



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 165

THURSDAY, AUGUST 26, 2010

PRICE \$4.00

TABLE OF CONTENTS	<i>Queens County</i>2358	<i>Vendor Lists</i>2359	AGENCY RULES
PUBLIC HEARINGS & MEETINGS	PROPERTY DISPOSITION	Design and Construction2359	Environmental Protection2360
Staten Island Borough President2357	Citywide Administrative Services2359	Office of Emergency Management2359	SPECIAL MATERIALS
Housing Authority2357	<i>Division of Municipal Supply Services</i> 2359	Health and Hospitals Corporation2359	Comptroller2363
Landmarks Preservation Commission ..2357	<i>Sale by Sealed Bid</i>2359	Homeless Services2360	Transportation2363
Parks and Recreation2358	<i>Division of Real Estate Services</i>2359	<i>Office of Contracts and Procurement</i> ..2360	Changes in Personnel2363
Small Business Services2358	Police2359	<i>Procurement</i>2360	LATE NOTICE
Transportation2358	PROCUREMENT	Housing Preservation and Development 2360	Transportation2363
COURT NOTICES	Citywide Administrative Services2359	<i>Division of Maintenance</i>2360	READERS GUIDE2364
Supreme Court2358	<i>Division of Municipal Supply Services</i> 2359	Juvenile Justice2360	

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

STATEN ISLAND BOROUGH PRESIDENT

PUBLIC MEETING

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

a26-s1

HOUSING AUTHORITY

MEETING

SPECIAL NOTICE

Please be advised that the New York City Housing Authority's Board Meeting scheduled for **Wednesday, September 1, 2010** has been **rescheduled to Tuesday, August 31, 2010 at 10:00 A.M. in the Board Room on the 12th Floor at 250 Broadway, N.Y., N.Y.**

a23-31

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **September 07, 2010 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 10-8887 - Block 8106, lot 5 - 8 Prospect Avenue, aka 42-25 240th Street - Douglaston Hill Historic District
A Queen Anne style free-standing house designed by John A. Sinclair and built in 1899-1900. Application is to construct additions, an entrance portio, and terrace; modify masonry

openings; install skylights; and alter a garage and driveway. Zoned R1-2. Community District 11.

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

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

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

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

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

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

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

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

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-8866 - Block 46, lot 9 - 14 Wall Street - 14 Wall Street Building-Individual Landmark
A Classical Revival style office building designed by Trowbridge & Livingston, and built in 1910-12, with a

Modern Classic style addition designed by Shreve, Lamb & Harmon and built in 1931-33. Application is to install two escalators. Community District 1.

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

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

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

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

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

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-0608 - Block 529, lot 72 - 65 Bleecker Street - Bayard-Condict Building, Individual Landmark
A Sullivan-esque style office building designed by Louis Sullivan and built in 1897-99. The application is to install signage. Community District 2.

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

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-1642 - Block 590, lot 1-257 Bleecker Street - Greenwich Village Historic District Extension II
An altered-Federal style brick rowhouse built in 1829 with alterations in 1921 and 1930. Application is to install new storefront infill. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-0414 - Block 590, lot 2 263 Bleecker Street - Greenwich Village Historic District Extension II
A Renaissance Revival style tenement building designed by Horenburger & Straub and built c.1904. Application is to install storefront infill and signage. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-0431 - Block 1047, lot 7502 - 300 West 57th Street - Hearst Magazine Building-Individual Landmark
An Art-Deco/Viennese Secessionist style office building designed by Joseph Urban and Geroge B. Post and Sons, and built in 1927-1928. Application is to install signage and a marquee. Zoned C6-6. Community District 5.

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

PARKS AND RECREATION

JOINT PUBLIC HEARING

NOTICE OF A JOINT PUBLIC HEARING of the Franchise and Concession Review Committee and the New York City Department of Parks and Recreation to be held on Tuesday, September 7, 2010 at 22 Reade Street, Borough of Manhattan, commencing at 2:30 p.m. relative to:

INTENT TO AWARD as a concession the operation of one (1) mobile food unit for the sale of specialty food items on the terrace adjacent to Tavern on the Green, located at 67th Street and Central Park West, Central Park, Manhattan, for a one-year term, with one (1) one-year renewal option, exercisable at Parks' sole discretion, to Ladle of Love, Ltd. Compensation to the City will consist of a guaranteed annual flat fee as follows: Year 1: \$100,000; Year 2: \$100,000 (if Parks chooses to exercise renewal option).

LOCATION: A draft copy of the permit agreement may be reviewed or obtained at no cost, commencing Tuesday, August 31, 2010, through Tuesday, September 7, 2010, between the hours of 9:00 a.m. and 5:00 p.m., excluding weekends and holidays at the NYC Department of Parks and Recreation, located at 830 Fifth Avenue, Room 313, New York, NY 10065.

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

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

☛ a26

SMALL BUSINESS SERVICES

PUBLIC HEARINGS

On behalf of
THE CITY COUNCIL
NOTICE OF PUBLIC HEARING

The City Council, by resolution adopted on August 25, 2010, set September 16, 2010 as the date, 10:00 A.M. as the time, and the City Council Hearing Room, 16th Floor, 250 Broadway, New York, New York 10007, as the place for a public hearing (the "Public Hearing") to hear all persons interested in the proposed legislation which would amend the district plan of the 34th Street Business Improvement District (the "District") in the Borough of Manhattan. The district plan shall be amended in accordance with the second amendment to the district plan ("Second Amendment to the District Plan") on file at the Office of the City Clerk. The City Council has authorized the New York City Department of Small Business Services to publish, on its behalf, this notice of the Public Hearing containing the information required by Section 25-406(c) of the Administrative Code of the City of New York and summarizing the resolution adopted.

The Second Amendment to the District Plan seeks to increase the total maximum amount to be expended for improvements, to update and modify supplemental services, and to make a change in the method of assessment upon which a district charge is based.

The District includes the commercial areas that adjoin 34th Street, the areas generally encompasses: the west side of Park Avenue, on the east, to the east side of Tenth Avenue, on the west; between Fifth and Tenth Avenues, block faces are 800-feet long; between Fifth and Park Avenues, block faces are 450-feet long; from north to south, between streets, block faces are generally 200-feet long. Services to be provided in the District shall include, but not be limited to, supplemental sanitation; security; management of taxi waiting areas; visitor services; retail services; public events; horticulture; streetscape maintenance; holiday decorations; administration of the District; and additional services required for the enjoyment and protection of the public, and the promotion and enhancement of the District (hereinafter, "Services"). Pursuant to the Amended District Plan, capital improvements (hereinafter "Improvements") may include, but shall not be limited to, improvements to Herald and Greeley Squares, light poles, litter receptacles, bike racks, benches, newsbox program, hanging baskets, planters, tree pits, parking signs, wayfinding sign system, information kiosks, illuminated street name signs, curb cuts, and taxi stands. In addition, new Improvements under development include: history sign system, horticultural green walls, NYPD cameras signs, and subway entrances. During the existence of the BID, the maximum cost of the Improvements shall not exceed \$50 million. The District shall be managed by the 34th Street Partnership, Inc.

To defray the cost of Services and Improvements provided in the District, all real property in the District shall be assessed in proportion to the benefit such property receives from the Services and Improvements. Each property shall be assessed at a rate, determined annually by the 34th Street Partnership, Inc., to yield an amount sufficient to meet the District's annual budget. The annual assessment budget for the District's operation under the Amended District Plan is \$9,291,500.

Per Square Foot Assessment = the annual BID assessment budget divided by the following sum:

(gross building square footage of all properties in Class B + 0.60 x gross building square footage of all properties in Class C + 0.67 x gross building square footage of all properties in Class D + 1.39 x gross square footage of all properties in Class E)

Those properties within the District which are devoted primarily to the provision of services, commercial uses, commonly referred to as office buildings shall constitute Class B properties and shall be assessed in the following manner:

Class B assessment = Gross building square footage on a given assessable property x Per Square Foot Assessment

Those properties within the District which are devoted primarily to residential use shall constitute Class C properties and shall be assessed in the following manner:

Class C assessment = 0.60 x Gross building square footage on a given assessable property x Per Square Foot Assessment
Those properties with over 200,000 square feet of gross building area within the District, which are devoted primarily to the sale of merchandise to the general public, such as shopping malls and department stores shall constitute Class D properties and shall be assessed in the following manner:

Class D assessment = 0.67 x Gross building square footage on a given assessable property x Per Square Foot Assessment

Those properties within the District which are vacant land shall constitute Class E properties and shall be assessed in the following manner:

Class E assessment = 1.39 x Gross building square footage on a given assessable property x Per Square Foot Assessment

Those properties within the District which are exempt from real estate taxes shall constitute Class F properties and shall be exempt from assessment.

The amount, exclusive of debt service, assessed and levied in any given year against benefited real property within the District may not exceed twenty percent (20%) of the total general City taxes levied in such year against such properties.

Copies of the resolution adopted by the City Council, which include a copy of the Second Amendment to the District Plan, are available for public inspection from 9:00 A.M. to 4:00 P.M. Monday through Friday at the Office of the City Clerk located at 141 Worth Street, New York, New York 10013. In addition, copies of the resolution are available free of charge to the public at the Office of the City Clerk.

☛ a26

TRANSPORTATION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday, September 1, 2010. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing 415/22 Associates, LLC to construct, maintain and use a fenced-in area, together with planted area, on the north sidewalk of West 22nd Street, west of Ninth Avenue, in the Borough of Manhattan.

The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2021 and provides among other terms and conditions for compensation payable to the city according to the following schedule:

From the date of Approval by the Mayor to June 30, 2011 - \$1,500/annum
For the period July 1, 2011 to June 30, 2012 - \$1,546
For the period July 1, 2012 to June 30, 2013 - \$1,592
For the period July 1, 2013 to June 30, 2014 - \$1,638
For the period July 1, 2014 to June 30, 2015 - \$1,684
For the period July 1, 2015 to June 30, 2016 - \$1,730
For the period July 1, 2016 to June 30, 2017 - \$1,776
For the period July 1, 2017 to June 30, 2018 - \$1,822
For the period July 1, 2018 to June 30, 2019 - \$1,868
For the period July 1, 2019 to June 30, 2020 - \$1,914
For the period July 1, 2020 to June 30, 2021 - \$1,960

the maintenance of a security deposit in the sum of \$7,500 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#2 In the matter of a proposed revocable consent authorizing Plaxall, Inc. to continue to maintain and use a fenced-in area on and along the east sidewalk of Jackson Avenue, south of 47th Road, in the Borough of Queens. The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides among other terms and condition for compensation payable to the city according to the following schedule:

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

the maintenance of a security deposit in the sum of \$21,400 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#3 In the matter of a proposed revocable consent authorizing Bloomingdale Woods Homeowners Association, Inc. to continue to maintain and use a force main, together with manholes, and a gravity sewer pipe under and along Veterans Road East, between Pitney Avenue and Poplar Avenue, in the Borough of Staten Island.

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

For the period July 1, 2008 to June 30, 2009 - \$70,008
For the period July 1, 2009 to June 30, 2010 - \$72,108
For the period July 1, 2010 to June 30, 2011 - \$74,315
For the period July 1, 2011 to June 30, 2012 - \$76,522

For the period July 1, 2012 to June 30, 2013 - \$78,729
For the period July 1, 2013 to June 30, 2014 - \$80,936
For the period July 1, 2014 to June 30, 2015 - \$83,143
For the period July 1, 2015 to June 30, 2016 - \$85,350
For the period July 1, 2016 to June 30, 2017 - \$87,557
For the period July 1, 2017 to June 30, 2018 - \$89,764

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

#4 In the matter of a proposed revocable consent authorizing Ramaz School to continue to maintain and use an electrical conduit under and along East 85th Street, west of Lexington Avenue, in the Borough of Manhattan.

The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides among other terms and condition for compensation payable to the city according to the following schedule:

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

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

a12-s1

COURT NOTICES

SUPREME COURT

NOTICE

QUEENS COUNTY IA PART 8 NOTICE OF ACQUISITION INDEX NUMBER 5208/2010

In the Matter of the Application of the

NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY,

Petitioner,

To Acquire By Exercise of its Powers of Eminent Domain Title in Fee Simple Absolute To Certain Real Property Known as Tax Block 1247, Lots 40 and 41, Located in the Borough of Queens, City of New York, in Connection With the Construction of I.S. 230Q, Annex- Queens

PLEASE TAKE NOTICE, that by order of the Supreme Court of the State of New York, County of Queens, IA Part 8 (Hon. Jaime A. Rios, J.S.C.), duly entered in the office of the Clerk of the County of Queens on July 30, 2010, the application of the Petitioner, New York City School Construction Authority ("the Authority"), to acquire certain real property for the construction of intermediate school I.S. 230Q Annex – Queens, was granted and the Authority was thereby authorized to file an acquisition map with the Office of the City Register. Said map, showing the property acquired by the Authority, was filed with the City Register on August 5, 2010. Title to and possession of the real property vested in the Authority on August 5, 2010.

PLEASE TAKE FURTHER NOTICE, that the Authority has acquired the following parcels of real property:

Damage Parcel	Block	Lot
1	1247	40
2	1247	41

PLEASE TAKE FURTHER NOTICE, that pursuant to said Order and to §§ 503 and 504 of the Eminent Domain Procedure Law of the State of New York, each and every person interested in the real property acquired in the above-referenced proceeding and having any claim or demand on account thereof is hereby required, on or before 180 days, to file a written claim with the Clerk of the Court of Queens County, and to serve within the same time a copy thereof on the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, New York 10007. Pursuant to EDPL § 504, the claim shall include:

- the name and post office address of the condemnee;
- reasonable identification by reference to the acquisition map, or otherwise, of the property affected by the acquisition, and the condemnee's interest therein;
- a general statement of the nature and type of damages claimed, including a schedule of fixture items which comprise part or all of the damages claimed; and,
- if represented by an attorney, the name, address and telephone number of the condemnee's attorney.

Pursuant to EDPL § 503(C), in the event a claim is made for fixtures or for any interest other than the fee in the real property acquired, a copy of the claim, together with the

schedule of fixture items, if applicable, shall also be served upon the fee owner of said real property.

Dated: August 10, 2010, New York, New York
 MICHAEL A. CARDOZO
 Corporation Counsel of the City of New York
 100 Church Street
 New York, New York 10007
 Tel. (212) 788-0446

a16-31

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AUCTION

PUBLIC AUCTION SALE NUMBER 11001-E

NOTICE IS HEREBY GIVEN of a public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, September 1, 2010 (SALE NUMBER 11001-E). Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

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

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

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

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

a20-s1

■ SALE BY SEALED BID

SALE OF: 1 LOT OF 28,800 LBS. OF ONCE FIRED ASSORTED CALIBER CARTRIDGE CASES

S.P.#: 11003 DUE: August 31, 2010

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.
 For sales proposal contact Gladys Genoves-McCauley (718) 417-2156 for information.

a18-31

SALE OF: 10 USED HOPPER BARGES.

S.P.#: 11005 DUE: September 9, 2010

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.
 For sales proposal, contact Gladys Genoves-McCauley (718) 417-2156.

a26-s9

DIVISION OF REAL ESTATE SERVICES

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

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

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

Manhattan, Block 1485, Part of Lot 1

Property Description: Unimproved land located at the north side of East 73rd Street, approximately 384 feet east of York Avenue
 Minimum Monthly Bid: \$8,850
 Inspection Dates:
 Thursday, August 12, 2010, 1:30 P.M. to 2:30 P.M.
 Friday, August 20, 2010, 1:30 P.M. to 2:30 P.M.

Queens, Block 14260, Part of Lot 1

Property Description: Unimproved land located south of the south side of 146th Avenue between 153rd Court and 157th Street, starting at a point approximately 84 feet west and 50 feet south of the northwest corner of 157th Street and 146th Avenue
 Minimum Monthly Bid: \$22,500
 Inspection Dates:

Friday, August 13, 2010, 9:30 A.M. to 10:30 A.M.

Wednesday, August 18, 2010, 1:30 P.M. to 2:30 P.M.

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

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

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

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

Queens, Block 13420, Lots: 8 and 999

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

Inspection Dates:
 Friday, August 13, 2010, 1:00 P.M. to 2:00 P.M.
 Wednesday, August 18, 2010, 10:00 A.M. to 11:00 A.M.
 In accordance with New York City Concession Rules (Title 12 of the Rules of the City of New York), the properties listed below will be offered through Request For Bids:

Brooklyn, Block 803, Part of Lot 5

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

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

Brooklyn, Block 803, Part of Lot 5

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

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

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

jy29-s2

POLICE

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

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

Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for 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

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ 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

DESIGN & CONSTRUCTION

■ AWARDS

Construction / Construction Services

STUDIO MUSEUM OF HARLEM ELEVATOR UPGRADE, MANHATTAN – Competitive Sealed Bids – PIN# 8502010PV0007C – AMT: \$963,469.00 – TO: Centennial Elevator Industries, Inc., 23-82 Brooklyn Queens Expressway West. Project ID: PV525-ELV.
● GRINDING EXISTING ASPHALTIC CONCRETE WEARING COURSE IN PREPARATION OF RESURFACING THEREON BY OTHERS AT DESIGNATED LOCATIONS, CITYWIDE – Competitive Sealed Bids – PIN# 8502010HW0026C – AMT: \$9,000,919.00 – TO: Restani Construction Corp., 42-04 Berrian Blvd., Astoria, NY 11105. Project ID: HW2CR11CW.

a26

OFFICE OF EMERGENCY MANAGEMENT

■ AWARDS

Services (Other Than Human Services)

EMERGENCY HAZARDS PLANNING AND PREPAREDNESS STUDIES – Government to Government – PIN# 01710T0001 – AMT: \$3,000,000.00 – TO: US Army Corps of Engineers Research and Development Center, USAED New York, 26 Federal Plaza, Room 1909, New York, NY 10278.

Pursuant to the Procurement Policy Board (PPB) Rules, Section 3-13 for government-to-government procurements, the New York City Office of Emergency Management (NYC OEM) has awarded a contract to the United States Army Corps of Engineers (USACE) to provide assistance with hurricane and other hazards planning and preparedness studies. The contract term shall be from 7/1/10 - 6/30/16.

a26

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

Goods

ELECTRODE CELL TYPE D CELL HAS ALLOY

ELECTRODES – Sole Source – Available only from a single source - PIN# 231-11-017SS – DUE 08-31-10 AT 10:00 A.M. – The North Brooklyn Health Network intends (NBHN) to enter into a sole source contract for the US Patent #6929740 ionization cell - D Cell - HAS (70 percent cu/30 percent ag) Alloy Electrodes, with Enrich Products, Inc., 1018 Penn Avenue, Pittsburgh, PA 15221.

Any other supplier who is capable of providing this product for the NBHN may express their interest in doing so by writing to Millicent Thompson, Procurement Analyst, 100 North Portland Avenue, Rm. C-32, Brooklyn, NY 11205 or Millicent.Thompson@woodhullhc.nychhc.org on or before 10:00 A.M. Monday, August 30, 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, Rm. C-32, Brooklyn, NY 11205.
Millicent Thompson (718) 260-7686, fax: (718) 260-7619, millicent.thompson@woodhullhc.nychhc.org

a23-27

HOMELESS SERVICES

AWARDS

Human/Client Service

TIER 11 SHELTER – Renewal – PIN# 071-11R-003-052 – AMT: \$2,672,969.00 – TO: Home for the Homeless, 50 Cooper Square, 4th Floor, New York, NY 10003.

● **TIER 11 SHELTER** – Renewal – PIN# 071-11R-003-054 – AMT: \$4,040,816.00 – TO: Homes for the Homeless, 50 Cooper Square, 4th Floor, New York, NY 10003.

a26

TIER 11 SHELTER – Renewal – PIN# 071-11R-003-055 – AMT: \$10,570,193.00 – TO: Homes For The Homeless, 50 Cooper Square, 4th Floor, New York, NY 10003.

a26

Services (Other Than Human Services)

TRANSPORTATION SERVICES – Competitive Sealed Bids – PIN# 071-10B0022001 – AMT: \$8,035,985.10 – TO: Vallo Transportation Ltd., 129-02 23rd Ave., College Point, N.Y. 11356.

a26

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, mzmaira@dhs.nyc.gov

j6-20

PROCUREMENT

INTENT TO AWARD

Services (Other Than Human Services)

MAINTENANCE AND SUPPORT SERVICES FOR ORACLE LICENSES – Sole Source – Available only from a single source - PIN# 071-11S-04-1492 – DUE 09-07-10 AT 2:00 P.M. – The Department of Homeless Services (DHS) intends to negotiate a sole source contract with Oracle Corporation to provide software maintenance and technical support services for Oracle programs purchased by DHS. This contract will be done via Sole Source pursuant to Section 3-05 (c)(1)(i) of the Procurement Policy Board Rules to solicit expressions of interest from potential vendors qualified to compete.

It is anticipated that the contract with Oracle Corporation will be from July 1, 2010 to June 30, 2011.

Any qualified vendor(s) that believes they can provide this service are encouraged to submit a written Expression of Interest (EOI) by September 7, 2010, by 2:00 P.M. to: Department of Homeless Services, 33 Beaver Street, 13th Floor, NY, NY 10004. Janine Woodley-Brown, Deputy Agency Chief Contracting Officer, (212) 361-8415, fax: (917) 637-7077, jwoodley@dhs.nyc.gov

a23-27

HOUSING PRESERVATION & DEVELOPMENT

DIVISION OF MAINTENANCE

VENDOR LISTS

Construction/Construction Services

PREQUALIFICATION – Pre-Qualification Application and Information for inclusion on a Pre-Qualified Bidders List may be obtained: in person, Monday through Friday between the hours of 10:00 A.M. - 12:00 noon and 2:00 P.M. - 4:00 P.M.; by writing to HPD, Division of Maintenance, Contractor Compliance Unit, 100 Gold Street, Room 6J, New York, NY 10038; or by visiting HPD's Website at www.nyc.gov/hpd

Pre-Qualified Bidders List: The Contractor Compliance Unit in the Division of Maintenance requests applications from

contractors who are qualified to perform emergency and non-emergency repairs, maintenance and construction related work in residential and commercial buildings in all boroughs of New York City.

The Pre-Qualified Bidders List will be used to solicit invitations to bid on a high volume of maintenance, repair and construction related Open Market Orders (OMOs) and Purchase Orders (POs) valued up to \$100,000, except for Demolition Work. As part of the approval process, vendors will be provided with the opportunity to participate in a 24-hour panel, which is a sub-set of the Pre-Qualified Bidders List. Contractors with: positive integrity; financial capabilities; knowledge and experience; record of compliance with all Federal, State, and Local laws, rules, licensing requirements, where applicable, and executive orders, including but not limited to compliance with existing labor standards; a commitment to working with Minority and Women Business Enterprises, are encouraged to apply for inclusion on lists for the following trades:

ASBESTOS ANALYSIS AND ABATEMENT
- Analysis - Third Party Monitoring - Abatement

BOILER REPAIRS

- Boiler Rental - Boiler Installation - HVAC, including Duct Work - Emergency Gas Restoration - Emergency Gas and Oil Heat/Hot Water Restoration

DEMOLITION

- Demolition of entire buildings and/or land clearing of development sites - Bracing and Shoring

ELECTRICAL REPAIRS

- Repairs/Removal of Electrical Violations - Fire Alarm Systems

ELEVATOR REPAIR AND MAINTENANCE

GENERAL CONSTRUCTION

- Concrete - Masonry - Carpentry - Roofs - Sidewalk Bridges(Steel Pole, Permanent and Raster) - Windows and Window Guards - Fencing - Scrape and Plaster and Paint

INTERCOM SYSTEMS

IRON WORK

- Fire Escape Repair/Replacement - Stairwell Repair/Replacement - Welding

LEAD BASED PAINT ANALYSIS AND ABATEMENT

- Abatement - Analysis (Dust Wipe/Paint Chip/Soil)- XRF Testing

MOLD AND MILDEW ABATEMENT

MOVING, RELOCATION AND FURNITURE STORAGE SERVICES

OIL SPILL REMOVAL AND CLEAN UP

- Testing
- Remediation and Clean Up

PEST CONTROL SERVICES

PLUMBING REPAIRS

- Plumbing Repairs - Water Mains - Sewer Mains - Water Towers - Sprinkler Systems - Septic Systems - Sewer Stoppage

RUBBISH AND TRADE WASTE

- Clean Outs - Roll-Off Containers

SOIL AND WATER QUALITY TESTING

- Industrial Hygienist Services - Chemical Analysis for Organics and Heavy Metals

All Contractors performing Lead Abatement and XRF Testing, must be EPA Certified. Contractors involved in all other trades must take EPA Approved, One-day 'Lead Safe Practices' and 'Train the Trainer' courses. Contractors must be appropriately licensed to perform their designated trades; general construction applicants must have a Home Improvement contractors license from the NYC Department of Consumer Affairs. All contractors who perform work that disturbs specific amounts of lead paint in dwelling units with children under age six must be EPA certified lead abatement firms and workers must be specially trained. All contractors who perform work that disturbs lead in any pre-1978 dwelling must additionally be licensed EPA Renovation firms.

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

Housing Preservation and Development, 100 Gold Street, Room 6J, New York, NY 10038.
Barbara Schechter (212) 863-7815, schechth@hpd.nyc.gov

a23-27

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

AGENCY RULES

ENVIRONMENTAL PROTECTION

NOTICE

NOTICE OF PUBLIC HEARING AND OPPORTUNITY TO COMMENT

PROPOSED AMENDMENTS TO CHAPTER 16 OF TITLE 15 OF THE RULES OF THE CITY OF NEW YORK: RULES FOR THE RECREATIONAL USE OF WATER SUPPLY LANDS AND WATERS

IN COMPLIANCE WITH SECTION 1043(b) OF THE NEW YORK CITY CHARTER NOTICE IS HEREBY GIVEN of the intention of the Department of Environmental Protection to amend §16-02, §16-03, §16-04, §16-05, §16-06, §16-07, §16-12 and §16-19 of Chapter 16 of Title 15 of the Rules of the City of New York, the NYCDEP Rules for the Recreational Use of Water Supply Lands and Waters.

The proposed rules would be promulgated pursuant to the authority of the Department of Environmental Protection as set forth in §1043(a) of the New York City Charter, and §§24-315, 24-326, 24-327 and 24-359 of the New York City Administrative Code.

Further notice is hereby given that the Department of Environmental Protection will hold hearings on the proposed rules on the following dates:

LOCATION	DATE	TIME
1 Lefrak City Plaza 59-17 Junction Boulevard 3rd floor - Cafeteria Flushing, NY 11373	September 30, 2010 (Thursday)	3:00 P.M. - 5:00 P.M.
Belleayre Mountain 181 Galli Curci Road Discovery Lodge Highmount, NY 12441	October 4, 2010 (Monday)	7:00 P.M. - 9:00 P.M.
Sparkle Lake Service Building 178 Granite Springs Road Meeting Room Yorktown Heights, NY 10598	October 6, 2010 (Wednesday)	7:00 P.M. - 9:00 P.M.

Persons interested in pre-registering to speak should give written notice by United States Postal Service (USPS) mail to Melissa Siegel, Department of Environmental Protection, Bureau of Legal Affairs, 59-17 Junction Blvd., 19th floor, Flushing, NY, 11373-5108 or by electronic mail to rules@dep.nyc.gov. Please include a telephone number where you can be reached during normal working hours. Speakers will be limited to five minutes. Person who require a sign language interpreter or other form of reasonable accommodation for disability are asked to notify Ms. Siegel at least ten days prior to the hearing date. Registration to testify at the hearings will also be accepted at the door until 4:30 pm at 1 Lefrak City Plaza and until 8:30 pm at Belleayre Mountain and Sparkle Lake Service Building, however, preference in order of testimony will be given to those who pre-register.

Persons wishing to submit written comments may submit their comments to Ms. Siegel by either USPS or electronic mail to the addresses above. Written comments must be received by 5:00 P.M. on October 15, 2010.

A copy of the proposed rules may be obtained from the offices of the Department of Environmental Protection, Bureau of Legal Affairs, 59-17 Junction Blvd., 19th floor, Flushing, NY, 11373-5108 and at www.nyc.gov/dep.

Written comments and transcripts of the public hearings will be available for public inspection within a reasonable time after receipt of a request at either of the addresses above, between the hours of 10:00 A.M. and 4:00 P.M. at the offices of the Department of Environmental Protection, Bureau of Legal Affairs, 59-17 Junction Blvd., 19th floor, Flushing, NY, 11373-5108.

The language to be deleted is bracketed (*deletion*) and the new parts to be added are underlined (*addition*).

STATEMENT OF BASIS AND PURPOSE

The rules have a number of purposes. First, the rules make the definition of "group" consistent with the number of people eligible to receive a Group Access Permit. Second, the rules prohibit certain fishing equipment due to the threat of invasive species from such equipment. Third, the rules establish a maximum amount that NYCDEP can charge to retrieve a boat that has been removed from the water and stored by NYCDEP and limit boaters' abilities to change Boat Storage Areas to facilitate NYCDEP's management of Boat Storage Areas. Fourth, the rules expand year-round boating to the Kensico and New Croton reservoirs and, when available, enable all boaters to use steam cleaning facilities belonging to non-NYCDEP entities. Fifth, the rules establish a penalty schedule for violation of the rules.

The proposed rules are derived from historical recreational uses of the lands that are recognized in the New York City Watershed Memorandum of Agreement dated January 21, 1997, and are not intended to establish supervised recreational activities on these lands.

NYCDEP Rules for the Recreational Use of Water Supply Lands and Waters

Section 1. Subdivision (j) of section 16-02 of Title 15 of the Rules of the City of New York is amended to read as follows:

(j) **Group.** "Group" means any congregation of individuals in excess of [twelve] six (6) people and shall not consist of more than thirty (30) individuals.

§2. Subdivision (c) of section 16-03 of Title 15 of the Rules of the City of New York is amended to read as follows:

(c) **Eligibility.** Individuals aged 12 years or older who do not have an outstanding Access Permit suspension or revocation[;], do not have a valid current Access Permit[;], and are not otherwise restricted for security or public safety

reasons from applying are eligible to receive an Access Permit. Individuals under the age of 18 must have the written consent of their parent or legal guardian indicated on their Access Permit application.

§3. Subdivision (e) of section 16-03 of Title 15 of the Rules of the City of New York is amended to read as follows:

(e) **Internet Submission and Processing.** The NYCDEP Access Permit application may be completed and submitted [, and Access Permits issued through] on the NYCDEP website. Access Permit issuance letters, Access Permits and corresponding Vehicle Tags may be printed directly from the NYCDEP website. NYCDEP is not responsible for electronic delivery errors or limitations of equipment and services not maintained by NYCDEP that may cause delays or prevent printing.

§4. Subdivisions (f), (g), (h), (i), (j), (k), (l), (m), (n), (o) and (p) of section 16-03 of Title 15 of the Rules of the City of New York are amended and relettered to read as follows:

(f) **Internet Processing.** For applications submitted through the interactive NYCDEP website:

- (1) An Access Permit issuance letter, Access Permit and corresponding Vehicle Tag may be printed directly from the NYCDEP website.
- (2) Processing time will generally be immediate. NYCDEP is not responsible for limitations of equipment and services not maintained by NYCDEP or its representatives that may cause delays or prevent printing.

(g) **Mail Submission and Processing.** Completed Access Permit applications may be submitted by United States Postal Service ("USPS") mail to the address on the form.

(h) **Mail Processing.** Accepted applications submitted by USPS mail shall [include the following steps]_proceed as follows:

(1) An Access Permit issuance letter and Access Permit shall be generated and mailed with the corresponding Vehicle Tag within two weeks of receipt, except in unusual circumstances, directly to the address [on file for the permittee] submitted on the application.

(2) Processing time shall generally be within two weeks of application receipt, except in unusual circumstances.

(3) Mailings may be accompanied by other official NYCDEP communications, e.g. the *Watershed Recreation* newsletter, notices, and other recreational use materials.

(i) **Returned Mailings.** Addresses on any [Mailings] mailings returned to NYCDEP as undeliverable by the USPS shall be [handled as follows]:

- (1) If a forwarding address is provided by USPS, the contact information shall be updated accordingly in NYCDEP files and the returned mailing re-mailed to the new address on file;
- (2) If no forwarding address is provided, the address will be checked [verified for accuracy and [corrected and] re-mailed if necessary]; updated via telephone or electronic mail, and re-mailed if necessary; and/or status marked "invalid" in NYCDEP files and excluded from all further Access Permit mailings, the returned mail filed, and contact attempts documented]. Applicants are responsible for maintaining current, accurate contact information with NYCDEP. NYCDEP shall not be responsible for USPS delivery errors or lost mail.

(j)(g) **Refusal.** Rejected applications shall be returned to the applicant, accompanied by a letter identifying the reason(s) for refusal, generally within two weeks of application receipt or by electronic means through the Internet. Within ten days of receipt of the communication, the applicant may provide NYCDEP with an appeal of NYCDEP's refusal to issue an Access Permit that shall include any relevant information pertaining to the basis for the refusal. Upon examination of the circumstances and generally within two weeks of receipt, NYCDEP will either uphold the refusal or revise its prior decision and issue an Access Permit upon such terms and conditions as may be appropriate. The applicant will be notified of NYCDEP's determination in writing. Grounds for refusal of an Access Permit include the following:

- (1) Incomplete or illegible application;
- (2) Failure to meet application eligibility requirements;
- (3) Submission of false information;
- (4) Current, valid Access Permit status.

(k)(h) **Term.** An Access Permit is valid for the period of five (5) years, or the period indicated thereon, expiring on the permit holder's day and month of birth, unless revoked, suspended or altered by NYCDEP.

(l)(i) **Renewal.** An Access Permit renewal application shall be sent via electronic or USPS mail to the address on file for each valid Access Permit holder generally two months prior to the Access Permit expiration date. Content of an Access Permit renewal application shall include confirmation of the permit holder's information on file, as well as user survey questions, if any. Access Permit renewal processing shall be as provided for initial application, except that Vehicle Tags do not expire, and therefore will not be renewed. Applicants may renew their Access Permits by returning the application by USPS mail or through the NYCDEP website.

(m)(j) **Replacement.** Lost or destroyed Access Permits may be replaced upon the permit holder's written request to NYCDEP by USPS or electronic mail. Electronically requested replacements may be printed immediately. Replacements requested by USPS mail will generally be issued within two weeks.

(n)(k) **Notifications.** Notices to Access Permit holders shall be sent to the address on record with NYCDEP. It is the Access Permit holder's responsibility to inform NYCDEP of any changes to the address and information submitted on a permit application or renewal form.

(o)(l) **Updating [Registration] Contact Information.** It is the Access Permit holder's responsibility to inform NYCDEP of any changes to the contact information submitted on his or her application. Access Permit holders shall notify NYCDEP in writing, [via either by electronic [mail] or USPS mail, of any such changes [to their contact

information on file with NYCDEP]. Failure to do so may result in the Access Permit holder not receiving important [communications] notifications, such as boat [removal] removals, [or] area closure notices or Access Permit renewal notices. Access Permit holders may use the Access Permit Update Form to submit [such] contact changes or update their information on the NYCDEP website. This form [shall be] is available for download from or completion on the NYCDEP website and for pick-up at NYCDEP facilities in New York City, NYCDEP offices throughout the Watershed and such other locations as indicated on the NYCDEP website.

(p)(m) **Transferability.** An Access Permit is not transferable and may be used only by the person to whom it has been issued.

§5. Subdivision (h) of section 16-04 of Title 15 of the Rules of the City of New York is amended to read as follows:

(h) **Fishing Equipment.** The following equipment rules apply to Fishing:

- (1) Waterproof waders shall be used when entering water for purposes of Fishing. Due to the potential threat of invasive species being transferred from waders into the NYC water supply, NYCDEP reserves the right to prohibit certain waders from use in the watershed. A list of waders prohibited from use is posted on the NYCDEP website.
- (2) Temporary, portable, fabric fishing shelters and windbreaks may be used for ice fishing on City Property. Shelters shall contain the occupant's name and Access Permit number. Wood or metal shelters are not permitted.
- (3) Ice fishing equipment, including shelters and windbreaks, shall remain within view of the occupant and shall be removed from City Property by the occupant when not in use or at the end of each day, whichever is sooner.
- (4) Use of float tubes or inflatable waders is prohibited.
- (5) Motorized fishing equipment is prohibited on City Property, including but not limited to [power] powered ice augers and trolling motors. Automotive type batteries shall not be used to power lights or fishing equipment.
- (6) Anglers may carry pocket or hunting knives for purposes of Fishing.

§6. The first unnumbered paragraph and subdivisions (a), (c), (d), (e), (f), (i), (k), (n), (p), (q), (r), (s), (t) and (u) of section 16-05 of Title 15 of the Rules of the City of New York are amended to read as follows:

§16-05 Boat Tag.

Due to the threat of Water Supply contamination by organisms such as zebra mussel larvae that may be introduced to City waters by boats previously used in contaminated waters, all boats used on City Property shall be registered and steam cleaned by NYCDEP or its designees, when available, as listed on the NYCDEP website, and [permanently] stored on-site in Boat Storage Areas designated by NYCDEP. All boats on City Property must have a valid Boat Tag affixed thereto.

(a) **Application.** Boat Tag applications shall be available at the same locations as Access Permit applications as indicated in §16-03(a) above. [No application fee is required.]

(c) **Eligibility.** Valid Access Permit holders aged 16 years or older who do not have an outstanding Access Permit suspension or revocation[;], are not otherwise restricted for security or public safety reasons from applying by NYCDEP[;], and who own the rowboat that they are registering are eligible to receive a Boat Tag for the boat documented on the application. Applicants under 18 need parental or legal guardian consent. Each Boat Tag will be issued to one boat owner only. Access Permit holders may apply for Boat Tags for more than one boat.

(d) **Application Submission and Appointment.** Boat Tag applications shall be submitted to NYCDEP or its designee, when available, as listed on the NYCDEP website, at the boat registration appointment on the day the boat is to be placed on a reservoir or lake. The appointment must be made in advance by contacting the NYCDEP office nearest the reservoir where the boat will be located, or the NYCDEP designee, when available, as listed on the NYCDEP website. Boat owners shall speak directly with a NYCDEP representative or the designee's representative and provide their name, telephone number, valid Access Permit number, and desired Boat Storage Area in order to make a processing appointment. Completed applications shall be submitted in person at the processing appointment. Boat Tag applications may be completed in advance of the appointment. A boat owner who is unable to attend his or her appointment shall notify NYCDEP or its designee in advance. Appointments may be rescheduled to a later available date.

(e) **Boat Processing and Tag Issuance.** A boat owner shall attend the processing appointment for his or her boat in person and shall bring his or her boat, valid Access Permit, and government-issued photo identification. A boat processing appointment shall consist of the following steps:

- (1) The boat owner shall submit the completed Boat Tag application.
- (2) Access Permit data on file shall be confirmed with the applicant. This information shall include contact information and Access Permit status.
- (3) Boat type, shape, size, color, make, model, serial number, absence of possible contaminants, and apparent seaworthiness shall be confirmed and entered into the file.
- (4) Boats shall be steam cleaned by NYCDEP on all surfaces to remove any possible Water Supply contaminants such as zebra mussel larvae.
- (5) A unique boat number shall be assigned to the boat.
- (6) The boat number shall be painted by NYCDEP on both sides of the bow hull above the anticipated immersion line using permanent white or black paint, whichever color is most visible given the color of the boat.
- (7) An appropriately dated Boat Tag shall be completed in permanent ink and affixed to the exterior port-side bow. Boat Tag completion shall include:

writing the boat owner's Access Permit number in the appropriate field; writing the reservoir prefix, if any, and boat number in the appropriate field; and punching out the appropriate [water supply] Water Supply location abbreviation.

(8) [The boat owner shall receive from NYCDEP at] At the processing appointment the boat owner shall receive the following information [including]: a copy of the current rules, if the boat owner does not already have one[;], a current *Watershed Recreation* newsletter, if desired[;], a map and/or directions to the designated Boat Storage Area for their boat[;], a verbal summary of important rules and conditions, including the Boat Tag expiration and renewal process, boat storage requirements, and the procedures for boat removal and disposal.

(9) Upon completion of the boat cleaning and processing appointment, the boat owner shall immediately place the registered boat on the appropriate water body or at the assigned Boat Storage Area without storing or placing the boat in any other location or water body.

(f) **Eligible Boats.** Boats eligible for Boat Tags shall be aluminum or metal-alloy row boats, except boats on record as having had valid Boat Tags that were issued initially prior to March 31, 2006 may be wooden or fiberglass row boats. Only rowboats that are a minimum of 11'6" in length and 42" in width and are a maximum of 16' in length are permitted on City Property. Other vessels, including but not limited to sailboats, motorized boats, canoes, kayaks, sculls, inflatable boats and collapsible boats are prohibited, except as provided in §16-07 of these rules.

(i) **Display.** Boat Tags shall be affixed to the upper port-side exterior bow (top left outside front) of the corresponding registered boat. It shall be the Boat Tag holder's responsibility to keep a Boat Tag affixed and clearly legible at all times. It shall also be the responsibility of the boat owner to ensure the boat numbers are clearly legible and visible. Boats with missing or illegible Boat Tags and/or boat numbers are subject to removal by NYCDEP.

(k) **Renewal.** A renewal Boat Tag application shall be sent via electronic or USPS mail to the address on file for each valid boat owner generally in the spring of the Boat Tag expiration year. Content of the renewal Boat Tag application shall include confirmation of boat owner and boat information on file, as well as any angler survey questions. Renewed Boat Tags shall be [mailed] sent to the address on file for the boat owner generally within two weeks of application receipt.

(n) **Boat Storage Area.** Each registered boat shall be assigned to a Boat Storage Area. The boat must be stored in the assigned Boat Storage Area when not in use on the water [, except that during the months from April through September the boat may be temporarily stored at any other Boat Storage Area on the same reservoir or lake for convenience of Fishing, provided there is storage space available as determined by NYCDEP]. NYCDEP may limit the number and location of boats assigned to any particular Boat Storage Area. Information about Boat Storage Areas closed to additional boats shall be available from NYCDEP and, when applicable, on the NYCDEP website. Requests to place a boat at high-demand Boat Storage Areas shall be handled in the order they are received. [Boat Tags on boats] Boats not stored within their assigned Boat Storage Areas [during the months of October through March], or [on boats stored] in Boat Storage Areas that have been closed by NYCDEP, [and/or to which they were not assigned, shall be [invalid] subject to removal by NYCDEP. Boat owners may request a change of assigned Boat Storage Area for their boat on the same water body once per calendar year by contacting NYCDEP. NYCDEP shall grant a change of assigned Boat Storage Area provided that the requested area is open to additional boats.

(p) **Boat Placement and Securing.** To prevent the creation of insect breeding grounds in water-filled boats, boats shall be stored hull-up (upside down) at all times. Boat owners may store on site such fishing equipment as may be secured under their overturned, stored boat. Equipment or items left on City Property and not secured under boats shall be subject to confiscation and disposal. Boat owners are encouraged to secure their stored boats to reduce the possibility of theft and scattering. Boats shall be secured to manufactured hitches provided by NYCDEP, where [these are] available. [Where NYCDEP has provided such securing resources, boats shall not be secured to trees. Where no securing resources are provided by NYCDEP, boats may] Boats shall not be secured to trees unless there is no space available on the hitches or no securing resources are provided by NYCDEP. Boats secured to trees shall [not] be [tightly] bound to trees, but shall be loosely secured so as not to damage the trees. NYCDEP reserves the right to remove and store boats that are too tightly secured to any tree.

(q) **Owner Removal of a Boat.** Boat owners may remove their boats from City Property at any time. Boat owners shall notify the local NYCDEP Office prior to removing their boat from City Property. NYCDEP shall document the owner removal activity. Upon removal of a boat from City Property, its Boat Tag shall be immediately rendered invalid. Boat owners wishing to return a once-registered, removed boat to a City reservoir or lake shall make a registration and processing appointment with the local NYCDEP Office, or designee, where available, as listed on the NYCDEP website.

(r) **Change of [Boat Storage Area Location] Reservoir or Lake.** Boat owners may change the location of their boat from one reservoir or lake in the Water Supply system to another, but such change shall be treated the way a new boat would be treated. This shall require an application, boat processing appointment, and a new Boat Tag. It is prohibited for a boat owner to move their boat away from the assigned reservoir or lake without first notifying NYCDEP. It is prohibited for a boat owner to place any boat on a reservoir or lake without a valid Boat Tag for that location.

(s) **NYCDEP Removal of Boats.** Any boat left in the water unattended[;], found on land outside of the boat's assigned Boat Storage Area[;], found in a closed Boat Storage Area to which it was not assigned[;], found without a valid Boat Tag or with a Boat Tag with illegible boat numbers, found on City Property after expiration, suspension or revocation of the owner's Boat Tag or Access Permit[;], or found in a restricted area is subject to removal and storage by NYCDEP at the owner's expense of \$120.00 for removal and \$1.00 per day for storage, not to exceed \$210.00. While boats without valid Boat Tags may be removed from City Property, confiscated, and stored by NYCDEP at any time, such boat removal shall generally commence on October 1 of each year and be completed before March 15 of the following year. NYCDEP shall attempt to contact the owner of an invalid or removed boat at least once during the removal process or the three-month storage period in order to notify them of their boat's status. This contact shall be documented by NYCDEP and

may be by USPS mail, telephone, or electronic mail [for] using the contact information on file for the boat[, and the attempt as well as its outcome shall be documented].

(t) **Storage of NYCDEP-Removed Boats.** NYCDEP shall store removed boats in designated storage yards on NYCDEP properties until the removed boats are claimed by their owners or until three months have passed since the date of NYCDEP's [initial attempt to contact the owner] removal. If a boat remains unclaimed three months from the date of NYCDEP's [initial attempt to locate the owner] removal, it will be deemed the property of NYCDEP and will be disposed of at NYCDEP's discretion. By accepting a NYCDEP Boat Tag, the owner of the subject boat acknowledges and accepts NYCDEP's right to remove, store and/or dispose of the boat in accordance with this section in lieu of any other procedure for the storage and disposition of abandoned property required or permitted by law, and waives any right to assert a claim against NYCDEP pursuant to the provisions of the New York State Personal Property Law, Abandoned Property Law or by any such other procedure. NYCDEP is not liable to the owner under any circumstances for damage to or loss of a boat during its removal, storage or disposition.

(u) **Owner Claim of Stored Boats.** Boats removed and stored by NYCDEP shall be available for claim and pick up within the three month storage period by the boat owner of record by appointment with NYCDEP. NYCDEP staff shall confirm that the person claiming the boat is the boat owner of record. Any accumulated removal and storage fees shall be paid to NYCDEP by certified check, bank check, or money order made out to "NYCDEP" in order for the boat to be released. Owners shall pay any accumulated fees and remove their claimed boat at the same appointment. NYCDEP shall not hold claimed boats nor allow deferred payment. NYCDEP may, in extreme circumstances such as death of a boat owner resulting in the lapse of a Boat Tag's validity and ultimate NYCDEP removal of the boat, waive any accumulated fees.

§7. Subdivisions (a), (d), and (f) of section 16-06 of Title 15 of the Rules of the City of New York and amended to read as follows:

(a) **Relationship to Fishing and Fishing Area Rules.** All Fishing and Fishing Area rules set forth in §16-04 of these rules shall [also] apply to all Fishing by boat.

(d) **Season.** On the Amawalk, Bog Brook, Boyds Corner, Cross River, Croton Falls, Diverting, East Branch, Kensico, Middle Branch, Muscoot, New Croton, Titicus, and West Branch Reservoirs, and on Lake Gilead and Lake Gleneida, boats with valid Boat Tags may be placed on the water during any ice free period. On all other New York City Reservoirs, boats with valid Boat Tags may be placed on the water between April 1st and November 30th of each year during any ice free period.

(f) **Safety.** Every boat used on City Property shall have at least one U.S. Coast Guard approved wearable personal flotation device in good condition for each person on board. Each person on board who is under the age of 12 must wear a securely fastened U.S. Coast Guard approved wearable flotation device of an appropriate size. All boaters shall comply with U.S. Coast Guard, New York State, and any other applicable laws and regulations regarding personal flotation device use.

§8. The first unnumbered paragraph and subdivisions (b), (d), (f), (g), (h) and (k) of section 16-07 of Title 15 of the Rules of the City of New York are amended to read as follows:

§16-07 Recreational Boating Areas.

NYCDEP may, in its discretion, designate portions of, or entire City reservoirs and controlled lakes as Recreational Boating Areas [which] that may be entered and used for boating by persons with valid Access Permits [for boating]. Such Recreational Boating Areas allow, but do not require boat occupants to be plausibly engaged in the activity of Fishing. For purposes of this section, individuals shall comply with all provisions of this Chapter with the exception of §16-05 and §16-06. Recreational Boating Areas and launch sites shall be designated by NYCDEP on sign postings, on the NYCDEP website, on Public Maps, and/or in other publications and notices available from NYCDEP and at local sporting outfitters. In compliance with both the State Environmental Quality Review Act and the City Environmental Quality Review requirements, NYCDEP will undertake environmental reviews for each reservoir it proposes to designate a Recreational Boating Area on prior to making such designation, including a review of any cumulative impact of such designation in the watershed.

(b) **Recreational Boat Tags.** Due to the threat of Water Supply contamination by organisms such as zebra mussel larvae that may be introduced to City waters by boats previously used in contaminated waters, all boats used in Recreational Boating Areas shall be registered and steam cleaned by [NYCDEP or its designee] NYCDEP's designees, as listed on NYCDEP's website, and must have a valid Recreational Boat Tag affixed to the upper port side exterior bow. If no NYCDEP designees are available, the NYCDEP website will advise Recreational Boat Tag applicants whom to contact to have their boats processed.

(1) Eligibility. Boats eligible for Recreational Boat Tags include canoes, sculls, small sailboats with removable center/dagger boards and jonboats that measure no less than eleven feet five inches (11' 5") in length and kayaks that measure no less than nine feet (9') in length. Inflatable boats, collapsible boats and motorized boats are prohibited. NYCDEP may, at its discretion, add to or delete from the list of boats eligible for Recreational Boat Tags. Changes to the list shall be designated by NYCDEP on sign postings, on the NYCDEP website, on Public Maps, and/or in other publications and notices available from NYCDEP and at local sporting outfitters.

(2) Term. At the option of the applicant, Recreational Boat Tags shall be valid for one of the following terms: (i) one through seven days ("temporary"); or (ii) from sunrise on the Friday immediately preceding Memorial Day weekend through sunset on Columbus Day ("season") unless revoked or suspended pursuant to §16-19(e). Recreational Boat Tags shall only remain valid so long as the boat owner's Access Permit is valid. If an Access Permit holder's Access Permit and/or Recreational Boat Tag is suspended or revoked, he or she must remove the boat within 24 hours of the suspension date in the company of a NYCDEP representative.

(3) Application. Recreational Boat Tag applications shall be available at the same locations as Access Permit applications, including instantly on the NYCDEP website, and may also be available at local hotels, motels, B&Bs, sporting outfitters and other merchants designated by NYCDEP for processing [certain] boats for use in Recreational Boating Areas. [No

application fee is required.]

(4) Required Information. A Recreational Boat Tag application shall require the following information:

- (i) Applicant's valid Access Permit number;
- (ii) Applicant's name, mailing address, phone number, electronic mail address, if available, and date of birth;
- (iii) Boat make, model, color, width, length, material, and hull shape and, if known, serial number;
- (iv) Term of Recreational Boat Tag;
- (v) Acknowledgement of risk and waiver of liability;
- (vi) Applicant signature and date of signature; and
- (vii) Parent or legal guardian signature and date of signature if applicant is under 18.

(5) Boat Processing, Registration, Steam Cleaning and Recreational Boat Tag Issuance. Recreational Boat Tag applications may be completed in advance of submission, except for the portions which need to be completed [by NYCDEP or its designee] when the boat is registered, steam cleaned and placed on the reservoir. Prior to entering Recreational Boating Areas, all boats shall be steam cleaned by [NYCDEP or its designee] one of NYCDEP's designees at the appropriate office as listed on the NYCDEP website. [Boat owners applying for temporary Recreational Boat Tags may have their boats processed, registered, steam cleaned and receive their Recreational Boat Tags without an appointment at local merchants designated by NYCDEP. Boat Owners applying for season Recreational Boat Tags must have their boats processed by appointment with NYCDEP at the Downsville Office. Appointments for processing at NYCDEP's Downsville office may be made by contacting the Downsville office, which can be made by contacting the Downsville office at the number listed on NYCDEP's website.]

(d) **Boat Storage Areas and Boat Storage.** [NYCDEP] NYCDEP's designee will assign a Boat Storage Area to boats with season Recreational Boat Tags. Boats with temporary or season Recreational Boat Tags may not be stored in shoreline buffer zones, which are generally within ten (10) feet of the shoreline, but may be more or less than ten (10) feet as designated. Boats shall not be stored on or against other stored boats. Boats stored in Boat Storage Areas within Recreational Boating Areas shall not be secured to dead trees or trees marked with blue paint by NYCDEP for removal. Boats with temporary Recreational Boat Tags may be stored, at the owner's risk, in the vicinity of the Recreational Boating Area's launch sites above the high water mark back from the shoreline so as not to obstruct access to the water and in a hull up position so as not to collect water.

(f) **NYCDEP Removal of Boats.** Any boat left in the water unattended[;], found on land outside of the boat's assigned Boat Storage Area[;], found in a closed Boat Storage Area to which it was not assigned[;], found without a valid Recreational Boat Tag or found on City Property after expiration, suspension or revocation of the owner's Recreational Boat Tag or Access Permit[;], or found in a restricted area is subject to removal and storage by NYCDEP at the owner's expense of \$120.00 for removal and \$1.00 per day for storage, not to exceed \$210.00. While boats without valid Recreational Boat Tags may be removed from City Property, confiscated, and stored by NYCDEP at any time, such boat removal shall generally commence on the day after Columbus Day of each year and be completed before the day before Memorial Day the following year. NYCDEP shall attempt to contact the owner of an invalid or removed boat at least once during the removal process or the three-month storage period in order to notify them of their boat's status. This contact may be by USPS mail, telephone, or electronic mail [for] using the contact information on file for the boat, and [the attempt as well as its outcome] shall be documented.

(g) **Storage of NYCDEP-Removed Boats.** NYCDEP shall store removed boats in designated storage yards on NYCDEP properties until the removed boats are claimed by their owners or until three months have passed since the date of NYCDEP's [initial attempt to contact the owner] removal. If a boat remains unclaimed three months from the date of NYCDEP's [initial attempt to locate the owner] removal of the boat, it will be deemed the property of NYCDEP and will be disposed at NYCDEP's discretion. By accepting a NYCDEP Recreational Boat Tag, the owner of the subject boat acknowledges and accepts NYCDEP's right to remove, store and/or dispose of the boat in accordance with this section in lieu of any other procedure for the storage and disposition of abandoned property required or permitted by law, and waives any right to assert a claim against NYCDEP pursuant to the provisions of the New York State Personal Property Law, Abandoned Property Law or by any such other procedure. NYCDEP is not liable to the owner under any circumstances for damage to or loss of a boat during its removal, storage or disposition.

(h) **Owner Claim of Stored Boats.** Boats removed and stored by NYCDEP shall be available for claim and pick up within the three month storage period by the owner of record by appointment with NYCDEP. NYCDEP staff shall confirm that the person claiming the boat is the owner of record. Any accumulated removal and storage fees shall be paid to NYCDEP by certified check, bank check, or money order made out to "NYCDEP" in order for the boat to be released. Owners shall pay any accumulated fees and remove their claimed boat at the same appointment. NYCDEP shall not hold claimed boats nor allow deferred payment. NYCDEP may, in extreme circumstances such as the death of a boat owner resulting in the lapse of a Recreational Boat Tag's validity and ultimate removal of the boat, waive any accumulated fees.

(k) **Safety.** Every boat used on City Property shall have at least one U.S. Coast Guard approved wearable personal flotation device in good condition for each person on board. Each person on board who is under the age of 12 must wear a securely fastened U.S. Coast Guard approved wearable flotation device of an appropriate size. All boaters shall comply with U.S. Coast Guard, New York State, and any other applicable laws and regulations regarding personal flotation device use.

§9. The first unnumbered paragraph and subdivision (b) section 16-12 of Title 15 of the Rules of the City of New York and amended to read as follows:

§16-12 Group Access Permit.

Group Access Permits of limited duration are available for

Groups of between [twelve] seven (7) and thirty (30) individuals to conduct such activities as would normally be available to individual Access Permit holders and shall be issued in accordance with NYCDEP policies and procedures.

(b) **Application.** Applicants for a Group Access Permit must fully complete a Group Access Permit application and submit it to the address on the application [or through the NYCDEP website]. Group Access Permit applications and waivers shall be available at the same locations as indicated in §16-03(a) above. No application fee is required.

§10. Section 16-19 of Title 15 of the Rules of the City of New York is amended to read as follows:

§16-19 Permit Suspension and Revocation.

Any violation of these rules by an Access Permit holder or by any person accompanying an Access Permit holder is cause for **confiscation**, suspension or revocation of such Access Permit and any related Tags. Such violation may also affect issuance of future Access Permits and/or Tags as determined by NYCDEP and may also subject the violator to prosecution to the fullest extent of the law. Any violation of these rules by a person without an Access Permit and/or Tag may affect future eligibility for an Access Permit and/or Tag and may also subject the violator to prosecution to the fullest extent of law.

(a) **Confiscation.** Upon request of a NYCDEP representative or law enforcement officer, an Access Permit holder or Guest Pass holder shall surrender his or her Access Permit and/or Guest Pass and/or any related Tag to the requestor and must immediately leave the City Property. Such NYCDEP representative or law enforcement officer shall submit the confiscated items within ten (10) days to the NYCDEP office in Kingston along with the following information:

- (1) Date and location of alleged violation;
- (2) Confiscating personnel name, title and contact information;
- (3) Name, Access Permit number, address, telephone number, and driver's license or non-driver's identification number and state of alleged violator, as applicable;
- (4) Nature and description of the alleged violation;
- (5) Nature and description of any NYCDEP enforcement action taken, including identification number(s) and description(s) of any [tickets] summonses issued or arrests made.

(b) **Initial Appeal.** The Access Permit holder may provide the NYCDEP office in Kingston with a written explanation of the alleged violation within fifteen (15) days of the confiscation. NYCDEP will consider the written explanation before notifying the Access Permit holder of a decision.

(c) **Notification Procedure.** Upon examination of the circumstances, NYCDEP will suspend, revoke or return the Access Permit, Guest Pass, and/or Tag, and will notify the person in writing of its determination generally within forty-five (45) days of the alleged violation or receipt of the written explanation, whichever is later. NYCDEP shall send a letter of suspension, revocation, or reinstatement via USPS or electronic mail to the individual's address on file. This letter shall specify the following:

- (1) Date, location, and nature of the alleged infraction;
- (2) The alleged violator's name, address, and Access Permit or Tag number(s), as applicable;
- (3) Citation of the alleged violation as per these rules;
- (4) Notification of [any] penalty imposed and Access Permit or Tag status;
- (5) Notification of the opportunity and timeline for appeal.

[(d)](c) **Suspension.** If NYCDEP determines that the Access Permit and/or Tag should be suspended, a letter including the basis for the suspension, the period of suspension and the expiration date of the suspension period shall be sent to the Access Permit holder at the address on file. The person may not enter upon City Property until the period of suspension has ended and NYCDEP returns the Access Permit and related Tags, as applicable. Depending on the severity of the violation and record of previous violations, Access Permit/Tag suspension may be from [three] two months to five years from the date of the violation.

[(e)](d) **Revocation.** If NYCDEP determines that the Access Permit and/or Tag should be revoked due to significant, repeated, or egregious violations, a letter including the basis for revocation shall be sent to the former Access Permit holder. Revocation is effective immediately upon issuance of such letter. The former Access Permit holder may not apply for a new Access Permit and/or Tag until the date specified in the letter, if any.

(e) **Penalty Schedule.** First offenses of the rules shall result in a suspension that has a duration of one-third the maximum suspension duration for the specific violation. Second offenses shall result in a suspension that has a duration of one-half the maximum suspension period for the specific violation, and third offenses shall result in a suspension that has the maximum suspension period for the specific violation. Violations of multiple sections of the rules during a single incident will result in the maximum penalty for the single most egregious violation. In addition, certain violations of the rules can result in the issuance of a summons for trespass and/or arrest.

The maximum penalty for violation of the rules is a three (3) year suspension for holders of Access Permits or a three (3) year suspension from applying for an Access Permit, except for those infractions listed in the following table:

Applicable Rules Section	Violations Subsection	Access Permit Suspension Term
16-08, 16-11, 16-18	Tree stands (§16-08, §16-18(a)(1)); Hunting Blinds (§16-08(h)); Shooting lanes (§16-18(a)(1)); Vehicle Tags (§16-11(c))	2-6 months
16-04, 16-05, 16-07, 16-08, 16-09, 16-10, 16-17, 16-18	Season (§16-04(e), §16-06(d), §16-07(a), §16-08(c), (h), §16-09(d), §16-13(e), §16-14(c)); Means (§16-04(f)); Equipment (§16-04(h), (i), §16-05(p), §16-06(f), §16-07(k), §16-08(k), §16-13(a), §16-17(g), §16-18(a)(1),(b),(e));	4 Months-1 year

Litter (§16-04(i), §16-17(a)); Entrails (§16-04(j), §16-08(g)); Ice Fishing (§16-04(d),(h)(2),(3), (5)); Boat Tag (§16-05(i),(q),(r),(s), §16-07(d),(f)); Boat Storage (§16-05(n),(o),(p),(s), §16-07(d),(f)); Boat Condition (§16-06(e), §16-07(m)); Unsafe Operation (§16-06(e),(f),(g), §16-07(k),(l),(m)); Restricted Areas (§16-05(s), §16-07(f), §16-15)	
---	--

16-13, 16-14	Public Access Areas (§16-13(a), (b), (e)); Designated Use Areas (§16-14(b), (c))	1-3 years or Revocation
--------------	--	----------------------------

16-15, 16-17, 16-18	Restricted Areas (§16-15); Camping (§16-17(d)); Fires (§16-17(e)); Motorized Equipment (§16-04(h)(5), §16-13(a)(2), §16-17(g)); Natural Resources (§16-18(a)); Trapping (§16-18(g))	20 months- 5 years
---------------------	---	-----------------------

Individuals who have committed four or more offenses within a five-year period, or who have seriously threatened public safety, water supply safety or security, or the personal safety of individuals through means not specifically enumerated in this penalty schedule will be subject to the revocation of all public access privileges as recommended by the Chief of Watershed Lands and Community Planning.

(f) **Appeals.** Individuals may appeal the suspension or revocation of their public access privileges and/or ability to apply for public access privileges by submitting a request in writing explaining why the penalty should be changed to NYCDEP within thirty (30) days of the date of the letter of suspension or revocation. In support of an appeal, an individual should submit:

- an explanation as to why the penalty imposed is not justified by the circumstances presented;
- a statement indicating his or her commitment to abide by all rules, policies, and conditions in the future.

NYCDEP shall respond to all appeal requests in writing within thirty (30) days of receipt. In response to a written appeal, NYCDEP may reduce the duration of suspension or revocation period. Factors NYCDEP shall consider in determining whether to grant or deny an appeal request include whether the individual has committed any rule infractions within the previous 5 years and whether the infraction at issue threatened or compromised water supply quality or security, public safety or led to property damage or injury to any individual. Individuals dissatisfied with the first appeal response may elect to submit a final written appeal to the NYCDEP [Deputy Commissioner of the Bureau of Water Supply,] Chief of Watershed Lands and Community Planning for a final determination.

(g) **Reinstatement.** Upon conclusion of the suspension period, NYCDEP shall send notification of reinstatement via USPS [mail] or electronic mail to the individual at the address on file. This notification shall include the return of any confiscated Access Permit or Tag that is still valid or an application for a replacement.

(h) **Group Infractions.** Any violation of these rules and/or the Group Access Permit conditions by a Group Member may result in:

- Removal of the Group and/or Group [Members] Member from the property;
- Revocation of the Group Access Permit;

- Loss of general privileges to access Water Supply lands including loss of eligibility to apply for an Access Permit, suspension or revocation of Access Permits; and
- Arrest and prosecution to the full extent of the law of the Group Members, Group Leader, and/or organization sponsoring the Group and/or which the Group represents.

(i) **Public Access Area and Designated Use Area Infractions.** Failure to comply with these rules, postings or notices in a Public Access Area or a Designated Use Area may result in, but [will] may not be limited to, one or more of the following measures:

- Removal from the property;
- Suspension or revocation of Access Permit privileges, if violator is an Access Permit holder;
- Suspension from applying for an Access Permit;
- Suspension from access to some, any or all City property;
- Arrest and prosecution to the [full] fullest extent of the law.

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

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

John C. Liu
Comptroller

a24-s8

TRANSPORTATION

■ NOTICE

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

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

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

The concession agreement will provide for one (1) five-year term, with four (4) one-year renewal options. The renewal options shall be exercisable at DOT's sole discretion.

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

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

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

a16-s7

SPECIAL MATERIALS

COMPTROLLER

■ NOTICE

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

Damage Parcel No.	Block	Lot
11	146	17
12	146	29
16 and 17	146	41 and 42

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

John C. Liu
Comptroller

a25-s9

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on September 8, 2010 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

CHANGES IN PERSONNEL

CULTURAL AFFAIRS FOR PERIOD ENDING 07/23/10						
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
FRANK	JOEL	A	56058	\$60000.0000	APPOINTED	YES 07/11/10

FINANCIAL INFO SVCS AGENCY FOR PERIOD ENDING 07/23/10						
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
REMM	MIKHAIL		13631	\$82798.0000	RETIRED	NO 07/04/10

DEPARTMENT OF JUVENILE JUSTICE FOR PERIOD ENDING 07/23/10						
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
ANDERSON	GLORIA	J	12626	\$52914.0000	TRANSFER	NO 07/09/10
CALHOUN	MICHAEL		52295	\$40224.0000	RESIGNED	NO 04/30/10
GARRETT	JAMES	M	52295	\$40224.0000	RESIGNED	NO 06/19/10
MAYNARD	GREGORY	A	40502	\$83411.0000	TRANSFER	NO 06/27/10
MCCUTCHEON	CHEERY		1002C	\$62000.0000	RESIGNED	YES 07/03/10
PINCUS	JUDITH		10026	\$139580.0000	DECREASE	NO 06/28/10
ROBERTSON	CHRISTIN		52295	\$40224.0000	RESIGNED	NO 07/11/10

OFF OF PAYROLL ADMINISTRATION FOR PERIOD ENDING 07/23/10						
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
HORNSTEIN	HAROLD	C	10050	\$111043.9000	INCREASE	NO 07/04/10
KANHAI	SOLANGE	M	12626	\$56000.0000	APPOINTED	YES 07/11/10
KOHANGHADOSH	MEHRAN		10050	\$79200.0000	INCREASE	YES 07/04/10
LOKHANDWALA	FARHANA	E	10050	\$125000.0000	INCREASE	NO 07/04/10

INDEPENDENT BUDGET OFFICE FOR PERIOD ENDING 07/23/10						
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
SPITZER	KERRY	A	06713	\$65811.0000	RESIGNED	YES 07/09/10

TAXI & LIMOUSINE COMMISSION FOR PERIOD ENDING 07/23/10						
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
ABRAHAM	RONALD		95937	\$36.6000	APPOINTED	YES 07/12/10
BARBU	MARIA	L	10232	\$16.0000	APPOINTED	YES 07/06/10
CAMERON	DONALD	E	95937	\$36.6000	APPOINTED	YES 07/12/10

CESTARO	R. MICHA	95937	\$36.6000	APPOINTED	YES	07/12/10
EVELYN	MARTIN	A	10234	\$12.0000	APPOINTED	YES 07/06/10
FRETT	JONATHAN	E	10234	\$12.0000	APPOINTED	YES 07/07/10
GODFREY	KEVIN	A	10234	\$12.0000	APPOINTED	YES 07/09/10
HUTSON	KAREN		95937	\$36.6000	APPOINTED	YES 07/12/10
JORDAN	TAMARA		95937	\$36.6000	APPOINTED	YES 07/12/10
LEWIS	VANESSA	M	95937	\$36.6000	APPOINTED	YES 07/12/10
LICATA	RICHARD	V	95937	\$36.6000	APPOINTED	YES 07/12/10
MCCUTCHEON	TINA		10251	\$13.6100	TERMINATED	NO 07/09/10
O'CONNOR	MARY	E	10232	\$16.0000	APPOINTED	YES 07/06/10
PURDY	WILLIAM	J	95937	\$36.6000	APPOINTED	YES 07/12/10
RODRIGUEZ	MICHELLE		95937	\$36.6000	APPOINTED	YES 07/12/10
SCHWARTZ	SCOTT		95937	\$36.6000	APPOINTED	YES 07/12/10
ZARNE	DEBRA	H	95937	\$36.6000	APPOINTED	YES 07/12/10

a26

LATE NOTICE

TRANSPORTATION

■ SOLICITATIONS

Construction / Construction Service

CORRECTION: RECONSTRUCTION OF PIERS STATEN ISLAND FERRY FACILITY – Competitive Sealed Bids – PIN# 84110SISI463 – DUE 10-06-10 AT 11:00 AM. – CORRECTION: Reconstruction of Piers at the Staten Island Ferry Maintenance Facility. This contract is subject to apprenticeship program requirements as described in the solicitation materials. A Pre-Bid Meeting (Optional) will be held on Tuesday, September 14, 2010 at 10:00 A.M. at 55 Water Street, Ground Floor, New York, NY 10041. A deposit of \$50.00 in the form of a certified check or money order made payable to New York City Department of Transportation is required to obtain Contract/Bid Documents. NO CASH ACCEPTED. Refund will be made only for Contract/Bid Proposal Documents that are returned in its original condition within 10 days after bid opening. Any persons delivering bid document must enter the building located on the South Side of the Building facing the Vietnam Veterans Memorial. All visitors must go through the buildings security screening process. Bidders should allow extra time and ensure that proper government issued photo identification (ie. Drivers License, Passport, Identification Card) is available upon request. Please ensure that your company's address, telephone, and fax numbers are submitted by your company (or messenger service) when picking up contract documents during the hours of 9:00 A.M. - 3:00 P.M. ONLY. For additional information please contact Earl Baim at (212) 487-3137. Vendor Source ID#: 70322.

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 Transportation, Contract Management Unit, Office of the Agency Chief Contracting Officer, 55 Water Street, Ground Floor, New York, NY 10041. Bid Window (212) 839-9435;

a26

READER'S GUIDE

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

NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

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

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

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

VENDOR ENROLLMENT APPLICATION

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

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

Attention Existing Suppliers:

Even if you already do business with NYC agencies, be sure to fill out an application. We are switching over to citywide, centralized Bidders Lists instead of the agency-specific lists previously used to issue notices about upcoming contract opportunities. To continue receiving notices of New York City contract opportunities, you must fill out and submit a NYC-FMS Vendor Enrollment application. If you are uncertain whether you have already submitted an application, call us at (212) 857-1680.

SELLING TO GOVERNMENT TRAINING WORKSHOP

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

PRE-QUALIFIED LIST

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

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

NON-MAYORAL ENTITIES

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

PUBLIC ACCESS CENTER

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

ATTENTION: NEW YORK CITY MINORITY AND WOMEN OWNED BUSINESS ENTERPRISES

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

PROMPT PAYMENT

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

PROCUREMENT POLICY BOARD RULES

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

COMMON ABBREVIATIONS USED IN THE CR

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

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

KEY TO METHODS OF SOURCE SELECTION

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

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

- NA/9New contractor needed for changed/additional work
- NA/10.....Change in scope, essential to solicit one or limited number of contractors
- NA/11.....Immediate successor contractor required due to termination/default
For Legal services only:
- NA/12.....Specialized legal devices needed; CP not advantageous
- WA **Solicitation Based on Waiver/Summary of Circumstances** (Client Services/BSB or CP only)
- WA1 Prevent loss of sudden outside funding
- WA2 Existing contractor unavailable/immediate need
- WA3 Unsuccessful efforts to contract/need continues
- IG **Intergovernmental Purchasing** (award only)
- IG/F.....Federal
- IG/S.....State
- IG/OOther
- EM **Emergency Procurement** (award only) An unforeseen danger to:
- EM/A.....Life
- EM/B.....Safety
- EM/C.....Property
- EM/D.....A necessary service
- AC **Accelerated Procurement/**markets with significant short-term price fluctuations
- SCE..... **Service Contract Extension/**insufficient time; necessary service; fair price
Award to Other Than Lowest Responsible & Responsive Bidder or Proposer / Reason (award only)
- OLB/a.....anti-apartheid preference
- OLB/b.....local vendor preference
- OLB/crecycled preference
- OLB/d.....other: (specify)

HOW TO READ CR PROCUREMENT NOTICES

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

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

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.

☛ m27-30

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

NUMBERED NOTES

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