west curblin of Prospect Park West and Bartell Pritchard Square to the point of beginning.

The Proposed Park Slope Historic District Extension, Section 2, consists of the property bounded by a line beginning at the southwest corner of 145 Prospect Park West, then extending northerly along the western property lines of 145 Prospect Park West and 574 9th Street to the middle of 9th Street, then easterly along the line in the middle of Prospect Park West, then southerly along the line in the middle of Prospect Park West to a point on a line extending from the middle of 10th Street, then westerly along said line to a point extending southerly from the western property line of 151 Prospect Park West, then northerly along said line to the southern property line of 145 Prospect Park West, then westerly to the point of beginning.

o12-25

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **October 19, 2010** at 9:30 A.M. in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 11-1848 - Block 1291, lot 1 - 80- 04 and 80-06 37th Avenue - Jackson Heights Historic District
A neo-Romanesque style apartment building designed by Kavy & Kavovitt and built in 1928-29. Application is to install storefront infill and signage. Community District 3.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 10-8132 - Block 1475, lot 59 - 37-37 87th Street - Jackson Heights Historic District
An Anglo-American Garden Home style attached house, designed by C.F. McAvoy and built in 1924. Application is to legalize alterations to the areaway fence and wall without Landmarks Preservation Commission permits. Community District 3.

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

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 10-8887 - Block 8106, lot 5 -42-25 240th Street, aka 8 Prospect Avenue - Douglaston Hill Historic District
A Queen Anne style free-standing house designed by John A. Sinclair and built in 1899-1900. Application is to construct additions, an entrance portico, and terrace; modify masonry openings; install skylights; and alter a garage and driveway. Zoned R1-2. Community District 11.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF THE BRONX 09-6026 - Block 5819, lot 2166 - 4680 Fieldston Road - Fieldston Historic District
A Tudor Revival style house designed by Mann & MacNeille and built in 1917-1918. Application is to construct three new houses on the lot. Zoned R1-2. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF THE BRONX 10-4546 - Block 5817, lot 1766 - 4686 Waldo Avenue - Fieldston Historic District
A Medieval Revival style freestanding house designed by Julius Gregory and built 1924. Application is to construct an addition. Zoned R1-2. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-7610- Block 1961, lot 73 - 414 Waverly Avenue - Clinton Hill Historic District
A parking Lot. Application is to construct a new building. Zoned R6B. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 11-2119 - Block 215, lot 21 - 27 Cranberry Street - Brooklyn Heights Historic District

A vacant lot. Application is to construct a new building. Zoned R6B-LH7. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-8326 - Block 1063, lot 7 - 75 7th Avenue, aka 180 Berkeley Place - Park Slope Historic District
A Romanesque Revival style apartment house designed by M.J. Morrill and built in 1888. Application is to install an exhaust duct. Community District 6.

BINDING REPORT
BOROUGH OF MANHATTAN 11-2615 - Block 1706, lot 6-346 Broadway - former New York Life Insurance Company Building, Individual Landmark
A neo-Italian Renaissance style office building designed by Stephen Hatch and McKim, Mead & White, and built in 1894-1898. Application is for temporary shoring and removal of rooftop architectural elements. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-1497 - Block 193, lot 26 - 35 Walker Street - Tribeca East Historic District
A building with mid-19th century features originally built as a house circa 1808. Application is to install storefront infill. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-9633 - Block 225, lot 1 - 461-469 Greenwich Street, aka 18-22 Desbrosses Street & 125-129 Watts Street - Tribeca North Historic District
A Romanesque Revival style warehouse building designed by George W. DaCunha and built in 1884-85. Application is to create a master plan governing the future installation of storefront infill. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-2293 - Block 516, lot 39 - 153 Prince Street - SoHo-Cast Iron Historic District Extension
A Greek Revival style dwelling with alterations, originally built c.1844-45. Application is to alter the facade and areaway and install storefront infill and signage. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-0119 - Block 475, lot 1 - 337-339 West Broadway, aka 54-58 Grand Street - SoHo-Cast Iron Historic District
A store building, designed by Peter V. Outcault and built in 1885-1886. Application to create a new masonry opening. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-0368 - Block 572, lot 66 - 47 West 8th Street - Greenwich Village Historic District
A Greek Revival style rowhouse built in 1845 and altered in the early 20th century to accommodate stores at the first two floors. Application is to legalize facade alterations and storefront infill installed without Landmarks Preservation Commission permits. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-2686 - Block 607, lot 27 - 122-132 West 12th Street - Greenwich Village Historic District
An apartment house designed by H. I. Feldman and built in 1940-1941. Application is to modify a masonry opening and alter the areaway. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-0943 - Block 583, lot 15 - 58 Morton Street - Greenwich Village Historic District
A transitional Greek Revival and Italianate style house built in 1848-1849. Application is to legalize the removal of a leaded glass window without Landmarks Preservation Commission permits. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-1001 - Block 590, lot 42 - 23 Cornelia Street - Greenwich Village Historic District Extension II
A utilitarian style stable building designed by Charles B. Meyers and built in 1912. Application is to construct a rooftop addition and reconstruct the rear facade. Zoned R6. Community District 2.

ADVISORY REPORT
BOROUGH OF MANHATTAN 11-2661 - Block 1280, lot 1 - 71-105 East 42nd Street - Grand Central Terminal, an Individual & Interior Landmark
A French Beaux-Arts style railroad terminal, designed by Reed & Stem and Warren & Wetmore, and built in 1903-13. Application is to remove a section of floor and install a stair and escalator. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-1583 - Block 1270, lot 30 - 5 West 54th Street - Dr. Moses Allan Starr Residence - Individual Landmark
A Beaux-Arts style town house designed by Robert H. Robertson and built in 1897-99. Application is to legalize the installation of flagpoles without Landmarks Preservation Commission permits. Community District 5.

BINDING REPORT
BOROUGH OF MANHATTAN 11-2748 - Block 1044, lot 22 - 314 West 54th Street - Former Eleventh Judicial District Courthouse-Individual Landmark
A Renaissance Revival style courthouse building designed by John H. Duncan and built in 1894-96. Application is to install rooftop mechanical equipment. Community District 4.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-0430 - Block 1500, lot 1 - 1071 Fifth Avenue - he Solomon R.Guggenheim Museum - Individual Landmark, Expanded Carnegie Hill Historic District
A Modern style museum building designed by Frank Lloyd Wright and built in 1956-59. Application is to install a free standing kiosk in front of the building. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-1455 - Block 1388, lot 43 - 44 East 74th Street - Upper East Side Historic District
A Beaux Arts style residence, designed by the George F. Pelham and built in 1904-1905. Application is to legalize modifications to a bay window and replacement of a window without Landmarks Preservation Commission permits. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-1296 - Block 1399, lot 23 - 841 Lexington Avenue - Upper East Side Historic District Extension
A simplified Colonial Revival style stores and apartment building, designed by Thomas W. Lamb Inc., and built in 1929. Application is to replace storefront infill and install signage. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-1373 - Block 2058, lot 40 - 302-304 Convent Avenue - Hamilton Heights Historic District Extension
A neo-Classical style apartment building designed by Schwartz & Gross and built in 1912. Application is to install a barrier free access lift. Community District 9.

o5-19

BOARD OF STANDARDS AND APPEALS

■ PUBLIC HEARINGS

ADDED CASES

OCTOBER 26, 2010, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, October 26, 2010, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

273-03-BZ thru 285-03-BZ
APPLICANT – Sheldon Lobel, P.C. for 211 Building Corporation, owner.
SUBJECT – Application October 6, 2010 – Extension of Time to Complete Construction of a previously granted Variance (ZR §72-21) for the proposed construction of a two-story, semi-detached two family residence which expired on December 7, 2008; waiver of the rules. R2, R3-2/C1-2 zoning district.
PREMISES AFFECTED – 211-51/49/45/43/41/54/52/50/48/46/44/42 94th Road, a landlocked lot bounded by 94th Avenue, 212th Street, Jamaica Avenue and Hollis Court Boulevard. Block 10546, Lots 92, 93, 95 thru 104, Borough of Queens.
COMMUNITY BOARD #13Q

Jeff Mulligan, Executive Director

o14-15

COURT NOTICES

SUPREME COURT

■ NOTICE

RICHMOND COUNTY IA PART 74 NOTICE OF PETITION INDEX NUMBER (CY) 4025/10

In the Matter of the Application of the CITY OF NEW YORK relative to acquiring title in fee simple absolute to certain real property where not heretofore acquired for

SOUTH RAILROAD STREET

from North Pine Terrace to Annadale Road, in the Borough of Staten Island, City and State of New York.

PLEASE TAKE NOTICE that the Corporation Counsel of the City of New York intends to make application to the Supreme Court of the State of New York, Richmond County, IA Part 74, for certain relief.

The application will be made at the following time and place: At 320 Jay Street, 17th Floor, Room 17.21, in the Borough of Brooklyn, City and State of New York, on November 5, 2010, at 9:30 A.M., or as soon thereafter as counsel can be heard.

The application is for an order:

- 1) authorizing the City to file an acquisition map in the Office of the Clerk of Richmond County;
- 2) directing that upon the filing of said map, title to the property sought to be acquired shall vest in the City;
- 3) providing that just compensation therefor be ascertained and determined by the Supreme Court without a jury; and
- 4) providing that notices of claim must be served and filed within one calendar year from the vesting date.

The City of New York, in this proceeding, intends to acquire title in fee simple absolute to certain real property where not heretofore acquired for the same purpose, for the installation of storm and sanitary sewer lines, and water mains, along South Railroad Street in the Borough of Staten Island, City and State of New York.

The description of the real property to be acquired is as follows:

Table with 4 columns: DAMAGE PARCEL, BLOCK, LOT, INTEREST TO BE ACQUIRED. Rows 2-7.

All those certain tracts of land, together with the buildings and improvements erected thereon and the appurtenances thereunto belonging situated in the Borough of Staten Island, City and State of New York, bounded and described as follows:

BEGINNING at the point formed by the intersection of the southerly side of South Railroad Street (60 feet wide) with the westerly side of Annadale Road (80 feet wide as adopted by the City of New York)

RUNNING THENCE along said southerly side of South Railroad Street and it's westerly prolongation north 84 degrees 55 minutes 00 seconds west 372.60 feet to a point in the bed of South Railroad Street.

THENCE south 75 degrees 51 minutes 36 seconds west 253.09 feet to a point of curvature.

THENCE westerly on a curve deflecting to the left having a radius of 5549.65 feet, and a central angle of 0 degrees 45 minutes 47 seconds, and a distance of 73.92 feet to a point.

THENCE north 14 degrees 54 minutes 10 seconds west 40.00 feet to a point on the northerly side of South Railroad Street.

THENCE easterly along said northerly side of South Railroad Street on a curve deflecting to the right having a radius of 5589.65 feet, and a central angle of 0 degrees 45 minutes 47 seconds, and a distance of 74.45 feet to a point of tangency therein.

THENCE continuing along said northerly side of South Railroad Street north 75 degrees 51 minutes 36 seconds east 259.86 feet to a point.

THENCE south 84 degrees 55 minutes 00 seconds east 398.97 feet to a point on the westerly side of Annadale Road (Irregular record width).

THENCE along said westerly side of Annadale Road south 10 degrees 43 minutes 11 seconds west 40.19 feet to a point.

THENCE along the easterly prolongation of said southerly side of South Railroad Street north 84 degrees 55 minutes 00 seconds west 15.65 feet to the point or place of beginning.

Surveys, maps or plans of the property to be acquired are on file in the office of the Corporation Counsel of the City of New York, 100 Church Street, New York, New York 10007.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to EDPL § 402(B)(4), any party seeking to oppose the acquisition must interpose a verified answer, which must contain specific denial of each material allegation of the petition controverted by the opponent, or any statement of new matter deemed by the opponent to be a defense to the proceeding. Pursuant to CPLR 403, said answer must be served upon the office of the Corporation Counsel at least seven (7) days before the date that the petition is noticed to be heard.

Dated: September 29, 2010, New York, New York MICHAEL A. CARDOZO Corporation Counsel of the City of New York 100 Church Street, Rm 5-216 New York, New York 10007 Tel. (212) 788-0425

SEE MAP ON BACK PAGES

o8-22

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

AUCTION

PUBLIC AUCTION SALE NUMBER 11001-I

NOTICE IS HEREBY GIVEN of a public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, October 27, 2010 (SALE NUMBER 11001-I). Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

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

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

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

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

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

o14-27

POLICE

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

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

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

INQUIRIES

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

FOR MOTOR VEHICLES (All Boroughs):

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

FOR ALL OTHER PROPERTY

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

j1-d31

PROCUREMENT

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

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

AWARDS

Goods

FACSIMILE MACHINES AND MAINTENANCE - Competitive Sealed Bids - PIN# 857900848 - AMT: \$1,601,925.00 - TO: Afax Business Machines Inc., 181 Hudson Street, Suite 2A, New York, NY 10013.

o15

PETROLEUM PRODUCTS - GREASES - Competitive Sealed Bids - PIN# 857900804 - AMT: \$11,820.00 - TO: Grade A Petroleum Corp., 90 E. Hawthorne Ave., P.O. Box 1238, Valley Stream, NY 11582.

o15

VENDOR LISTS

Goods

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

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

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

jy17-j4

EQUIPMENT FOR DEPARTMENT OF SANITATION

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

C. Major Component Parts (Engine, Transmission, etc.)

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

jy17-j4

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

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

jy17-j4

ENVIRONMENTAL PROTECTION

CONTRACT MANAGEMENT SERVICES

SOLICITATIONS

Construction Related Services

INSTALLATION OF LOWER LEVELS MSP'S 26TH WARD - Negotiated Acquisition - Available only from a single source - PIN# 82611WP01210 - DUE 11-01-10 AT 4:00 P.M. - DEP intends to enter into a Negotiated Acquisition with Skanska USA Civil Northeast, Inc. (Skanska) for 26W-15: Installation of Lower Level MSP's at the 26th Ward WWTP.

A time sensitive situation exists at 26th Ward Wastewater Treat Plant (WWTP). Existing low lever Main Sewage Pumps (MSP's) are in poor condition and need to be replaced as soon as possible. A contractor must be on board by February or March 2011, prior to the delivery of the replacement pumps and a competitive sealed bid cannot be completed by that time. The anticipated contract term is 17 months.

Any firm which would like to be considered for DEP work in the future should contact the New York City Vendor Enrollment Center: https://a069-webapps12.nyc.gov/moc/pages/index.cfm

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Department of Environmental Protection 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373. Debra Butlien (718) 595-3423, dbutlien@dep.nyc.gov

o15-21

FINANCE

INTENT TO AWARD

Goods & Services

REFUND AND REBATE ACCOUNTS - Competitive Sealed Bids/Pre-Qualified List - PIN# 836085555629 - DUE 10-25-10 AT 3:00 P.M. - The Department of Finance intends to award a five year contract with two one year renewals to Wells Fargo Bank. Vendor was selected via the competitive bid process using NYS approved (pre-qualified) list.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Department of Finance, 1 Centre Street, Room 1040 New York, NY 10007. April Silva (212) 669-4405, silvaa@finance.nyc.gov

o15

HEALTH AND HOSPITALS CORPORATION

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

j1-d31

SOLICITATIONS

Services (Other Than Human Services)

MILLIMAN CARE GUIDELINE SOFTWARE LICENSE - Sole Source - Available only from a single source - PIN# 231-11-030SS - DUE 10-19-10 AT 10:00 A.M. - The North Brooklyn Health Network intends to enter into a sole source contract for a Milliman Optimal Recovery Guidelines (ORG), with Milliman Care Guidelines, LLC, 719 Second Avenue, Ste. 300, Seattle, WA 98104.

Any other supplier who is capable of providing this license for the NBHN may express their interest in doing so by writing to Abraham Caban, Procurement Analyst, 100 North Portland Avenue, Rm. C-32, Brooklyn, NY 11205 or Abraham.Caban@woodhullhc.nychhc.org on or before 4:00 P.M., October 18, 2010.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. North Brooklyn Health Network, 100 North Portland Avenue, C-32, Brooklyn, NY 11205. Abraham Caban (718) 260-7593, fax: (718) 260-7619, Abraham.Caban@nychhc.org

o12-18

HEALTH AND MENTAL HYGIENE**AGENCY CHIEF CONTRACTING OFFICER****■ SOLICITATIONS***Human/Client Service***NEW YORK/NY III SUPPORTED HOUSING**

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

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

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

o1-m21

HOMELESS SERVICES**OFFICE OF CONTRACTS AND PROCUREMENT****■ SOLICITATIONS***Human/Client Service***CORRECTION: TRANSITIONAL RESIDENCES FOR HOMELESS/ DROP-IN CENTERS**

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

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

j6-20

JUVENILE JUSTICE**■ SOLICITATIONS***Human/Client Service***PROVISION OF NON-SECURE DETENTION GROUP HOMES**

– Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 13010DJJ000 – DUE 06-30-11 AT 2:00 P.M. – The Department of Juvenile Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 2:00 P.M. on 6/30/11.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Juvenile Justice, 110 William Street, 14th Floor, New York, NY 10038. Chuma Uwechia (212) 442-7716, cuwechia@djj.nyc.gov

jy1-d16

PARKS AND RECREATION**REVENUE AND CONCESSIONS****■ SOLICITATIONS***Services (Other Than Human Services)***DEVELOPMENT, OPERATION AND MAINTENANCE OF A SNACK BAR/CAFETERIA**

– Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# Q99-J-SB 2010 – DUE 11-23-10 AT 3:00 P.M. – At the Olmsted Center located at Flushing Meadows Corona Park in Queens.

A proposer meeting and site tour will be held on Friday, November 5, 2010, at 11:00 A.M. at the proposed concession site, the Olmsted Center Cafeteria. If you are considering responding to this RFP, please make every effort to attend this meeting and site tour. To obtain directions to the proposed concession site, please call (718) 760-6600.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021. Glenn Kaalund (212) 360-1397, fax: (212) 360-3434, glenn.kaalund@parks.nyc.gov

o14-27

RENOVATION, OPERATION AND MAINTENANCE OF A SNACK BAR

– Competitive Sealed Proposals – Specifications cannot be made sufficiently definite - PIN# M10-64-SB-2010 – DUE 11-18-10 AT 3:00 P.M. – At the Harlem Meer, Central Park, Manhattan.

Parks will hold a site tour on Tuesday, October 26, 2010 at 3:00 P.M., at the concession site, which is located at the northeast corner of Central Park at 5th Avenue and East 106th Street, Manhattan. We will be meeting in front of the Snack Bar. All interested parties are urged to attend.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021. Davita Mabourakh (212) 360-1397, fax: (212) 360-3434, davita.mabourakh@parks.nyc.gov

o1-15

SANITATION**AGENCY CHIEF CONTRACTING OFFICER****■ AWARDS***Human/Client Service*

CONSULTANT PHYSICIAN SERVICES – Competitive Sealed Bids – PIN# 82709AD00056 – AMT: \$660,000.00 – TO: Dr. Jacques Hyacinthe, MD, 3520 Avenue D, Brooklyn, New York 11203. Contract awarded on October 7, 2010.

o15

SCHOOL CONSTRUCTION AUTHORITY**CONTRACT ADMINISTRATION****■ SOLICITATIONS***Construction/Construction Services***WORK REQUIRED TO OBTAIN CERTIFICATE OF OCCUPANCY**

– Competitive Sealed Bids – PIN# SCA11-11977D-1 – DUE 11-01-10 AT 11:30 A.M. PS 811 at M841 (Manhattan). Project Range: \$2,090,000.00 to \$2,200,000.00. Non-refundable bid document charge: \$100.00. Bidders must be prequalified by the Authority.

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, 30-30 Thomson Avenue Long Island City, NY 11101. Kevantae Idlett (718) 472-8360, kidlett@nycsca.org

o12-18

*Human/Client Service***HUMAN RESOURCES CONTINGENT TEMPORARY STAFFING SERVICES**

– Request for Proposals – PIN# 11-00027R – DUE 10-19-10 AT 2:00 P.M. – Please see attachment on City Record online for more information.

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, 30-30 Thomson Avenue Long Island City, NY 11101. Sal DeVita (718) 472-8049, fax: (718) 752-8049, sdevita@nycsca.org

o8-15

CONTRACT SERVICES**■ SOLICITATIONS***Construction/Construction Services***EXTERIOR MASONRY**

– Competitive Sealed Bids – PIN# SCA11-13564D-1 – DUE 11-01-10 AT 11:00 A.M. – IS 191 at X129 (Bronx). Project Range: \$2,710,000.00 to \$2,851,000.00. Non-Refundable document fee: \$100.00.

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, 30-30 Thomson Avenue First Floor, Long Island City, NY 11101. Ricardo Forde (718) 752-5288, rforde@nycsca.org

o13-19

SCIENCE LAB AND PREPARATION ROOM

– Competitive Sealed Bids – PIN# SCA11-13572D-1 – DUE 11-02-10 AT 11:00 A.M. – Gramercy Arts High School (Manhattan). Project Range: \$1,190,000.00 - \$1,250,000.00. Pre-Bid Meeting Date: October 22, 2010 at 40 Irving Place, New York, NY 10003. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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, 30-30 Thomson Avenue Long Island City, NY 11101. Lily Persaud (718) 752-5852 fax: (718) 472-0477, lpersaud@nycsca.org

o13-19

AGENCY RULES**BUILDINGS****■ NOTICE****NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED AMENDMENTS TO RULE RELATING TO FAÇADE INSPECTIONS**

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of Buildings by Section 643 of the New York City Charter (the "Charter"), and pursuant to Section 1043 of the Charter, that the Department of Buildings proposes to repeal sections 32-01, 32-02 and 32-04 and renumber and amend section 32-03 of Title 1 of the Rules of the City of New York. Matter [in brackets] is deleted; matter underlined is new.

A public hearing on the proposed rule amendments will be held at the Executive Offices of the Department of Buildings, 280 Broadway, 6th Floor Conference Room New York, New York on November 15, 2010 at 4:00 P.M. Written comments regarding the proposed rule amendments may be submitted to Laura V. Osorio, Acting Assistant Commissioner of Central Inspections, New York City Department of Buildings, 280 Broadway, 4th Floor, New York, New York 10007, or electronically through NYC RULES at www.nyc.gov/nycrules, on or before November 15, 2010.

Written comments and an audio tape of oral comments received at the hearing will be available for public inspection, within a reasonable time after receipt, between the hours of 9:00 A.M. and 5:00 P.M. at the Office of the Commissioner, Executive Offices, Department of Buildings.

Persons who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are asked to notify Assistant Commissioner Osorio at the foregoing address by October 28, 2010.

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

Section 1. Sections 32-01, 32-02 and 32-04 of title 1 of the rules of the city of New York, relating to the design and installation of curtain walls and panel walls, dangerous conditions of a building's exterior walls and appurtenances, and masonry parapet walls are hereby REPEALED.

§2. Section 32-03 of title 1 of the rules of the city of New York is hereby renumbered section 103-04.

§[32-03] 103-04 Periodic Inspection of Exterior Walls and Appurtenances of Buildings.

§3. The definition of *Acceptable report* set forth in subdivision a of section 103-04 of title 1 of the rules of the city of New York, as renumbered by this rule, is amended as follows and a new definition of *Filed report* is added between the definitions of *Critical examination* and *Filing window*, as follows:

Acceptable report. A technical examination report filed by a Qualified Exterior Wall Inspector that meets the requirements of the Administrative Code and this rule as determined and approved by the Department. [A report shall be deemed filed with the Department only when it has been submitted to, received, reviewed, and accepted by the Department.]

Filed report. A report shall be deemed filed with the Department only when it has been submitted to and reviewed by the Department.

§4. Subparagraphs ii, iii and iv of paragraph 2 of subdivision b of section 103-04 of title 1 of the rules of the city of New York are amended as follows:

(ii) Such examination shall be conducted and witnessed by or under the direct supervision of a QEWI retained by [or on behalf of] the owner of the building or his or her representative.

(iii) The QEWI shall [determine] develop an inspection program for the specific building to be inspected, which program shall include but not be limited to the methods to be employed in the examination, but he/she need not be physically present at the location where the examination is made. Under the QEWI's direct supervision, technicians, tradesmen, contractors, and engineers-in-training may be delegated selected inspection tasks. These individuals [need not be in the QEWI's employ] shall be employees or subcontractors of the QEWI.

(iv) The methods used to examine the building shall permit a complete inspection of same. Except as herein required, the use of a scaffold or other observation platform is preferred, but the QEWI may use other methods of inspection as he/she deems appropriate. A physical examination from a scaffold or other observation platform (a "close-up inspection") is required for a representative sample of the exterior wall. The QEWI shall determine what constitutes a representative sample. The representative sample shall include at least one physical examination along a path from grade to top of an exterior wall on a street front using at least

one scaffold drop or other observation platform configuration, including all setbacks.

§5. Paragraph 2 of subdivision b of section 103-04 is amended by adding a new subparagraph viii to read as follows:

(viii) Completion of a critical examination shall mean that the QEWI has conducted a final physical inspection to determine that the building conditions as described in the report are consistent with the actual conditions. Such final inspection shall, at a minimum, include an actual visual examination and a walk around with binoculars or other inspectorial equipment. A drive-by inspection is not acceptable.

§6. Subparagraph i of paragraph 3 of subdivision b of section 103-04 is amended as follows:

(i) The QEWI shall [submit to] file with the Department and submit a copy to the owner of the building a written report [as to] describing the result of the critical examination, clearly documenting all conditions and stating that the inspection was performed and completed in accordance with the Administrative Code and this rule. A separate acceptable report must be prepared and filed for each building, even if it shares a Block and Lot number with other structures.

§7. Items D, G, I, J, M(1), O and P of subparagraph iii of paragraph 3 of subdivision b of section 103-04 are amended as follows:

(D) A detailed description of any settlements, repairs, or revisions to exterior enclosures since the previous report[, if available];

(G) A report of all conditions observed, including:

1. Significant deterioration and any movement detected;
2. A statement concerning the apparent water-tightness of the exterior surfaces;
3. A classification of each condition as safe, unsafe or SWARMP;
4. [The deleterious effect, if any, of exterior] Exterior appurtenances, including, but not limited to, exterior fixtures, flagpoles, signs, parapets, copings, guard rails, window frames (including hardware and lights), window guards, window air conditioners, flower boxes, and communications equipment. The condition of window air conditioners may not be designated as SWARMP; [and]
5. If the classification of the building is "safe," all conditions noted during examination that require monitoring and/or routine maintenance, including, but not limited to, minor rusting at ground floor exit door, caulking exterior joints and repair of flashing at cant strip[.]; and
6. A list of locations and descriptions of all SWARMP and unsafe conditions.

(I) The status and description of the exterior maintenance;

(J) A comparison of currently observed conditions with conditions observed during the previous report filing cycle examinations, including the status of the repairs or maintenance performed with respect to the prior conditions. The following shall be [listed in the comparison] included and discussed:

1. Work permit numbers relating to façade repairs, including permits for sheds;
2. Job numbers, status and sign-off dates for any façade related jobs; and
3. Violation numbers of any open Environmental Control Board ("ECB") façade violations and the status of the repairs of the conditions cited in the ECB violations;

(M) 1. Color [P]hotographs of the primary house number and at least one view of the entire street front elevation for all reports regardless of the building's filing condition, and color photographs and sketches documenting [the location of] any conditions that are either unsafe or SWARMP and their locations. Photographs shall be at least 3" x 5" (76mm x 127mm) in size, unless otherwise requested by the Department. The photographs shall be dated and both the original photographs and all required copies shall be in color.

(O) The seal and signature of the QEWI under whose direct supervision the critical examination was performed.

[(P) Appendices.

1. BIS Property Profile Overview
2. ECB facade violation summary
3. ECB violation details for any facade-related violations
4. BIS Document Overview for facade-related alteration and shed applications]

§8. Subparagraphs i and iii, items A and B of subparagraph viii and subparagraph ix of paragraph 4 of subdivision b of section 103-04 are amended as follows:

(i) The requirements of this rule shall apply to all buildings with exterior walls or parts thereof that are greater than six stories in height, including the basement, but not the cellar, as defined in the building code, and regardless of the information in the Certificate of Occupancy. For buildings constructed on sloped sites that contain six (6) full stories plus one partial story where more than half the height of that partial story is above existing grade and/or adjacent to open areas (e.g., areaways, yards, ramps), the wall containing that partial story shall be subject to facade inspection. Conditions requiring facade inspections may also include other structures that add to the height of the building as per section BC 504. The Commissioner shall determine which additional buildings and/or parts thereof are required to file in accordance with this rule.

(iii) An acceptable report shall be filed within the applicable two-year filing window to avoid a late filing penalty, except

for cycle seven, during which the applicable filing window shall be:

- (A) two years for buildings that meet the requirements of item (A) of clause (v) of this paragraph,
 - (B) eighteen months for buildings that meet the requirements of item (B) of clause (v) of this paragraph and
 - (C) twelve months for buildings that meet the requirements of item (C) of clause (v) of this paragraph.
- [The late filing penalty shall be two hundred fifty dollars (\$250) for each month until the report is accepted by the Department.]

(viii) If contiguous zoning lots under single ownership or management contain multiple buildings that are considered one complex where at least two buildings of more than six stories in height fall into different filing windows as described above in items (A), (B) and (C) of clauses (v) and

(vi) of this paragraph, the owner or management shall choose one of the following report filing options:

- (A) An acceptable report for each building to which this rule applies may be filed separately according to the filing window corresponding to the last digit of that individual building's block number; or
- (B) The owner or his or her representative may choose one of the applicable filing windows and file a report for all of the buildings within that filing window, regardless of that building's individual filing window. The owner or his or her representative shall inform the Department prior to the cycle subject to filing if this option is chosen. If an owner or [management] representative chooses this option, the owner or [management] representative shall continue to file under this same filing window for the duration of [his, her or its control] the owner's ownership of the property.

(ix) A report shall be [filed] submitted within sixty (60) days of the date on which the QEWI completed the critical examination, as defined in subparagraph viii of paragraph 2 of subdivision b of this section. If the report is not acceptable and is rejected by the Department, a revised report shall be submitted within thirty (30) days of the date of the Department's rejection. A critical examination, including a new close-up inspection, shall be performed if more than a year has passed from the date of the initial submission. Failure to submit an acceptable report within the timeframe set forth in this rule may result in the imposition of a penalty pursuant to subdivision c of this section.

§9. Subparagraphs i, ii and iii of paragraph 5 of subdivision b of section 103-04 are amended as follows:

- (i) Upon [filing] submitting a report of an unsafe condition with the Department, the owner of the building, his or her agent, or the person in charge of the building shall immediately commence such repairs or reinforcements and any other appropriate measures such as erecting sidewalk sheds, fences, and safety netting as may be required to secure the safety of the public and to make the building's walls and appurtenances thereto conform to the provisions of the Administrative Code.
- (ii) All unsafe conditions shall be corrected within thirty (30) days from the [filing] submission of the critical examination report.
- (iii) Within two weeks after repairs to correct the unsafe condition have been completed, the QEWI shall inspect the premises. The QEWI shall obtain permit sign-offs as appropriate and shall promptly file with the Department a detailed amended report stating the revised report status of the building, along with a filing fee as specified in the rules of the Department. Sheds or other protective measures shall remain in place until an amended report is accepted.

§10. Subparagraphs i and ii of paragraph 6 of subdivision b of section 103-04 are amended as follows:

- (i) The owner of the building is responsible for ensuring that the conditions described in the critical examination report as SWARMP are repaired and all actions recommended by the QEWI are completed within the time frame recommended by the QEWI, and are not left to deteriorate into unsafe conditions before the next critical examination. It is the owner's responsibility to notify the Department of any deviation from the timeframe to make corrections as specified in the QEWI's report. Such notification shall be accompanied by supporting documents from the QEWI justifying the request for a new time frame. The department may approve or disapprove such request.

(ii) A report may not be filed describing the same condition and pertaining to the same location on the building as SWARMP [for the same building] for two consecutive report filing cycles.

§11. Subdivision c of section 103-04 is re-lettered subdivision d and a new subdivision c is added to read as follows:

- (c) Civil penalties.
 - (1) Failure to file. An owner who fails to file the required acceptable inspection report shall be liable for a civil penalty of one thousand dollars (\$1,000) per year immediately after the end of the applicable filing window.
 - (2) Late filing. In addition to the penalty for failure to file, an owner who submits a late filing shall be liable for a civil penalty of two hundred fifty dollars (\$250.00) per month, commencing on the day following the filing deadline of the assigned filing window period and ending on the filing date of an acceptable initial report.
 - (3) In addition to the penalties provided in this section, an owner who fails to correct an unsafe

condition shall be liable for a civil penalty of one thousand dollars (\$1,000) per month, pro-rated daily, until the unsafe condition is corrected, unless the commissioner grants an extension of time to complete repairs pursuant to this section. This penalty shall be imposed until receipt of an acceptable amended report by the department indicating the unsafe conditions were corrected or an extension of time is granted.

- (4) Challenge of civil penalty.
 - (i) An owner may challenge the imposition of any civil penalty authorized to be imposed pursuant to this subdivision by providing proof of compliance. Examples of such proof shall include, but are not limited to, a copy of an acceptable initial report, a copy of the acceptable amended report, copies of approved extension of time requests while work was/is in progress or written proof from a QEWI that the unsafe conditions observed at the building were corrected and the violation was dismissed.
 - (ii) Challenges shall be made in writing within thirty (30) days from the date of service of the violation by the department and sent to the office/unit of the department that issued the violation. The decision to dismiss or uphold the penalty shall be at the sole discretion of the department.

§12. Paragraph 1 of subdivision d of section 103-04 is amended by adding a new subparagraph iii to read as follows:

(iii) An owner may be granted a waiver of penalties upon submission of a copy of a bankruptcy petition, together with proof that either the department or the New York City Law Department was served with a "Notice of Bar Date."

§13. Section 101-03 of Chapter 100 of Title 1 of the Official Compilation of the Rules of the City of New York is amended to add the following fees at the end of the table set forth in that section, to read as follows:

§101-03 Fees payable to the Department of Buildings. The department shall be authorized to charge the following fees:

Facade inspection reports

● Initial filing	\$265
● Application for amendment	\$100
● Application for extension of time to complete repairs	\$135

STATEMENT OF BASIS AND PURPOSE

The foregoing rule amendments are proposed pursuant to the authority of the Commissioner of Buildings under Sections 643 and 1043(a) of the New York City Charter and section 28-302.2 of the New York City Administrative Code.

Sections 32-01, 32-02 and 32-04 are being repealed because their provisions are now covered in the building code or in this rule.

Rule 32-03 is being renumbered to conform to the new rule numbering scheme the department is now using. It is also being amended to clarify some provisions that were unaddressed in the previous amendment. These include: separating filing of a report from acceptance of a report by the department in order to clarify that the reporting requirement is satisfied when the department determines the report meets all Code requirements, as opposed to being satisfied upon the mere filing of the report, which could contain errors or omissions; specifying the duties of a QEWI; defining what constitutes a critical examination and when a new one should be performed; and clarifying how stories are counted on buildings constructed on sloped sites, for the purpose of determining the applicability of this rule. These changes are proposed to address issues that have arisen since the rule was amended in 2009.

The rule proposes to replace Technical Policy and Procedure Notice #5/99, which addresses which exterior building walls are exempt from or subject to inspections.

The rule is also being amended to add penalties for failure to file a report and a penalty for failure to correct an unsafe condition. In addition, filing fees are being added to cover the administrative costs of the program.

o15

NOTICE OF ADOPTION OF RULE

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter and Article 303 of Title 28 of the New York City Administrative Code, that the Department of Buildings hereby adds a new Section 103-05 to Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York, relating to high-pressure boiler inspection and filing requirements, penalties and waivers.

This rule was first published on August 30, 2010, and a public hearing thereon was held on September 30, 2010.

Dated: 10/12/10 /s/
New York, New York Robert D. LiMandri
Commissioner

Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding a new Section 103-05 to read as follows:

§103-05 High-pressure boiler inspection and filing requirements, penalties and waivers.

(a) Scope. This rule implements Article 303 of Title 28 of the New York City Administrative Code ("Administrative Code") by specifying the high-pressure boiler annual inspection requirements, the processes through which the department shall regulate the filings of high-pressure boiler annual inspection reports and shall issue penalties and waivers for failure to file and/or late filing, and the penalties for failure to file and/or untimely filing of a written notice of removal or disconnection of a high-pressure boiler.

(b) References. See Sections 28-201.2.2, 28-202.1 and Article 303 of Title 28 of the Administrative Code.

(c) Definitions. For the purposes of this section, the following terms shall have the following meanings:

(1) Department. The department of buildings.

(2) External high-pressure boiler annual inspection. An inspection made while the boiler is in operation.

(3) Filing deadline. For the high-pressure boiler annual inspection report or any part thereof, forty-five (45) days from the date of the inspection.

(4) First test. An inspection of a newly installed or replaced boiler required for the department to approve its use and operation.

(5) Inspection cycle. November 16th of the preceding calendar year through November 15th of the calendar year for which the report is being submitted.

(6) Inspection type. There are two inspection types, an external high-pressure boiler annual inspection and an internal high-pressure boiler annual inspection.

(7) Internal high-pressure boiler annual inspection. An inspection made when the boiler is shut down and handholes and manholes or other inspection openings are opened or removed for inspection of the interior.

(8) Late filing. An inspection report or any part thereof that is filed after the filing deadline.

(9) Owner. Any person, agent, firm, partnership, corporation or other legal entity having a legal or equitable interest in, or control of, the premises and/or boiler.

(10) Qualified boiler inspector. An inspector who has been issued a certificate of competence by the State Department of Labor and who is employed by an authorized insurance company as a high pressure boiler inspector.

(11) Removal or disconnection. Removal or disconnection shall have the same meaning as the term "removal or discontinuance" as used in Section 28-303.8 of the Administrative Code.

(12) Waiver. Removal of the obligation to pay a penalty associated with a violation. A waiver does not result in dismissal of the violation.

(d) Fees. Fees for filings related to high-pressure boilers shall be as set forth in Section 101-03 of these rules and Table 28-112.7.2 of the Administrative Code.

(e) Inspections, tests and filing requirements. Upon the department's mailing of a notification to an owner stating that the department will not be conducting high-pressure boiler annual inspections for the upcoming inspection cycle, the owner shall be responsible for hiring a qualified boiler inspector to conduct such inspections during such upcoming inspection cycle. Such inspections shall comply with Article 303 of Title 28 of the Administrative Code, applicable provisions of the New York State Labor Law and the following:

(1) Internal and external high-pressure boiler annual inspection reports along with the appropriate filing fee(s) shall be submitted for each inspection cycle on such forms and in such manner as required by the department. The reports shall include:

(i) An inspection report for each boiler identifying the qualified boiler inspector; and

(ii) An affirmation of correction from the owner along with the filing fee stating that identified defects have been corrected, if applicable.

(2) The reports shall be filed by the filing deadline. Any required part of the report not filed by the filing deadline shall be deemed late and shall subject the owner to penalties as set forth in subdivision (j) of this section.

(3) High-pressure boiler annual inspections shall be conducted twelve (12) months from the preceding annual inspection of the same inspection type.

(4) Internal and external high-pressure boiler annual inspections shall be performed approximately six (6) months from each other during the inspection cycle.

(5) The inspector shall verify that a department-issued boiler number is affixed to the boiler, and such number shall be used in all correspondence between the inspector and the department. If an inspection reveals any dangerous condition in a boiler that threatens life or safety and that requires an immediate shutdown of the boiler, the inspector shall immediately notify the department's boiler division of the condition via fax or email at the number or address provided on the department's website, <http://www.nyc.gov/buildings>.

(f) Acceptance of filings. Inspection reports filed after the filing deadline but within twelve (12) months of the date the inspection was conducted shall be considered late filings upon payment of the appropriate civil penalties as set forth in subdivision (i) of this section. Reports filed after such twelve- (12) month period shall be deemed expired. In such cases, the appropriate civil penalties shall be paid, a new inspection shall be performed for the current inspection cycle and a new report filed in accordance with this section.

(g) Ten- (10) day notifications. The inspector shall notify the department at least ten (10) days prior to the performance of an internal high-pressure boiler annual inspection.

(h) Notification of change of address or sale of premises. An owner shall notify the department's boiler division within thirty (30) days of the owner's change of address or sale of the premises housing the boiler. The owner shall reference the department's boiler number in all correspondence.

(i) Tenant notification. An owner of a building containing a high-pressure boiler(s) shall notify any affected tenants of the requirements set forth in this section.

(j) Civil penalties, high-pressure boiler annual inspection report.

(1) Late filing. An owner who submits a late filing, but who provides proof that the inspection took place within the inspection cycle for which the report was due, shall be liable for a civil penalty of not less than fifty dollars (\$50.00) per month, per boiler, per inspection type, commencing on the day following the filing deadline and ending on the date of submission of a complete report, including a late filing of the affirmation of correction. The total penalty shall not exceed six hundred dollars (\$600.00) per boiler, per inspection type. For the purposes of this paragraph, "proof" shall mean a notarized affidavit from the qualified boiler inspector who conducted the inspection stating that the inspection was completed within the inspection cycle for which the report was due and including his or her license number.

(2) Failure to file. An owner who fails to file the high-pressure boiler annual inspection report or any part thereof for each boiler and inspection type within twelve (12) months from the date of the inspection, pursuant to Article 303 of Title 28 of the Administrative Code and this section, shall be liable for a civil penalty of not less than one thousand dollars (\$1000.00) per boiler, per inspection type.

(3) Challenge of civil penalty. An owner may challenge the imposition of any civil penalty authorized pursuant to this subdivision by providing written proof of a timely and complete inspection and filing to the department. Challenges shall be made in writing within thirty (30) days from the date of service of the violation by the department and sent to the office/unit of the department that issued the violation. The decision to dismiss or uphold the penalty shall be at the sole discretion of the department. Examples of such proof shall include, but are not limited to, the following:

(i) A copy of the high-pressure boiler annual inspection report for the inspection performed during the applicable inspection cycle and a copy of the front and back of the canceled check or money order to the department for the high-pressure boiler annual inspection report fee; or

(ii) The department-assigned transmittal number for the electronic disk filing report.

(4) Extension of the filing deadline. An owner may request an extension of the filing deadline in order to correct high-pressure boiler defects and to file an affirmation of correction stating that identified defects have been corrected by submitting proof that the request is based on extraordinary circumstances and/or that the delay in correction is beyond the owner's control, not including financial or administrative hardship. The request shall be made prior to the expiration of the filing deadline, submitted with the filing fee and made on such forms and in such manner as required by the commissioner.

(5) Waiver of penalties. An owner may request a waiver of penalties assessed for violation of Section 28-303.7 of the Administrative Code, Section 27-793 of the 1968 Building Code and/or related rules enforced by the department. Requests shall be made in writing and submitted with the filing fee.

(i) Owner status.

(A) New owner. A new owner may be granted a waiver of penalties contingent

upon the department's acceptance of the owner's proof that transfer of ownership to the new owner occurred after penalties were incurred. Such a waiver is limited to one of the following circumstances:

((a)) The new owner has obtained full tax exemption status from the New York City Department of Finance; or

((b)) The new owner submits proof to the department (such as a certificate from the Department of Housing Preservation and Development) that he or she took title to the property as part of an economic development program sponsored by a government agency.

(B) Government ownership. An owner may be granted a waiver of penalties upon submission of official documentation from a government entity affirming that the premises was owned in its entirety by the entity during the period for which a waiver is requested.

(C) Bankruptcy. An owner may be granted a waiver of penalties upon submission of a copy of a bankruptcy petition, together with proof that either the department or the New York City Law Department was served with a "Notice of Bar Date".

(ii) Device status. An owner may be granted a waiver of penalties contingent upon the department's acceptance of proof of the following:

(A) Removed or disconnected. That the high-pressure boiler was removed from the building or disconnected prior to the inspection cycle for which the report was due. In the event that proof of removal or disconnection has not yet been entered into the department's database at the time of the request for a waiver, the owner shall submit to the department a copy of the Self-Certification of Removed or Existing Boiler(s) form.

(B) New or replaced. That the first test was performed during the inspection cycle for which the report was due.

(C) Work in progress. That there is work in progress for the replacement or installation of a new boiler or burner or a major renovation requiring that the boiler or burner be deactivated during the work. For the purposes of this clause, "proof" shall mean the filing of a boiler extension request with the department by the filing deadline. Upon completion of such work, an affirmation of correction shall be filed with the department.

(iii) Building status. An owner may be granted a waiver of penalties contingent upon the department's confirmation of the following:

(A) Demolished. That the full demolition of the building occurred prior to the inspection cycle for which the report was due and that such demolition was signed-off by the department and/or that a new building permit has been issued for the property.

(B) Sealed or vacated. That the building was ordered to be sealed or vacated by a government agency (e.g. Department of Buildings, Department of Housing Preservation and Development, Fire Department of New York or Office of Emergency Management) or by court order prior to the expiration of the inspection cycle for which the report was due.

(k) Civil penalties, written notice of removal or disconnection of a high-pressure boiler. Failure to file a written notice of removal or disconnection (a Self-Certification of Removed or Existing Boiler(s) form) with the filing fee in accordance with Section 28-303.8 of the Administrative Code, or filing of such notice more than thirty (30) days after the date of the removal or disconnection of a high-pressure boiler shall be deemed a lesser violation and shall subject the owner to penalties as set forth in this subdivision.

(1) Untimely filing. An owner who files such notice more than thirty (30) days after the date of removal or disconnection, but within twelve (12) months from the end of such thirty (30) days, may submit an untimely filing and shall be liable for a civil penalty of not less than fifty dollars (\$50.00) per month, per boiler commencing on the thirty-first (31) day after the date of removal or disconnection and ending on the date of submission of the notice. The total penalty shall not exceed five hundred dollars (\$500.00) per boiler.

(2) Failure to file. An owner who fails to file such notice within twelve (12) months from the end of the thirty (30) days after the date of removal or disconnection, shall be liable for a civil penalty of five hundred dollars (\$500.00) per boiler.

(3) Challenge of civil penalty. An owner may challenge the imposition of any civil penalty

authorized to be imposed pursuant to this subdivision by providing proof of a timely filing to the department. Challenges shall be made in writing within thirty (30) days from the date of service of the violation by the department and sent to the office/unit of the department that issued the violation. The decision to dismiss or uphold the penalty shall be at the sole discretion of the department. An example of such proof shall include, but is not limited to, the following: a stamped and dated copy of a Self-Certification of Removed or Existing Boiler(s) form filed with the department, which may be supported by a copy of the front and back of a canceled check(s) to the department for the fee for the filing of a Self-Certification of Removed or Existing Boiler(s) form.

STATEMENT OF BASIS AND PURPOSE

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

In accordance with Section 204 of the New York State Labor Law and Section 14-1.2 of Industrial Code Rule No. 14, this rule implements Article 303 of Title 28 of the New York City Administrative Code by specifying the high-pressure boiler annual inspection requirements, and the processes through which the department will regulate the filings of high-pressure boiler annual inspection reports and issue penalties and waivers for failure to file and/or late filing.

Subdivision (e) of this rule states that if an owner is notified by the department that the department will not be conducting high-pressure boiler annual inspections for the upcoming inspection cycle, that such inspections must be conducted by a qualified boiler inspector in the employ of a duly authorized insurance company. The choice to have high-pressure boiler annual inspections performed by either the department or an inspector employed by an insurance company, as provided by Section 28-303.3 of the Administrative Code, is only available to the owner if the department has the resources to conduct such inspections in a timely fashion.

Under current law, building owners are required to file high-pressure boiler annual inspection reports and to certify that any defects identified in the reports have been corrected. This rule sets forth the manner by which the reports shall be filed and the penalties that will be imposed for failure to comply. Section 28-201.2.2 of the Administrative Code specifies that failure to perform boiler inspections and to file required reports is a major violation and Section 28-202.1(2) of the Administrative Code sets the limits on civil penalties for major violations.

This rule replaces and alters the terms of the department's Administrative Procedure & Policy Notice (APPN) 1/05, which governs the granting of waivers of assessed civil penalties to building owners.

This rule generally maintains the waiver guidelines set forth in the APPN in relation to government ownership, bankruptcy, device status and building status and sets out new criteria under which new owners may be granted waivers. In order to qualify for a waiver of penalties that were issued prior to the owner taking title to the property, there must be evidence of a broader community benefit. The new owner shall have obtained full tax exemption status from the New York City Department of Finance or shall have taken title to the property as part of an economic development program. By limiting the availability of waivers, the department hopes to eliminate a loophole in current law allowing a simple transfer of property to qualify as a basis for a waiver of penalties.

The rule also establishes as a lesser violation the failure to file and/or untimely filing of a written notice of removal or disconnection of a high-pressure boiler (a Self-Certification of Removed or Existing Boiler(s) form) in accordance with Sections 28-202.1 and 28-303.8 of the Administrative Code, and sets the penalties for the violation.

ENVIRONMENTAL CONTROL BOARD

NOTICE

NOTICE OF OPPORTUNITY TO COMMENT on Proposed Rule regarding penalties for offenses adjudicated by the Environmental Control Board (ECB).

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board by Section 1049-a of the New York City Charter, and in accordance with Section 1043(b) of the Charter, that the Environmental Control Board proposes to amend subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, setting forth penalties for offenses adjudicated by the Environmental Control Board. New matter in the following rule is underlined, and deleted material is in brackets. This rule was not included in the Environmental Control Board's regulatory agenda because it was not anticipated at the time the agenda was created.

Written comments regarding the proposed rule may be sent to James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, N.Y. 10038, on or before November 16, 2010. Members of the public may also submit comments on the rule electronically through NYC RULES at www.nyc.gov/nycrules. A public hearing regarding the proposed rule will be held on November 16, 2010 at 5:00 P.M., at ECB, 66 John Street, 10th Floor, Conference Room, New York, N.Y. 10038, at 5:00 P.M. Persons seeking to testify are requested to notify James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, N.Y. 10038, (212) 361-1515 on or before November 16, 2010. Persons who need a sign language interpreter or other accommodation for a disability are asked to notify James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, N.Y. 10038, (212) 361-1515 by November 9, 2010. Persons interested in receiving written comments and a transcript of oral comments on the proposed rule may request them by writing to: James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, N.Y. 10038.

Section 1. Buildings Penalty Schedule II, found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of

the City of New York, is amended to revise the entry in that Penalty Schedule for 1 RCNY 5-02, Class 2, "Failure to meet the requirements of licensing/identification/qualification as required by 1 RCNY 5-02," to read as follows:

New material is underlined.

Section of Law	1 RCNY 5-02
Classification	Class 2
Violation Description	Failure to meet the requirements of licensing/identification/qualification as required by 1 RCNY 5-02
Cure	(No) Yes
Stipulation	No
Standard Penalty	\$800
Mitigated Penalty	Yes
Default Penalty	\$4,000
Aggravated I Penalty	\$2,000
Aggravated I Default Penalty	\$8,000
Aggravated II Penalty	\$4,000
Aggravated II Default - Maximum Penalty	\$8,000

Statement of Basis and Purpose of Proposed Rule

The Environmental Control Board (ECB) proposes to amend its Buildings Penalty Schedule II, found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York. Specifically, the Board proposes to revise the entry for 1 RCNY 5-02 to allow for a cure. This charge was enacted without a cure provision due to an oversight. ECB now seeks to remedy the error.

Where a violation is allowed to be cured, the respondent may correct the conditions cited in the violation and certify correction to the Department of Buildings. If the Department of Buildings indicates the violation has been cured, respondent is not required to appear at a hearing, but is found in violation. No penalty is imposed.

TAXI AND LIMOUSINE COMMISSION

NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

Notice is hereby given in accordance with section 1043(b) of the New York City Charter ("Charter") that the Taxi and Limousine Commission ("TLC") proposes amending the provisions of Chapter 8 of Title 35 of the Rules of the City of New York to amend the TLC's adjudication rules.

These rules are proposed pursuant to sections 1043 and 2303 of the Charter and section 19-503 of the Administrative Code of the City of New York. The proposed rules were included in the TLC's regulatory agenda for Fiscal Year 2011.

A public hearing on these proposed rules will be held by the TLC at its offices at 40 Rector Street, 5th Floor, New York, New York 10006 on Thursday, November 18, 2010, at 10:00 A.M. Persons wishing to testify at the hearing may notify the TLC in advance, either in writing or by telephone to the TLC's Office of Legal Affairs at the address and telephone given below. Any request for a sign language interpreter or other form of reasonable accommodation for a disability at the hearing must be submitted to the Office of Legal Affairs in writing or by telephone no later than November 12, 2010. Written comments in connection with these proposed rules must be received no later than November 15, 2010. Comments may be submitted through the NYC Rules website at www.nyc.gov/nycrules, or may be submitted to the Office of Legal Affairs at:

Charles R. Fraser
Deputy Commissioner for Legal Affairs / General Counsel
Taxi and Limousine Commission
40 Rector Street, 5th Floor
New York, New York 10006
Telephone: 212-676-1135
Fax: 212-676-1102
Email: tlcrules@tlc.nyc.gov

Written comments and a transcript of all comments received at the hearing will be available for public inspection at that office.

New material is underlined.
[Material inside brackets indicates deleted material.]

Section 1. It is proposed to amend the prefatory language of Sections 1-86, 2-86, 4-06, 5-09, 6-22, 9-17, subdivision (a) of 12-08, and 15-43 of Chapters 1, 2, 4, 5, 6, 9, 12 and 15 of Title 35 of the Rules of the City of New York to read as follows:

Section 2. It is proposed to amend section 8-01 of Title 35 of the Rules of the City of New York by adding new subdivisions (c), (o), and (p), relettering subdivisions (c) through (m) as subdivisions (d) through (n) and subdivisions (n) and (o) as subdivisions (q) and (r), and amending subdivisions (e) and (i), as relettered by this rule, to read as follows:

§8-01 Definitions.

- (c) **Appeals Unit.** A unit of ALJs within the Commission Adjudications Tribunal responsible for deciding cases on Appeal, who do not hear cases in the first instance.
- (e) **Chairperson.** The member of the Commission designated by the Mayor as the Chair and Chief Executive Officer pursuant to §2301(c) of the New York City Charter or his or her designee.
- (i) **Hearing.** A procedure for the presentation and consideration of evidence before an Administrative Law Judge, after which the ALJ makes findings of fact and conclusions of law [regarding any charge alleging a violation of the Administrative Code or any Commission Rule].
- (o) **Penalty Points.** A penalty point is a non-monetary penalty assessed pursuant to Chapter 6 of Title 35 of the Rules of the City of New York.
- (p) **Persistent Violator Penalty or Persistent Violator Points.** A Persistent Violator Penalty or Persistent Violator Point is a penalty imposed as part of the Persistent Violator Program pursuant to §2-70 or §6-23. This penalty may include the requirement to complete a course, points assessed against a TLC license, suspension or revocation.

Section 3. It is proposed to amend section 8-03 of Title 35 of the Rules of the City of New York by adding new subdivisions (c) and (d) to read as follows:

§8-03 Penalties.

- (c) Any revocation, suspension, Persistent Violator Penalty or Penalty Points will become effective on the date of the ALJ's decision.
 - (1) If a suspension for a specified period of time is imposed, the suspension period will be calculated from the time when the respondent's license is turned in to the Commission.
- (d) Notwithstanding any other provision of these rules, fines are due within 30 days of the day the respondent is found guilty of the violation.
 - (1) If the respondent files an appeal of the decision imposing the fine within 30 days of the date of the decision, the payment of the fine will be deferred until a decision on the appeal is made.

If the respondent requests a copy of the hearing recording within 7 calendar days of the hearing, the time for either filing an appeal or paying the fine will be the later to occur of either 21 days from the date the recording is issued or 30 days from the day of the decision.

- (2) If the fine is not paid by the close of business on the date due, the Commission will notify the respondent in writing that the respondent's license will be suspended in ten (10) business days of the date of the notification until the fine is paid, unless the respondent demonstrates to the Commission, in person or in writing, that the fine has been paid.

Section 4. It is proposed to amend section 8-06 of Title 35 of the Rules of the City of New York by adding a new subdivision (d) to read as follows:

§8-06 Contents of Summons or Notice of Violation

- (d) If the summons or notice of violation is sworn to under oath or affirmed under penalty of perjury, the summons or a copy of the summons will be admitted into evidence and will constitute prima facie proof of the violations alleged.

Section 5. It is proposed to REPEAL section 8-09 of Title 35 of the Rules of the City of New York, relating to adjournment requests, and to add a new section 8-09, to read as follows:

§8-09 Adjournment Requests

[A respondent who is unable to appear at a scheduled hearing must notify the Commission at least five (5) business days in advance of the hearing in order to request an adjournment. An adjournment will be granted only upon a showing of an inability to attend the scheduled hearing. A respondent shall be entitled to only one adjournment. Adjournment requests made upon less than five (5) business days notice shall be made in person by the respondent and decided by an ALJ on the date of the request.]

(a) Requests for Adjournments

- (1) A request for an adjournment, which is a request to change the scheduled hearing date, may be made either by the Chairperson or by the respondent, or anyone authorized by this Chapter to appear for the respondent.
- (2) A request to reschedule a hearing must be made at least five business days before the first scheduled hearing date or at the hearing.
- (i) Good cause is not necessary for an adjournment that is requested at least five business days before the first scheduled hearing date.
- (ii) A request for an adjournment that is made at least five business days before the first scheduled hearing date may be made ex parte, and may be made by telephone, or in person.
- (iii) No more than one adjournment requested at least five business days before the first scheduled hearing will be granted.
- (3) An adjournment that is requested at the hearing will only be granted for good cause, as determined in the discretion of the ALJ (see §8-09(b) of these Rules). The adjournment request will be made on the record. On the record means that the ALJ shall conduct a hearing. This hearing shall be recorded. The ALJ will issue a written decision explaining the ALJ's decision to grant or deny the request.
- (4) Adjournments to Obtain the Testimony of Complaining Witnesses. The Respondent may request an adjournment at the first scheduled hearing date for the purposes of obtaining the testimony of a complaining witness who has sworn to or affirmed a summons or notice of violation (see §8-06(d) of these Rules). A request for an adjournment for this purpose may not be made at any time other than the first scheduled hearing date.
- (i) The respondent must explain the subject of the testimony that the respondent intends to obtain from the complaining witness and must explain the relevance of that testimony to either the violations charged or a defense to those charges.
- (ii) The ALJ will find that there is good cause for the adjournment only if the ALJ concludes that the complaining witness's testimony is reasonably likely to be necessary to a fair hearing of the violations charged or the defenses to those charges.
- (iii) The non-attendance of the complaining witness who submitted a sworn or affirmed summons or notice of violation at the first scheduled Hearing date shall not be a failure by the Commission to produce a complaining witness (see §8-10(f) of these Rules).
- (b) Good cause. In deciding whether there is good cause for an adjournment, the ALJ will consider:
- (1) Whether granting the adjournment is necessary for the party requesting the adjournment to effectively present the case;
- (2) Whether granting the adjournment is unfair to the other party;
- (3) Whether granting the adjournment will cause inconvenience to any witness;
- (4) The age of the case and the number of adjournments previously granted;
- (5) Whether the party requesting the adjournment prepared for the scheduled hearing with reasonable diligence;
- (6) Whether the need for the adjournment is due to facts that are beyond the requesting party's control;
- (7) The balance of the need for efficient and expeditious adjudication of the case and the need for full and fair consideration of the issues relevant to the case; and
- (8) Any other fact that the ALJ considers to be relevant to the request for an adjournment.

Section 6. It is proposed to amend subdivision (d) of section 8-11 of Title 35 of the Rules of the City of New York to read as follows:

§8-11 Hearings - Procedure

* * *

- (d) At the conclusion of the hearing, the ALJ shall issue a decision which shall include findings of fact and conclusions of law. If the ALJ finds a violation has been committed, the appropriate penalties shall be imposed, which may include a fine, Persistent Violator or Penalty Points, and/or suspension or revocation of the respondent's license. [In the event a suspension for a specified period of time is imposed, such suspension period will not include any period of time during which the respondent's license is not in the possession of the Commission.]

Section 7. It is proposed to amend section 8-12 of Title 35 of the Rules of the City of New York by deleting subdivision (c) and adding a new subdivision (c), by amending subdivisions (d), (e), and (f), and by adding new subdivisions (g) and (h), to read as follows:

§8-12 Procedures in the Event of a Failure to Appear.

- (c) [If the penalty imposed at the inquest includes the suspension of a license as a result of a violation of a Commission Rule or the Administrative Code, said suspension shall not commence until ten (10) days after the mailing of the ALJ's decision with respect to the inquest conducted herein.] Any revocation, suspension, Persistent Violator Penalty or Penalty Points will become effective on the date of the ALJ's decision.
- (d) A respondent may move to vacate the inquest determination within two (2) years of the date of the inquest. [Said] This motion must be made [in writing unless otherwise authorized by the Executive Director of Adjudications or his designee shall be filed in accordance with the Commission procedures for the submission of such motions] on an approved form and must be signed and dated. [In support of this motion to vacate, the respondent shall present written evidence as to:]
- (1) A motion to vacate filed within 120 days of the date of the inquest must show:
- (i) [the reasons] reasonable excuse for his or her failure to appear at the hearing; and
- (ii) a defense to the charge, which, if established and proven at a hearing, would result in the dismissal of the summons.
- [If the respondent fails to make a timely motion to vacate the default, any penalties imposed pursuant to Rule 2-70 or 6-23 shall be assessed and the respondent shall be notified of this determination by regular, first class mail.]
- (2) A motion to vacate filed more than 120 days and less than 2 years after the date of inquest must show:
- (i) reasonable excuse for delay in presenting the motion, reasonable excuse for the respondent's failure to appear at the hearing, and
- (ii) A defense to the charge which, if established and proved at a hearing, would result in the dismissal of the summons.
- (3) If an inquest decision on the same summons or notice of violation has been previously vacated, and a new inquest decision has been issued, a motion to vacate the second inquest decision must show:
- (i) An extraordinary and compelling reason for the respondent's failure to appear at the hearing.
- (ii) A defense to the charge which, if established and proved at a hearing, would result in the dismissal of the summons.
- (4) In determining whether respondent has shown a reasonable excuse for failing to appear at a hearing, the ALJ will consider:
- (i) Whether circumstances that could not be reasonably foreseen prevented the respondent from attending the hearing;
- (ii) Whether the respondent had an emergency or condition requiring immediate medical attention;
- (iii) Whether the matter had been previously adjourned by the respondent;
- (iv) Whether the respondent attempted to attend the hearing with reasonable diligence;
- (v) Whether the respondent's inability to attend the hearing

was due to facts that were beyond the respondent's control; Whether the respondent's failure to appear at the hearing can be attributed to the respondent's failure to maintain current contact information on file with the Chairperson; and Any other fact that the ALJ considers to be relevant to the motion to vacate.

(vi)

(vii)

- (e) If the ALJ determines that the respondent has [established both a valid excuse for his failure to appear at the hearing and a defense to the violation which, if proven, would be legally sufficient] met the requirements for a motion to vacate, the inquest determination shall be vacated and the respondent shall be entitled to a hearing de novo. Any fines, Persistent Violator or Penalty Points, suspension or revocation imposed at the inquest shall be vacated. Any fines already paid shall be refunded.
- (f) If the ALJ denies the motion to vacate, the penalties imposed at the inquest shall [be assessed. In addition, the ALJ shall impose any appropriate penalty required pursuant to §2-70 or §6-23 of the Commission Rules] remain in effect.
- (g) A respondent may challenge a decision made after an inquest only by moving to vacate the inquest decision.
- (h) The respondent may appeal a decision denying a motion to vacate.

Section 8. It is proposed to amend subdivisions (a), (b), (c), and (d) of section 8-13 of Title 35 of the Rules of the City of New York and to add a new subdivision (e), to read as follows:

§8-13 Procedures on Appeal

- (a) The respondent may appeal the decision of an ALJ as follows:
- (i) [An appeal must be addressed] Two copies of the appeal must be directed to the [Deputy Commissioner for Legal Affairs/General Counsel] Appeals Unit and received within thirty (30) calendar days of the date of the decision to be appealed. If a respondent timely files an appeal, any fines imposed by the [Tribunal] decision being appealed from shall be stayed until a decision is made in such appeal; however, the Commission shall not be required to refund any fines paid before respondent made his or her appeal unless such appeal is successful.
- (ii) The appeal must be accompanied by [a copy] two copies of the ALJ decision.
- * * *
- (b) If the ALJ's decision resulted in the suspension or revocation of a license, the determination of the appeal shall be expedited. If the ALJ's decision resulted in the suspension of a license, the [Deputy Commissioner for Legal Affairs/General Counsel or his designee] Chairperson may, in his discretion, issue a temporary license after an appeal has been filed which may remain in effect pending the determination of the appeal. In making the determination as to whether or not to issue a temporary license, the following factors may be considered: the respondent's record, the seriousness of the charges, the likelihood of the success of the appeal and the significance of the issues raised on appeal.
- (c) The Commission may seek review of a determination by an Administrative Law Judge by filing an appeal with the [Deputy Commissioner for Legal Affairs/General Counsel] Appeals Unit within thirty (30) calendar days of such determination. The appeal shall be accompanied by a copy of the ALJ decision. If a Commission appeal is filed, the respondent will be notified by mail. The appeal must include a notation indicating that a copy of the appeal was mailed to the respondent. The appeal will include a written statement setting forth the basis for the appeal. The respondent may respond to the appeal within twenty-one (21) calendar days of the mailing of the appeal. The respondent may request a copy of the recording of the hearing within seven (7) calendar days of the notice of appeal. Such request must be in writing on a form to be prescribed by the Chairperson. Such form shall be completed and submitted in accordance with instructions to be printed on the form. If a respondent requests a copy of the recording of the hearing, his or her time to respond to the notice of appeal is extended until twenty-one (21) calendar days after the issuance of the requested copy by the Commission, whether by mailing or otherwise.
- (d) Review of an ALJ's decision shall be limited to the issues of law raised in the appeal submitted. Findings of fact may be appealed only on the grounds that the findings of fact are not supported by substantial evidence in the record. Upon appeal, the determination of the ALJ may be affirmed, reversed in whole or in part, or modified. [In the event that a decision on appeal results in the reversal of a decision by an ALJ to dismiss a summons, the matter shall be remanded to the Commission Adjudications Tribunal for a new

hearing. If a decision on appeal affirms a determination of guilt by an ALJ, but modifies a penalty which had been incorrectly imposed, the decision may correct the penalty, without remand for a new hearing.] If the record on appeal is insufficient for the Appeals Unit to correct an error of law, the matter may be remanded to the Commission Adjudications Tribunal for a new hearing. Once an appeal has been decided, any outstanding fines imposed by the decision affirmed on appeal must be paid within 30 days.

(e) Response by the Commission.

- (i) The Commission may respond to the respondent's appeal within 21 calendar days of the filing of the appeal.
(ii) If the appeal is expedited, the Commission may respond within seven days of the filing of the appeal.

Section 9. It is proposed to amend subdivision (g) of section 8-14 of Title 35 of the Rules of the City of New York to read as follows:

§8-14 Discretionary Revocation Proceedings.

(g) If the proceeding is conducted by OATH, the ALJ, upon a finding of guilt, may recommend to the Chairperson license revocation, license suspension for a period up to six (6) months, and/or a fine not to exceed [\$10,000]\$1,000 for each offense for which a [taxicab owner, base owner, taximeter business owner, taxicab broker or taxicab agent] Licensed Driver is found guilty and/or a fine not to exceed [\$1,000]\$10,000 for each offense for which any other licensee is found guilty.

Section 10. It is proposed to amend subdivisions (a) and (e) of section 8-15 of Title 35 of the Rules of the City of New York to read as follows:

§8-15 Special Procedures Relating to Fitness Hearings

(a) If the Commission believes that a licensee or applicant for a license (hereinafter referred to as "respondent") does not meet or does not continue to meet the qualifications for licensure, as set forth in Commission Rules, it may direct that such respondent appear for a fitness hearing. Such hearing shall be conducted by an ALJ. Any requests for an adjournment must be made in accordance with §8-09.

(e) The ALJ shall issue a Recommended Decision which shall include a determination as to the respondent's fitness to possess a license. [If the respondent is or has ever been a licensee, t]The Recommendation shall be issued to the Chairperson. [If the respondent is an applicant who has never held a license issued by the Commission, the Recommendations shall be issued to the Deputy Commissioner for Licensing, his or her designee, or any other person designated by the Chairperson.] The Chairperson[, Deputy Commissioner for Licensing, or designee,] may accept, reject or modify said Recommendation. The decision of the Chairperson[, Deputy Commissioner for Licensing, or designee] shall constitute the final determination of the Commission.

Section 11. It is proposed that Title 35 of the Rules of the City of New York be amended by adding a new section 8-18 to read as follows:

§8-18 Special Procedures - Settlements and Withdrawals

(a) Settlements. The Chairperson and a Respondent may dispose of a summons or notice of violation by entering into a settlement agreement.

- (1) The settlement agreement must be in writing.
(2) The settlement agreement may provide for penalties different than the penalties provided for in these Rules.

(3) The settlement agreement may provide for canceling an adjudication that is open or that has been completed.

(4) The settlement agreement may provide for penalties to be imposed, with or without a further Hearing, in the event that the Respondent does not comply with the terms of the settlement agreement.

(5) Unless the settlement agreement clearly provides otherwise, the License of a Respondent who does not comply with the terms of the settlement agreement may be suspended by the Chairperson without a Hearing until the Respondent complies with the settlement agreement.

(6) By entering into a settlement agreement, the Chairperson and the Respondent both waive their rights to any further Hearings or appeals on the summons or notice of violation that is disposed of by the settlement agreement.

(b) Withdrawals. The Chairperson may withdraw a summons or notice of violation, even if it has been

adjudicated. Any fine, suspension, revocation, or Persistent Violator Points or Penalty Points imposed after the Hearing will be vacated. Any fines paid will be refunded. The Chairperson will notify the Respondent that the summons or notice of violation has been withdrawn. The Chairperson may withdraw a summons or notice of violation if the Chairperson determines that it was

- (1) Written in error.
(2) Ineffectively served on the Respondent.
(3) Written in contravention of the Chairperson's enforcement policy.

Statement of Basis and Purpose of Proposed Rule

This rule makes a number of changes to the rules governing the Taxi and Limousine Commission's (TLC) adjudications:

- The proposed rules would give the TLC the ability to submit a sworn summons or notice of violations in lieu of the testimony of the issuing witness at the hearing, freeing these witnesses to attend to other matters. A Respondent who wants to contest the factual allegations in the summonses or notice retains the right to ask the ALJ to call the issuing witness to testify. This change in adjudication procedures conforms to procedures used at other

tribunals in the City, including the Environmental Control Board.

- The proposed rules would refine existing rules governing motions to vacate inquest decisions and requests for adjournments. Experience with the existing rules suggests that providing more detailed guidance in the rules will be useful both to the TLC's administrative law judges and to the parties to the adjudications.
The proposed rules would streamline the appeals process by routing appeals directly to the Appeals Unit, instead of the General Counsel's Office, thereby eliminating an unnecessary step, and require the appealing party to submit a copy of the decision being appealed from. Additionally, the rules eliminate unnecessary hearings after successful appeals.
The proposed rules would codify procedures for withdrawal or settlement of summonses and notices of violations.
The proposed rules would clarify the timing of the imposition of penalties after a hearing decision.
These proposed rules would clarify that fines are due within 30 days following a Hearing unless the Respondent files a timely appeal of the decision imposing the fines, and this deadline may be extended if the Respondent makes a timely request for an audio recording.

SPECIAL MATERIALS

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

NOTICE

OFFICIAL FUEL PRICE SCHEDULE NO. 6553 FUEL OIL AND KEROSENE

Table with columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE EFF. 10/11/2010. Lists various fuel contracts and prices.

OFFICIAL FUEL PRICE SCHEDULE NO. 6554 FUEL OIL, PRIME AND START

Table with columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE EFF. 10/11/2010. Lists fuel contracts for prime and start.

OFFICIAL FUEL PRICE SCHEDULE NO. 6555 FUEL OIL AND REPAIRS

Table with columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE EFF. 10/11/2010. Lists fuel contracts for repairs.

OFFICIAL FUEL PRICE SCHEDULE NO. 6556 GASOLINE

Table with columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE EFF. 10/11/2010. Lists gasoline contracts.

CITY RECORD

NOTICE

Statement of Ownership, Management, and Circulation. UNITED STATES POSTAL SERVICE (All Periodicals Publications Except Requester Publications). The City Record, 1 Centre Street, Room 2208, New York, NY 10007.

HOUSING PRESERVATION & DEVELOPMENT

NOTICE

OFFICE OF ENFORCEMENT & NEIGHBORHOOD SERVICES CERTIFICATION OF NO HARASSMENT UNIT

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

DATE OF NOTICE: October 7, 2010

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Table with columns: Address, Application #, Inquiry Period. Lists addresses from 850 West End Avenue to 322 Stuyvesant Street.

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

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

TRANSPORTATION

NOTICE

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF PEDESTRIAN PLAZAS LOCATED AT NINTH AVENUE FROM GANSEVOORT STREET TO 14TH STREET, BOROUGH OF MANHATTAN

Pursuant to the Concession Rules of the City of New York, the Department of Transportation ("DOT") intends to enter into a concession for the operation, management, and maintenance of pedestrian plazas located at Ninth Avenue from Gansevoort Street to 14th Street in Manhattan ("Licensed Plaza").

Subconcessions would be awarded based on solicitations issued by the concessionaire in the basic form of Request for Proposals or Request for Bids, subject to DOT's prior written approval of both solicitation and award.

DOT has identified the Meatpacking Improvement Association as a potential concessionaire, but DOT will consider additional expressions of interest from other potential not-for-profit concessionaires for the operation, management, and maintenance of the Licensed Plaza.

Not for profit organizations may express interest in the proposed concession by contacting Andrew Wiley-Schwartz, Assistant Commissioner for Public Spaces, by email at awileyschwartz@dot.nyc.gov or in writing at 55 Water Street, 9th Floor, New York, NY 10041 by November 8, 2010.

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

CHANGES IN PERSONNEL

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 09/17/10

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists names like KALAFODAS, KALEEM, KALEM, etc.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists names like KAPLAN, KAPLAN, KAPLAN, etc.

Table with 15 columns: Name, Last Name, First Name, Gender, Status, Salary, Appointment Status, Appointment Date, Name, Last Name, First Name, Gender, Status, Salary, Appointment Status, Appointment Date. Lists names of city employees and their details.

LATE NOTICES

AGING

SOLICITATIONS

Human/Client Service

TWO-STAGE CONGREGATE SERVICES

PROCUREMENT PROCESS – Innovative Procurement – PIN# 12511SCINNOV – DUE 11-29-10 AT 5:00 P.M. – The Department for the Aging (DFTA) intends to prequalify prospective organizations to provide congregate services to seniors through an innovative procurement process. Information on the innovative procurement process can be found at:

http://www.nyc.gov/html/dfta/downloads/pdf/city_record81310.pdf

Only prequalified vendors will be eligible to participate in the upcoming procurements and prequalification will be good for a period of 3 years. DFTA will prequalify applicants based on two proposed congregate services program models, Neighborhood Centers and Innovative Senior Centers. Briefly, the Neighborhood Center (NC) model will provide meals and education as well as a basic level of recreation, health-related activities, socialization, and access to public services and benefits. The Innovative Senior Center (ISC) model provides all the activities of a Neighborhood Center, with a wide range of variety in the activities offered within each category. An ISC will have the ability to offer programming in each of five core service areas - nutritional support; links to public services and benefits; linkages with a rich array of community services; promotion of good physical and mental health and healthy behaviors; and opportunities for social engagement - of a variety and frequency that meet the needs and desires of neighborhood residents. PQL applications will be available starting on Friday, October 15, 2010. To obtain a copy online, please go to DFTA's homepage at: <http://www.nyc.gov/aging>. Applications are also available, Monday thru Friday, from 9:00 A.M. to 5:00 P.M. at our office located at 2 Lafayette Street, Room 400, Contract Procurement and Support Services Unit.

The prequalification application process will remain continuously open and interested organizations may apply at any time. However, DFTA plans to solicit vendors from the list as early as January, 2011. In order to be eligible for the first solicitation, PQL applications must be received by Monday, November 29, 2010.

The Department will hold an informational session on the PQL application on Friday, October 22, 2010 from 11:00 A.M. to 1:00 P.M. at The Fashion Institute of Technology, Morris W. and Fannie B. Haft Auditorium, Entrance on 27th Street (between 7th and 8th Avenues, middle of block, building with blue arch with letter "C" on top). (Please make sure to allow yourself extra time for security and signing in.)

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

Department for the Aging, 2 Lafayette Street, Room 400 New York, NY 10007. Betty Lee (212) 442-1112, PQLhelp@aging.nyc.gov

o15-21

COMMUNITY BOARDS

NOTICE

Brooklyn Community Board 18 will hold its Public Hearing on the Fiscal Year 2012 Capital and Expense Budget Priorities on Wednesday, October 20, 2010, 8:00 P.M., at the King's Plaza Community Room, Flatbush Avenue and Avenue V, Brooklyn, N.Y.

o15-20

CONSUMER AFFAIRS

NOTICE

Consumer Bill of Rights Regarding Tax Preparers

YOU HAVE THE RIGHT TO KNOW:

• Identification and Qualifications of Tax Preparer.

The tax preparer must have one sign stating relevant qualifications, and maintain records proving those qualifications are real. Any advertised terms such as "expert," "master," "consultant" or "specialist" must be justified here.

• **Fees and additional charges.** The tax preparer must have a sign showing exactly how his/her fees are computed, including the minimum charge, if any.

• **Whether or not the tax preparer will represent you at a government audit.** Failing to have a sign that tells you this means that the tax preparer agrees to represent you or to provide representation.

• **Whether the tax preparer is an attorney (Member of the Bar of the State of New York) or a CPA (Certified Public Accountant, certified by the NYS Dept. of Education, Office of the Professions).** A tax preparer must tell you if he/she is NOT an attorney or CPA (though he/she can still prepare your taxes). If a tax preparer uses the word "accountant" in an advertisement, then a Certified Public Accountant or Public Accountant must be present during all business hours, and must exercise control over all tax returns prepared there.

*Note that attorneys, CPAs, and IRS Enrolled Agents do not have to post these signs.

BEWARE OF REFUND ANTICIPATION LOANS (RALs)

• A Refund Anticipation Loan (RAL) is a high-interest loan made through a bank. A RAL is not an "instant refund." It is a loan that you must pay back to the bank.

• Using a RAL will cost you money and lower the total amount of your refund that you receive.

• While the bank making the loan will charge you fees and interest, the tax preparer facilitating the loan cannot add on

any of his/her own charges or fees for preparing a RAL application.

• It is illegal for a tax preparer to disguise a RAL as an "instant refund," a "rapid refund," an "express refund," "fast cash," or by another similar term that hides that fact that a RAL is a loan.

• You can not be required to take out a RAL.

• Ask your tax preparer about electronic filing, direct deposit and other options to speed up payment of refunds and to avoid using RALs.

YOU HAVE THE RIGHT TO RECEIVE:

• **a written estimate** of the total cost for all charges related to each service offered by the tax preparer, including basic filing fees, interest rates, and Refund Anticipation Loan (RAL) processing fees. The estimate should tell you how long you can expect to wait for your refund.

• **a photocopy of your tax return** prepared at the time the original is electronically filed or given to you to mail.

• **an itemized receipt** listing the individual cost of each service and form prepared for you. The receipt must list the address and phone number where the tax preparer may be contacted throughout the year.

• **your original personal papers returned to you upon request**, when the original tax return is given to you for filing (unless the tax preparer is specifically permitted to retain such papers under state law).

• every tax return prepared on your behalf signed by **the tax preparer**.

IT'S ILLEGAL FOR A TAX PREPARER TO:

• ask you to sign a blank or incomplete tax return, or alter a tax return after it has been signed by you, without your written consent.

• charge a fee based upon the amount of tax owed or refund due.

• guarantee a specific refund amount, or guarantee that you will not be audited by any government tax agency.

• request that you pay the tax preparer from a portion of your refund.

• reveal any personal information to any person or business other than to you or your authorized designee.

• have your tax refund mailed to the tax preparer, unless you have signed a power of attorney containing such authorization.

• ask you to violate any governmental law, rule, or regulation.

IF YOU ENTER INTO A RAL, A TAX PREPARER FIRST MUST:

- give you a single sheet of paper that tells you in English and Spanish:
 - how much your expected tax refund is;
 - how much the bank will charge in fees for the RAL;
 - the approximate RAL loan amount you will receive;
 - the interest rate, expressed as the estimated annual percentage rate (APR) based on the amount of time the loan will be outstanding;
 - the approximate date you would get your loan money if you take out a RAL; and
 - the approximate date you would get your refund if you do not take out a RAL.

• explain orally the information about a RAL in a language you understand.

For more information or to file a complaint against an individual offering tax preparation services, call 311 or visit nyc.gov/consumers

By law, the tax preparer must give you a free, current, and legible copy of this document before beginning any discussions about tax preparation services.

o15

DESIGN & CONSTRUCTION

CONTRACT SECTION

SOLICITATIONS

Construction/Construction Services

CORRECTION: COBBLESTONE RECONSTRUCTION OF PECK SLIP FROM PEARL STREET TO SOUTH STREET, ETC., MANHATTAN

– Competitive Sealed Bids – PIN# 85010B0026 – DUE 11-16-10 AT 11:00 A.M. – CORRECTION: PROJECT NO.: HWM1159/DDC PIN: 8502010HW0045C - including sewer, water main, street lighting, traffic and private utility work. Experience Requirements. Apprenticeship Participation Requirements apply to this contract. Late bids will not be accepted. This is a Federally Aided project to be jointly bid with private utilities. NYS DOT PIN: X759.18.321

A deposit of \$35.00 made payable to New York City Department of Design and Construction is required to obtain contract plans and documents. The deposit must be made in the form of a company check, certified check or money order, no cash accepted. Refunds will be made only for contract documents that are returned with a receipt and in the original condition. Each bid submitted must be accompanied by a certified check for not less than 5 percent of the amount of the bid or a bid bond for not less than 10 percent of the amount of the bid.

This Project is Federally aided and is subject to the provision of Title 23, U.S. code, as amended, and applicable New York State Statutes. In compliance with these provisions, the minimum wages to be paid laborers and mechanics are included in wage schedules that are set in the bid documents.

Disadvantaged Business Enterprises (DBE) will be afforded full opportunity to submit bids and the City of New York hereby notifies all bidders that it will affirmatively insure that any contract entered into pursuant to this advertisement will be awarded to the lowest responsible bidder without discrimination on the basis of race, color, sex, sexual orientation, national origin, age or place of residence. Prospective bidder's attention is also directed to the requirements of Attachment "H" in Volume 3 of the contract (pages A2-H1 thru A2-H24) concerning DBE participation in the contract. The schedule of proposed DBE participation is to be submitted by the apparent low bidder within 7 business days after the date of the opening of bids.

Non-compliance with the 7 day submittal requirement, the stipulations of Schedule "H" or submittal of bids in which any of the prices for lump sum or unit items are significantly unbalanced to the potential detriment of the Department may be cause for a determination of non-responsiveness and the rejection of the bid. The award of this contract is subject to the approval of the New York City Department of Design and Construction and the New York State Department of Transportation.

DBE Goals: 7 percent

Contract documents are available between the hours of 8:30 A.M. and 4:00 P.M. thru Monday, November 15, 2010. NOTE: Bid Documents are available for downloading at: <http://www.nyc.gov/ddc>

Vendor Source ID#: 71015.

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

Department of Design and Construction 30-30 Thomson Avenue, 1st Floor, Long Island City, NY 11101. Ben Perrone (718) 391-2614; Fax: (718) 391-2615.

o15

COURT NOTICE MAP FOR SOUTH RAILROAD STREET

