



THE CITY RECORD

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TABLE OF CONTENTS

PUBLIC HEARINGS AND MEETINGS

Build NYC Resource Corporation	2301
City Council	2303
Comptroller	2303
Board of Education Retirement System	2303
New York City Fire Pension Fund	2303
Franchise and Concession Review Committee	2303
Housing Authority	2304
Housing Preservation and Development	2304
Industrial Development Agency	2304
Landmarks Preservation Commission	2305

PROPERTY DISPOSITION

Citywide Administrative Services	2306
Office of Citywide Procurement	2306
Housing Preservation and Development	2306
Police	2306

PROCUREMENT

Administration for Children's Services	2307
Administrative Trials and Hearings	2307
Procurement	2307

Citywide Administrative Services	2307
Office of Citywide Procurement	2307
Board of Elections	2308
Health and Mental Hygiene	2308
Agency Chief Contracting Officer	2308
Homeless Services	2308
Housing Authority	2308
Procurement	2308
Human Resources Administration	2308
Contracts	2309
Information Technology and Telecommunications	2309
Contracts and Procurement	2309
Parks and Recreation	2309
Office of Payroll Administration	2309

CONTRACT AWARD HEARINGS

Youth and Community Development	2310
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SPECIAL MATERIALS

Citywide Administrative Services	2310
Office of Management and Budget	2312
Changes in Personnel	2313

LATE NOTICE

Campaign Finance Board	2314
Office of the Mayor	2324

THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BUILD NYC RESOURCE CORPORATION

■ PUBLIC HEARINGS

The Build NYC Resource Corporation (the "Corporation"), is a not-for-profit local development corporation organized under Sections 402 and 1411 of the Not-for-Profit Corporation Law of the State of New York. In accordance with the aforesaid law, and pursuant to its certificate of incorporation, the Corporation has the power to issue non-recourse revenue bonds and to make the proceeds of those bonds

available for projects that promote community and economic development in The City of New York (the "City"), and to thereby create jobs in the non-profit and for-profit sectors of the City's economy. The Corporation has been requested to issue such bonds for the financings listed below in the approximate dollar amounts respectively indicated. As used herein, "bonds" are the bonds of the Corporation, the interest on which may be exempt from local and/or state and/or federal income taxes; and, with reference to the bond amounts provided herein below, "approximately" shall be deemed to mean up to such stated bond amount or a greater principal amount not to exceed 10% of such stated bond amount. All square footage amounts and wage information shown below are approximate numbers.

Borrower Name: Blue School, a New York not-for-profit education corporation (the "School") exempt from federal taxation, pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), and Blue School Real Estate, LLC, a New York limited liability company (the "LLC") and, together with the School, the "Applicant", the sole member of which is the School as borrower.

Financing Amount: Approximately \$64,479,000 in tax-exempt and taxable bonds (the "Bonds"); the tax-exempt bonds are to be issued as qualified 501(c)(3) bonds for educational facilities. **Project Description:** Proceeds from the Bonds will be used to: (a) refinance all or a portion of the Build NYC Resource Corporation Revenue Bonds (Blue School Project), Senior Series 2016A and Subordinate Series 2016B, currently outstanding in the aggregate principal amount of \$51,315,000, the proceeds of which were applied to: (1) refinance taxable debt incurred by the School and/or the LLC, which was used to fund the costs of the acquisition of two commercial condominium units encompassing 29,000 square feet of space (the "Acquired Facility") in an 191,000 square foot building, located at 156 William Street, New York, NY (the "Building"), (2) fund the renovation, furnishing and equipping of the Acquired Facility as well as 12,000 square feet of the ground floor of such Building which is leased by the LLC (the "Leased Facility"; and, together with the Acquired Facility, the "Facility"), (3) fund a debt service reserve fund and a capitalized interest fund, and (4) fund certain costs of issuance; (b) refinance all or a portion of the Build NYC Resource Corporation Senior Revenue Bonds (Blue School Project), Series 2018, currently outstanding in the aggregate principal amount of \$4,160,000 (the "Series 2018 Bonds"), the proceeds of which

were applied to: (1) fund the costs of the construction, renovation and equipping of the Facility, (2) fund capital improvements to the Facility, including upgrades to fire safety systems, purchasing of additional furniture and equipment, and other capital improvements to the Facility, (3) fund the Applicant's share of capital improvements to the Building, including façade and roof repairs, replacement of the Building's chiller and electrical systems, elevator modernization, fire safety systems and hook-ups for water and sewer service, (4) fund a debt service reserve fund, and (5) fund certain costs of issuance; (c) finance a debt service reserve fund and capitalized interest; and (d) pay for certain costs and expenses associated with the issuance of the Bonds. The Facility is owned by the Applicant and is operated by the School as a co-educational day school serving students in pre-kindergarten through grade 8. In addition, 12,000 square feet of the Facility is leased to Hawthorne Foundation Inc., a New York not-for-profit education corporation exempt from federal taxation, pursuant to Section 501(c)(3) of the Code, to operate an educational program for students with disabilities. **Address:** 156 William Street, New York, NY 10038. **Type of Benefits:** Tax-exempt bond financing and exemption from City and State mortgage recording taxes. **Total Project Cost:** \$64,479,000. **Projected Jobs:** 31 full-time-equivalent jobs retained. **Hourly Wage Average and Range:** \$47.26/hour, estimated range of \$16.00/hour to \$102.80/hour.

Borrower Name: Highbridge Facilities, LLC (the "Institution"), a Delaware limited liability company and a disregarded entity for federal income tax purposes whose initial sole member is Latino Pastoral Action Center, Inc., a New York not-for-profit corporation ("LPAC") exempt from federal taxation, pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), which will finance or refinance the acquisition, construction, or renovation of certain facilities to be leased to Family Life Academy Charter Schools Corporation (the "Organization"), a New York not-for-profit education corporation exempt from federal taxation, pursuant to Section 501(c)(3) of the Code, that operates public charter schools. HB Foundation, Inc., (the "New Member"), a New York not-for-profit corporation that will seek recognition of status as an organization described in Section 501(c)(3) of the Code, is expected to become the sole member of the Institution, after such time, and to the extent that, it is recognized by the Internal Revenue Service as an organization described in Section 501(c)(3) of the Code. **Financing Amount:** Approximately \$125,000,000 in tax-exempt bonds to be issued as qualified 501(c)(3) bonds and/or taxable revenue bonds in one or more series (collectively, the "Bonds"). **Project Description:** Proceeds from the Bonds will be used, as part of a plan of financing, to: (1) finance or refinance the acquisition by the Institution of an approximately 18,000 square foot parcel of land, located at 1400 Cromwell Avenue, Bronx, NY and the construction, furnishing and equipping of an approximately 70,000 square foot, five-floor (plus basement), facility, including parking (the "New Facility") located on such land, to serve as a new public charter school serving students in kindergarten through eighth grade (up to \$67,000,000 of bonds); (2) finance or refinance the acquisition, construction, furnishing and equipping by the Institution of an existing 20,000 square foot, four-story facility located on an approximately 6,550 square foot parcel of land, located at 370 Gerard Avenue, Bronx, NY (the "Second Facility"), which will continue serving as a public charter school operated by the Organization serving students in grades kindergarten through grade 4 (up to \$15,000,000 of bonds); (3) finance or refinance the acquisition, construction, furnishing and equipping by the Institution of an existing 55,000 square foot, four-story facility located on an approximately 22,602 square foot parcel of land, located at 316 East 165th Street, Bronx, NY and an approximately 7,317 square foot vacant parcel of land, located at 321 East 165th Street (the "Third Facility"), which will continue serving as a public charter school operated by the Organization serving students in grades 5 through 8 (up to \$43,000,000 of bonds); and (4) pay for certain costs related to the issuance of the Bonds. The New Facility, the Second Facility and the Third Facility all will be owned by the Institution and leased to and operated by, the Organization as public charter schools providing education services to students in kindergarten through grade 8. **Addresses:** 1400 Cromwell Avenue, Bronx, NY 10452, 370 Gerard Avenue, Bronx, NY 10451, and 316 & 321 East 165th Street, Bronx, NY 10456. **Type of Benefits:** Tax-exempt and/or taxable bond financing and exemption from City and State mortgage recording taxes. **Total Project Cost:** \$125,600,000. **Projected Jobs:** 185 full-time-equivalent jobs retained, 58 full-time-equivalent jobs created. **Hourly Wage Average and Range:** \$33.67/hour, estimated range of \$32.29/hour to \$69.95/hour.

Borrower Name: SCO Family of Services ("SCO"), a New York not-for-profit corporation, providing residential and community services to developmentally disabled individuals of all ages and exempt from federal taxation, pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, as borrower. **Financing Amount:** Up to an aggregate maximum stated principal amount of \$20,500,000 in tax-exempt and taxable revenue bonds (collectively, the "Bonds"). **Project Description:** Proceeds of the Bonds together with other funds available to SCO, will be used to: (i) refinance its outstanding Build NYC Resource Corporation's Tax-Exempt Revenue Bonds, Series 2013 (2013 SCO Family of Services Project (the "Refunded Bonds")), the

proceeds of which were used to finance and refinance the acquisition, renovation, equipping and/or furnishing of the following facilities: a 2,908 square foot residential facility, located at 100-42 201st Street, Queens, NY; a 2,664 square foot residential facility, located at 102-02 97th Avenue, Queens, NY; a 1,395 square foot residential facility, located at 113-14 204th Street, Queens, NY; a 27,500 square foot residential facility, located at 1250 East 229th Street, Bronx, NY; a 1,848 square foot residential facility, located at 155-18 114th Rd, Queens, NY; a 6,600 square foot residential facility, located at 164 Suydam Street, Brooklyn, NY; a 7,960 square foot residential facility, located at 199-19 113th Avenue, Queens, NY; a 1,890 square foot residential facility, located at 213-12 102nd Street, Queens, NY; a 5,143 square foot residential facility, located at 218-41 99th Avenue, Queens, NY; a 1,594 square foot residential facility, located at 32 East 10th Street, Brooklyn, NY; a 17,664 square foot administrative facility, located at 443 39th Street, Brooklyn, NY; a 3,000 square foot residential facility, located at 72 Wilson Avenue, Brooklyn, NY; a 3,000 square foot residential facility, located at 74 Wilson Avenue, Brooklyn, NY; a 3,520 square foot residential facility, located at 84-42 120th Street, Queens, NY; a 11,243 square foot residential facility, located at 88-22 161st Street, Queens, NY; a 33,250 square foot administrative facility, located at 89-30 161st Street, Queens, NY; a 2,184 square foot residential facility, located at 94-11 Hollis Court Boulevard, Queens, NY; a 3,850 square foot residential facility, located at and 95-63 112th Street, Queens, NY; (ii) refinance a portion of an outstanding capital line of credit with TD Bank, N.A. and Peoples United Bank, the proceeds of which were used to finance and refinance the acquisition, renovation, equipping and/or furnishing of the following facilities: a 842 square foot residential facility, located at 110-23 169th Street, Jamaica, NY; a 65,290 square foot residential facility, located at 1226 Flushing Avenue, Brooklyn, NY; a 27,500 square foot residential facility located at 1250 East 229th Street, Bronx, NY; a 4,995 square foot residential facility, located at 1851 Needham Avenue, Bronx, NY; ; a 13,074 square foot residential facility, located at 1360 Fulton Street, Brooklyn, NY 11216; a 1,925 square foot residential facility, located at 1420 Bushwick Avenue, Brooklyn, NY; a 4,875 square foot residential facility, located at 150 Hale Avenue, Brooklyn, NY; a 5,200 square foot administrative facility, located at 154 Lawrence Street, Brooklyn, NY; a 6,600 square foot residential facility, located at 164 Suydam Street, Brooklyn, NY; a 7,960 square foot residential facility, located at 199-19 113th Avenue, Saint Albans, NY; a 7,700 square foot educational facility, located at 29-49 Gilmore Street, East Corona, NY; a 52,300 square foot educational facility, located at 3674 Third Avenue, Bronx, NY; a 3,150 square foot educational facility, located at 37-63 83rd Street, Jackson Heights, NY; a 2,000 square foot educational facility, located at 411 Thatford Avenue, Brooklyn, NY; a 10,000 square foot educational facility, located at 69 Saratoga Avenue, Brooklyn, NY; a 4,500 square foot residential facility, located at 70-20 47th Avenue, Woodside, NY; a 3,000 square foot residential facility located at 72 Wilson Avenue, Brooklyn, NY; a 3,000 square foot residential facility, located at 74 Wilson Avenue Brooklyn NY; a 10,000 square foot educational facility, located at 774 Saratoga Avenue, Brooklyn, NY; a 92,836 square foot residential facility, located at 85-70 148th Street, Queens, NY; a 50,865 square foot residential facility, located at 85-70 148th Street, Queens, NY; a 5,596 square foot residential facility, located at 85-70 148th Street, Queens, NY; a 2,095 square foot residential facility, located at 85-70 148th Street, Queens, NY; a 30,000 square foot residential facility, located at 85-70 148th Street, Queens, NY; a 4,286 square foot administrative facility, located at 85-70 148th Street, Queens, NY; a 1,920 square foot administrative facility, located at 85-80 148th Street, Queens, NY; a 11,243 square foot residential facility, located at 88-22 161st Street, Jamaica, NY; a 33,250 square foot administrative facility, located at 89-30 161st Street, Jamaica, NY; a 9,770 square foot administrative facility, located at 89-31 161st Street, Jamaica, NY; (iii) finance the construction, renovation, equipping, and/or furnishing of a 33,250 square foot facility on a 0.75 acre parcel of land, located at 89-30 161st Street, Jamaica, NY; (iv) finance the construction, renovation, equipping, and/or furnishing of a 193,194 square foot facility on a 7.9 acre parcel of land, located at 85-70 148th Street, Jamaica, NY; and/or (v) pay for certain costs related to the issuance of the Bonds and the refunding of the refunded bonds (i, ii, and iii collectively, the "Project"). All of the facilities described in this notice are owned and operated by SCO for the purpose of providing services and programs for developmentally disabled individuals. **Addresses:** 89-30 161st Street, Jamaica, NY 11432 and 85-70 148th Street, Jamaica, NY 11435. **Type of Benefits:** Tax-exempt bond financing and exemption from City and State mortgage recording taxes. **Total Project Cost:** \$20,500,000. **Projected Jobs:** 258.5 full-time-equivalent jobs retained. **Hourly Wage Average and Range:** \$25.60/hour, estimated range of \$15.00/hour to \$113.88/hour.

For any updates to project information after the date of this notice, please visit the website of New York City Economic Development Corporation ("NYCEDC"), at www.nycedc.com/buildnyc-project-info.

The Corporation is committed to ensuring meaningful access to its programs. If you require any accommodation for language access, including sign language, please contact NYCEDC's Equal Access Officer at (212) 312-3602 or at EqualAccess@edc.nyc.

Pursuant to Executive Order 202.1 (2020), issued by the Governor of the State of New York, the Corporation will hold a hearing remotely by conference call on the proposed financings and transactions set forth above, commencing, at 10:00 A.M., on **Thursday, June 18th, 2020**. Interested members of the public are invited to participate in the conference call for the public hearing by dialing (877) 853-5247 (Toll Free) or (888) 788-0099 (Toll Free) and entering the following Webinar ID: 937 5333 0196#. The hearing will also be accessible as a free-to-join webinar accessible through the world wide web address: <https://nycedc.zoom.us/j/93753330196?pwd=V1JLbXdxa1E2UlRzVWJGZmNjdjcyQT09> and entering the password: ida.

The Corporation will present information at such hearing on the proposed financings and transactions set forth above. For those members of the public desiring to review project applications and cost benefit analyses before the date of the hearing, copies of these materials will be made available, at <https://edc.nyc/build-nyc-board-meetings-and-public-hearings>, starting at 12:00 P.M. fourteen (14) days prior to the hearing. Persons desiring to make a brief statement during the conference call regarding the proposed transactions should give prior notice to the Corporation by sending an email to ftufano@edc.nyc no later than 5:00 P.M. the day before the hearing. Written comments may be submitted to the Corporation to the following email address: ftufano@edc.nyc. Please be advised that it is possible that certain of the aforementioned proposed transactions may be removed from the hearing agenda prior to the hearing date. Information regarding such removals will be available on the Corporation's website, at <https://edc.nyc/build-nyc-board-meetings-and-public-hearings> on or about 12:00 P.M. on the Friday preceding the hearing.

Build NYC Resource Corporation
Attn: Ms. Frances Tufano
One Liberty Plaza, 13th Floor
New York, NY 10006
(212) 312-3598

Accessibility questions: NYCEDC's Equal Access Officer, at (212) 312-3602 or at EqualAccess@edc.nyc, by: Thursday, June 18, 2020, 10:00 A.M.



← m22

CITY COUNCIL

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Council has scheduled the following remote public hearing, on the matter indicated below:

The Subcommittee on Landmarks, Public Sitings and Dispositions, will hold a remote public hearing, on the following matter, commencing at 9:30 A.M., on May 27, 2020, at <https://council.nyc.gov/livestream/>. Please visit <https://council.nyc.gov/testify/>, in advance for information about how to testify and how to submit written testimony.

**2274 ADAM CLAYTON POWELL ANCP – UDAAP/ARTICLE XI
MANHATTAN CB - 10 20205414 HAM**

Application submitted by the New York City Department of Housing Preservation and Development, pursuant to Article 16 of the General Municipal Law and Section 577 of Article XI of the Private Housing Finance Law, for approval of an urban development action area project, waiver of the area designation requirement, waiver of the requirements of Sections 197-c and 197-d of the New York City Charter, and approval of a real property tax exemption, for property, located at 24 West 132nd Street (Block 1729, Lot 45); 37 West 138th Street (Block 1736, Lot 23); 202 West 133rd Street (Block 1938, Lot 38); 2274 Adam Clayton Powell Jr. Boulevard (Block 1939, Lot 34), Council District 9.

For questions about accessibility and requests for additional accommodations, please contact swerts@council.nyc.gov, or nbenjamin@council.nyc.gov, or (212) 788-6936, at least three (3) business days before the hearing.

Accessibility questions: Maria Sabalvaro, msabalvaro@council.nyc.gov, by: Friday, May 22, 2020, 3:00 P.M.



m20-27

COMPTROLLER

■ MEETING

The City of New York Audit Committee Meeting, is scheduled for Wednesday, May 27, 2020, at 9:30 A.M., via video conference call. The meeting will not be open to the general public.

m19-27

BOARD OF EDUCATION RETIREMENT SYSTEM

■ MEETING

The Board of Education Retirement System Board of Trustees Meeting will be held, at 4:00 P.M., on Wednesday, May 27, 2020, via Webex. If you would like to attend the meeting, please contact BERS Executive Director, Sanford Rich, at Srich4@bers.nyc.gov.

m19-27

NEW YORK CITY FIRE PENSION FUND

■ MEETING

Please be advised, that the trustees of the New York City Fire Pension Fund, will be holding a Board of Trustees Meeting, on May 27, 2020, at 9:00 A.M. To be held at the New York City Fire Pension Fund, One Battery Park Plaza, 9th Floor.



m19-27

FRANCHISE AND CONCESSION REVIEW COMMITTEE

■ PUBLIC HEARINGS

Notice of a Franchise and Concession Review Committee (FCRC) Public Hearing on Agency Annual Concession Plans for Fiscal Year 2021, pursuant to Section 1-10 of the Concession Rules of the City of New York (Concession Rules), to be held remotely on Monday, June 8, 2020, commencing, at 2:30 P.M., via Webex dial in.

At this hearing, the FCRC will further solicit comments about the provisions of the Concession Rules from the vendor community, civic groups and the public, at large. The FCRC shall consider the issues raised, at the Public Hearing, in accordance with the procedures set forth in the New York City Charter under the City Administrative Procedure Act.

The following agencies submitted an Annual Concession Plan for Fiscal Year 2021: the Department of Parks and Recreation; the Department of Citywide Administration Services; the Department of Environmental Protection; the Department of Corrections; the Department of Health and Mental Hygiene; the Department of Transportation; the New York City Fire Department; the Department of Housing Preservation and Development; the NYC & Company on behalf of the Department of Small Business Services; the New York City Economic Development Corporation on behalf of the Department of Small Business Services; the New York City Administration for Children's Services; the New York City Department of Records and Information Services and the New York City Police Department.

The portfolio of Agency Annual Concession Plans covers significant and non-significant concessions expiring, continuing and anticipated for solicitation or initiation in Fiscal Year 2021. Furthermore, the portfolio covers, *inter alia*:

- Department of Parks and Recreation: mobile food units, food service facilities, golf courses, driving ranges, marinas, tennis professionals, athletic facilities, Christmas trees, parking lots, markets, fairs, restaurants, concerts, newsstands, stables, gas stations, amusement venues, ice skating rinks, carousels, ferry services, bike rentals, sailboat rentals, souvenirs and gifts, beach equipment, and event programming.
- Department of Citywide Administrative Services: maritime/non-maritime occupancy permits, merchandise and marketing, vending machines and restaurants.
- Department of Environmental Protection: gas purification.

- Department of Corrections: commissary services, mobile food units and vending machines.
- Department of Health and Mental Hygiene: drug discount card program.
- Department of Transportation: vending machines, pedestrian plazas, food courts, café, markets and dispatch booth/pick-up area for car service.
- New York City Fire Department: fire museum and collections.
- Department of Housing Preservation and Development: café.
- NYC & Company on behalf of the Department of Small Business Services: marketing, advertising, intellectual property and trademark merchandising.
- New York City Economic Development Corporation on behalf of the Department of Small Business Service: events/installations, parking lots, maritime and non-maritime occupancy permits.
- New York City Administration for Children's Services: vending machines.
- New York City Department of Records and Information Services: licensing representation.
- New York City Police Department: vending machines, ATMs and cafeteria.

The public may participate in the public hearing by calling the dial-in number below.

Dial-in #: +1-408-418-9388
Access Code: 714 149 799
Press # on further prompts

Written testimony may be submitted in advance of the hearing electronically, to gregg.alleyne@mocs.nyc.gov. All written testimony must be received by June 5th, 2020. In addition, the public may also testify during the hearing by calling the dial-in number. Interested parties may obtain a copy of the Agency Annual Concession Plans by contacting Gregg Alleyne via email, at gregg.alleyne@mocs.nyc.gov. Upon request, a PDF version of the Agency Annual Concession Plans is available free of cost. A transcript of the hearing will be posted on the FCRC website, at <https://www1.nyc.gov/site/mocs/reporting/agendas.page>.

For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact the Mayor's Office of Contract Services (MOCS), via email, at DisabilityAffairs@mocs.nyc.gov, or via phone, at (646) 872-0231. Any person requiring reasonable accommodation for the public hearing, should contact MOCS, at least five (5) business days in advance of the hearing, to ensure availability.

m21-j8

HOUSING AUTHORITY

MEETING

Because of the ongoing COVID-19 health crisis and in relation to Governor Andrew Cuomo's Executive Orders, the Board Meeting of the New York City Housing Authority, scheduled for Wednesday, May 27, 2020, at 10:00 A.M., will be limited to viewing the live-stream or listening via phone instead of attendance in person.

For public access, the meeting will be streamed live on NYCHA's Website, at <http://nyc.gov/nycha> and <http://on.nyc.gov/boardmeetings> or can be accessed by calling 1(408) 418-9388 using Event number (access code): 717 366 098 and Event password: nychaboard.

For those wishing to provide public comment, pre-registration is required via email, to corporate.secretary@nycha.nyc.gov or by contacting (212) 306-6088, no later than 5:00 P.M., on the day prior to the Board Meeting. When pre-registering, please provide your name, development or organization name, contact information and item you wish to comment on. You will then be contacted with instructions for providing comment. Comments are limited to the items on the Calendar.

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

Copies of the Calendar will be available on NYCHA's Website, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes will also be available on NYCHA's Website no earlier than 3:00 P.M. on the Thursday following the Board Meeting.

Any changes to the schedule will be posted here and on NYCHA's Website, at <http://www1.nyc.gov/site/nycha/about/board-calendar.page>

to the extent practicable at a reasonable time before the meeting.

For additional information, please visit NYCHA's Website or contact (212) 306-6088.

Accessibility questions: Office of the Corporate Secretary, (212) 306-6088, corporate.secretary@nycha.nyc.gov, by: Monday, May 18, 2020, 12:00 P.M.



m12-27

HOUSING PRESERVATION AND DEVELOPMENT

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Real Property A&D Public Hearing will be held on Wednesday, June 24, 2020, at 10:00 A.M. The Public Hearing will be held via Conference Call. Call-in #: 1-646-992-2010, Access Code: 717-876-299.

Pursuant to Section 124 of the Public Housing Law and Section 1802(6) (j) of the Charter, the Department of Housing Preservation and Development ("HPD") has proposed an amendment to the deed described below, pursuant to which the City of New York ("City") previously conveyed certain real property located in the Borough of the Bronx and known as:

BLOCK	LOT	ADDRESS
3143	234	2291 Webster Avenue

on the Tax Map of the City ("Premises") and, now known as the Twin Parks Terrace project in the Extremely Low & Low-Income Affordability (ELLA) Program.

In 1997, the City conveyed five lots, Bronx Block 3143, Lots 234, 236, 240, 206 and 167 to the New York City Housing Authority ("NYCHA"), for purposes of creating accessory parking for the existing NYCHA development Twin Parks West (Sites 1 and 2), pursuant to a deed dated June 9, 1997 ("Deed"). Subsequently, Lots 234, 236, and 240 were merged into new Lot 234. New Lot 234 is improved by a now inactive parking lot that has 37 parking spaces. NYCHA requests that HPD amend the Deed to remove the covenant that limits Lot 234 (f/k/a 234, 236, and 240) to accessory uses so that the site can be developed as a mixed-use new construction affordable housing project under HPD's Extremely Low and Low-Income Affordability (ELLA) Program (the "New Construction Project"). The New Construction Project will include demolition of the existing inactive parking lot and the construction of a building containing approximately 182 multifamily residential units (including one superintendent unit) with rents affordable to households with incomes up to 80% AMI, approximately 10,628 square feet of commercial space and approximately 1,809 square feet of community facility space.

At the construction loan closing of the New Construction Project, it is anticipated that NYCHA will ground lease Lot 234 to Twin Parks Terrace Housing Development Fund Corporation as legal owner and a beneficial owner controlled by Joy Construction Corporation and Settlement Housing Fund, Inc. (collectively, "Proposed Ground Lessee"). Proposed Ground Lessee will enter into a Regulatory Agreement setting forth the income and rent restrictions for the New Construction Project along with other requirements.

This submission is to request approval to modify the Deed to remove the covenant that limits Lot 234 (f/k/a 234, 236, and 240) to accessory uses so that the site can be developed as a mixed-use new construction affordable housing project under HPD's Extremely Low and Low-Income Affordability (ELLA) Program.

The Amended Deed is available for public examination by contacting HPD, at pearsona@hpd.nyc.gov, on business days during business hours.

In order to access the Public Hearing and testify, please call 1-646-992-2010, Access Code: 717-876-299 no later than 9:55 A.M. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via email, at DisabilityAffairs@mocs.nyc.gov.

m22-j2

INDUSTRIAL DEVELOPMENT AGENCY

PUBLIC HEARINGS

The New York City Industrial Development Agency (the "Agency"), is empowered under the New York State Industrial Development Agency Act (constituting Title 1 of Article 18-A of the General Municipal Law), and Chapter 1082 of the 1974 Laws of New York, as amended, to enter

into straight-lease transactions for the benefit of qualified projects, and thereby advance the job opportunities, general prosperity and economic welfare of the people of the State of New York (the "State") and to improve their prosperity and standard of living. The Agency has been requested to participate in straight-lease transactions and to issue bonds for the purposes and at the addresses also identified below. As used herein, the "City" shall mean The City of New York. All dollar amounts (including bond issuance amounts), square footage amounts and wage information shown below are approximate numbers. As used herein, "bonds" are the bonds of the Agency, the interest on which may be exempt from local and/or state and/or federal income taxes; and, with reference to the bond amounts provided herein below, "approximate" shall be deemed to mean up to such stated bond amount or a greater principal amount not to exceed 10% of such stated bond amount.

Company Name(s): **Company Name(s):** East River ESS, LLC, a Delaware limited liability company (the "Company"). The Company is an indirect wholly owned subsidiary of Hanwha Energy USA Holdings Corporation, a Delaware corporation that does business as 174 Power Global ("174 PG"). 174 PG is a developer of solar power and battery energy storage power projects and an independent power producer operating in North America. **Project Description:** The Company seeks financial assistance in connection with the construction and equipping of an approximately 100 megawatt battery storage system (consisting of 400 megawatt hours of storage capacity) (the "Battery System"). The Battery System will be enclosed in multiple containers totaling approximately 130,680 square feet, located on a 4.4 acre parcel of land at 31-03 20th Avenue in Astoria, Queens (the "Facility") as described in the lease between the Company and New York Power Authority. The Facility will be operated by the Company on land leased from New York Power Authority and the Facility will serve as a large-scale battery storage system capable of charging from, and discharging into, the New York power grid. For the first seven years of operation, the project will operate under a fixed price contract with Consolidated Edison Company of New York, in the New York Independent System Operator's (NYISO) wholesale energy, capacity and ancillary services markets. **Address:** 31-03 20th Avenue, Astoria, Queens 11105. **Type of Benefits:** Payments in lieu of City real property taxes, partial exemption from City and State mortgage recording taxes, and exemption from City and State sales and use taxes. **Total Project Cost:** \$132,920,334. **Projected Jobs:** 5 full-time equivalent jobs projected. **Hourly Wage Average and Range:** \$42.40/hour, estimated range of \$30.00/hour to \$52.00/hour.

Company Name(s): Radix Capital LLC, a New York limited liability company ("Radix Capital"), and its affiliated real estate holding company, Radix 5714 1st Ave LLC, a Delaware limited liability company (collectively, the "Company"). Radix Capital, among its activities, develops and manages residential and commercial real estate. **Project Description:** The Company seeks financial assistance in connection with the acquisition, renovation, equipping and furnishing of an existing approximately 106,000 square foot building located on an approximately 55,955 square foot parcel of land, located at 5714 1st Avenue, Brooklyn, NY the "Facility". The Facility will be owned by Radix 5714 1st Ave LLC and will be operated by Radix Capital to provide rentable industrial space to tenants for manufacturing, distribution, light manufacturing and office use. **Address:** 5714 1st Avenue, Brooklyn, NY 11220. **Type of Benefits:** Payments in lieu of City real property taxes, partial exemption from City and State mortgage recording taxes, and exemption from City and State sales and use taxes. **Total Project Cost:** \$54,400,000. **Projected Jobs:** To be determined; see website for more information. **Hourly Wage Average and Range:** To be determined; see website for more information.

Company Name: BPA North LLC, a New York limited liability company, and its affiliates, Silvercup Studios Associates Limited Partnership and 140th Street Studios LLC (collectively, the "Company"). The Company is a television and motion picture studio developer and operator. **Project Description:** The Company seeks financial assistance in connection with the design, construction, furnishing and equipping of a to-be-built, approximately 20,000 square foot building located on an approximately 11,250 square foot parcel of land, located at 903 East 140th Street, Bronx, NY (the "Facility"). The Facility will be owned and operated by the Company and will be used to provide sound stages, television studios, office space, and ancillary space and services to producers of media content. **Address:** 903 East 140th Street, Bronx, NY 10454 **Type of Benefits:** Payments in lieu of City real property taxes, partial exemption from City and State mortgage recording taxes, and exemption from City and State sales and use taxes. **Total Project Cost:** \$12,335,711. **Projected Jobs:** 8 full time equivalent jobs retained; 1 full-time equivalent job projected. **Hourly Wage Average and Range:** \$23.03/hour, estimated range of \$17.34/hour to \$43.54/hour.

For any updates to project information after the date of this notice, please visit the website of New York City Economic Development Corporation ("NYCEDC"), at www.nycedc.com/nycida-project-info.

The Agency is committed to ensuring meaningful access to its programs. If you require any accommodation for language access, including sign language, please contact NYCEDC's Equal Access Officer, at (212) 312-3602 or at EqualAccess@edc.nyc.

Pursuant to Section 859a of the General Municipal Law of the State of New York and Executive Order 202.1 (2020), issued by the Governor of the State of New York, the Agency will hold a hearing remotely by conference call on the proposed financings and transactions set forth above, commencing at 10:00 A.M. on **Thursday, June 18th, 2020**. Interested members of the public are invited to participate in the conference call for the public hearing by dialing (877) 853-5247 (Toll Free) or (888) 788-0099 (Toll Free) and entering the following Webinar ID: 937 5333 0196#. The hearing will also be accessible as a free-to-join webinar accessible through the world wide web address: <https://nycedc.zoom.us/j/93753330196?pwd=V1JLbXdxalE2UlkzVVJGZmNjdjcyQT09> and entering the password: ida.

The Agency will present information at such hearing on the proposed financings and transactions set forth above. For those members of the public desiring to review project applications and cost benefit analyses before the date of the hearing, copies of these materials will be made available at: <https://edc.nyc/nycida-board-meetings-public-hearings>, starting on or about 12:00 P.M. fourteen (14) days prior to the hearing. Persons desiring to make a brief statement during the conference call regarding the proposed transactions should give prior notice to the Agency by sending an email to tfufano@edc.nyc no later than 5:00 P.M. the day before the hearing. Written comments may be submitted to the Agency to the following email address: tfufano@edc.nyc. Please be advised that it is possible that certain of the aforementioned proposed transactions may be removed from the hearing agenda prior to the hearing date. Information regarding such removals will be available on the Agency's website, at <https://edc.nyc/nycida-board-meetings-public-hearings> on or about 12:00 P.M. on the Friday preceding the hearing.

New York City Industrial Development Agency
Attn: Ms. Frances Tufano
One Liberty Plaza, 13th Floor
New York, NY 10006
(212) 312-3598

Accessibility questions: NYCEDC's Equal Access Officer, at (212) 312-3602 or at EqualAccess@edc.nyc, by: Thursday, June 18, 2020, 10:00 A.M.



← m22

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, June 2, 2020, at 9:30 A.M., the Landmarks Preservation Commission (LPC or agency) will hold a public hearing by teleconference with respect to the properties list below, and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. The teleconference will be by the Zoom app and will be live streamed on the LPC's YouTube channel, www.youtube.com/nyclpc. Members of the public should observe the meeting on the YouTube channel and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, under the "Hearings" tab <https://www1.nyc.gov/site/lpc/hearings/hearings>, page, on the Monday before the public hearing. Any person requiring language assistance services or other reasonable accommodation in order to participate in the hearing or attend the meeting should contact the LPC, by contacting Rich Stein, Community and Intergovernmental Affairs Coordinator, at richstein@lpc.nyc.gov, or (646) 248-0220 at least five (5) business days before the hearing or meeting. **Please note: Due to the City's response to COVID-19, this public hearing and meeting is subject to change and/or cancellation.**

55 Cranberry Street - Brooklyn Heights Historic District
LPC-20-07692 - Block 216 - Lot 15 - Zoning: R7-1
CERTIFICATE OF APPROPRIATENESS

An Italian Renaissance style church building, designed by Bede and Burlenback and built in 1908-1909. Application is to modify the façade to create barrier-free access, and excavate side areaways.

75 Broadway - Individual Landmark
LPC-20-09961 - Block 49 - Lot 1 - Zoning: C5-5
CERTIFICATE OF APPROPRIATENESS

A Gothic Revival style church, designed by Richard Upjohn and built in 1846. Application is to replace a window.

74 Leonard Street (aka 72-74 Leonard Street) - Tribeca East Historic District

LPC-19-27244 - Block 173 - Lot 17 - Zoning: C6-2A

CERTIFICATE OF APPROPRIATENESS

A Second Empire style store and loft building, built in 1864-65. Application is to extend an elevator bulkhead.

123 Sullivan Street - Sullivan-Thompson Historic District

LPC-20-08201 - Block 503 - Lot 7501 - Zoning: R7-2

CERTIFICATE OF APPROPRIATENESS

An apartment building, built c. 2002. Application is to replace windows.

468 West 23rd Street - Chelsea Historic District Extension

LPC-20-09535 - Block 720 - Lot 7502 - Zoning: R7B

CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse, built in 1857 and later altered. Application is to install a through-wall louver.

44-54 9th Avenue and 351-355 West 14th Street - Gansevoort Market Historic District

LPC-20-08722 - Block 738 - Lot 1, 8 - Zoning: C6-2A

CERTIFICATE OF APPROPRIATENESS

A row of Greek Revival style rowhouses, with stores built c. 1845-46 and a row of Greek Revival style town houses, with stores built c. 1842-44. Application is to alter the façades and roofs, modify openings and replace windows, install a canopy and solar panels, demolish rear yard additions, and construct a new building.

164 West 81st Street - Upper West Side/Central Park West Historic District

LPC-20-04746 - Block 1211 - Lot 155 - Zoning: R8B

CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style rowhouse, built in 1882-1883. Application is to construct a rear yard addition.

10 East 92nd Street - Carnegie Hill Historic District

LPC-20-03121 - Block 1503 - Lot 66 - Zoning: R8B

CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style rowhouse, designed by Thomas Graham and built in 1890-92. Application is to construct a rooftop addition.

m19-j2



CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

The City of New York in partnership with PropertyRoom.com posts vehicle and heavy machinery auctions online every week at: <https://www.propertyroom.com/s/nyc+fleet>

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

Vehicles can be viewed in person at:
Insurance Auto Auctions, North Yard
156 Peconic Avenue, Medford, NY 11763
Phone: (631) 294-2797

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

s4-f22

OFFICE OF CITYWIDE PROCUREMENT

■ NOTICE

The Department of Citywide Administrative Services, Office of Citywide Procurement is currently selling surplus assets on the Internet. Visit <http://www.publicsurplus.com/sms/nycdcas.ny/browse/home>

To begin bidding, simply click on 'Register' on the home page.

There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more.

Public access to computer workstations and assistance with placing bids is available at the following locations:

- DCAS Central Storehouse, 66-26 Metropolitan Avenue, Middle Village, NY 11379
- DCAS, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007

j2-d31

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

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

j2-d31

POLICE

■ NOTICE

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

The following list of properties is in the custody of the Property Clerk Division without claimants:
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.

Items are recovered, lost, abandoned property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.

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):

- Springfield Gardens Auto Pound, 174-20 North Boundary Road, Queens, NY 11430, (718) 553-9555
- Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2030

FOR ALL OTHER PROPERTY

- Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906
- 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

j2-d31



“Compete To Win” More Contracts!

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

- Win More Contracts, at nyc.gov/competetowin

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

HHS ACCELERATOR

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York (“PPB Rules”), vendors must first complete and submit an electronic prequalification application using the City’s Health and Human Services (HHS) Accelerator System. The HHS Accelerator System is a web-based system maintained by the City of New York for use by its human services Agencies to manage procurement. The process removes redundancy by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding are more focused on program design, scope, and budget.

Important information about the new method

- Prequalification applications are required every three years.
- Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete.
- Prequalification applications will be reviewed to validate compliance with corporate filings, organizational capacity, and relevant service experience.
- Approved organizations will be eligible to compete and would submit electronic proposals through the system.

The Client and Community Service Catalog, which lists all Prequalification service categories and the NYC Procurement Roadmap, which lists all RFPs to be managed by HHS Accelerator may be viewed, at <http://www.nyc.gov/html/hhsaccelerator/html/roadmap/roadmap.shtml>. All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding.

Participating NYC Agencies

HHS Accelerator, led by the Office of the Mayor, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Agencies:

Administration for Children’s Services (ACS)
 Department for the Aging (DFTA)
 Department of Consumer Affairs (DCA)
 Department of Corrections (DOC)
 Department of Health and Mental Hygiene (DOHMH)
 Department of Homeless Services (DHS)
 Department of Probation (DOP)
 Department of Small Business Services (SBS)
 Department of Youth and Community Development (DYCD)
 Housing and Preservation Department (HPD)
 Human Resources Administration (HRA)
 Office of the Criminal Justice Coordinator (CJC)

To sign up for training on the new system, and for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit www.nyc.gov/hhsaccelerator

ADMINISTRATION FOR CHILDREN’S SERVICES

AWARD

Human Services/Client Services

FAMILY ASSESSMENT PROGRAM - Negotiated Acquisition - Available only from a single source - PIN#06811P0001009N001 - AMT: \$587,685.97 - TO: Community Mediation Services, Inc., 89-64 163rd Street, Jamaica, NY 11432.

☛ m22

FAMILY ASSESSMENT PROGRAM - Negotiated Acquisition - Available only from a single source - PIN#06811P0001003N001 - AMT: \$500,711.06 - TO: Community Mediation Services, Inc., 89-64 163rd Street, Jamaica, NY 11432.

☛ m22

FFT AND FFT ADAPTATIONS FOR CHILD WELFARE POPULATION - Negotiated Acquisition - Available only from a single source - PIN#06820N0003001 - AMT: \$919,200.00 - TO: Fft LLC, 1251 North West Elford Drive, Seattle, WA 98177.

☛ m22

ADMINISTRATIVE TRIALS AND HEARINGS

PROCUREMENT

AWARD

Goods and Services

DELL COMPUTERS, MONITORS AND WARRANTY - Innovative Procurement - Other - PIN#20-OATHIT-0067/0068 - AMT: \$78,539.07 - TO: Maureen Data Systems Inc., 307 West 38th Street, Suite 1801, New York, NY 10018.

The Office of Administrative Trials and Hearings (OATH), is utilizing the MWBE Innovative Procurement Method, under Section 3-12 (e) of the Procurement Policy Board (PPB) Rules. This proposed method will be used to procure goods, standard services and professional services from \$20,000 to \$500,000 exclusively from City-certified MWBE’s for goods and services. This method will be used as advertised until such time the City has evaluated the use of this proposed method and determined whether it is in the City’s best interest to be codified and used within the PPB Rules.

☛ m22

CITYWIDE ADMINISTRATIVE SERVICES

OFFICE OF CITYWIDE PROCUREMENT

AWARD

Goods

COVID19 - NITRILE EXAM GLOVES - Emergency Purchase - Other - PIN#85620E0157001 - AMT: \$4,460,000.00 - TO: HH Fairchild Holdings LLC., 7 Gile Drive, Unit 1B, Handover, NH 03755.

Award Date 5/7/2020

Pursuant to Executive Order 101, the Commissioner of Department of Citywide Administrative Services has designated the awarded contract as necessary to respond to the COVID-19 emergency. This procurement is being made for Personal Protective Equipment (PPE) to aid in this effort.

☛ m22

COVID19 - STERILE SURGICAL GOWNS - Emergency Purchase - Other - PIN#85620E0158001 - AMT: \$5,490,000.00 - TO: Designwear Inc., 2630 North 27th Street, Lincoln, NE 68521.

Award Date 5/7/2020

Pursuant to Executive Order 101, the Commissioner of Department of Citywide Administrative Services has designated the awarded contract as necessary to respond to the COVID-19 emergency. This procurement is being made for Personal Protective Equipment (PPE) to aid in this effort.

☛ m22

COVID19 - PURCHASE N95 MASK - Emergency Purchase - Other - PIN#85620E0161001 - AMT: \$5,382,000.00 - TO: Empire USA, 103 Fort Salonga Road, Suite 10, North Port, NY 11768.

Award Date 5/22/2020

Pursuant to Executive Order 101, the Commissioner of Department of Citywide Administrative Services has designated the awarded contract as necessary to respond to the COVID-19 emergency. This procurement is being made for Personal Protective Equipment (PPE) to aid in this effort.

☛ m22

COVID19 - DISPOSABLE STERILE GOWNS - Emergency Purchase - Other - PIN#85620E0160001 - AMT: \$6,600,000.00 - TO: DBA XTRA Care Pharmacy, 75 South Main Street, Freeport, NY 11520.

Award Date 5/22/2020

Pursuant to Executive Order 101, the Commissioner of Department of Citywide Administrative Services has designated the awarded contract as necessary to respond to the COVID-19 emergency. This procurement is being made for Personal Protective Equipment (PPE) to aid in this effort.

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BOARD OF ELECTIONS

■ AWARD

Goods

DISINFECTING WIPES AND BUCKETS FOR CORONA VIRUSES - Other - PIN#20201421093 - AMT: \$75,605.97 - TO: Global Domestic Advisory Partners LLC., 80 Bay Street Landing, Suite 5A, Staten Island, NY 10301.

Disinfecting Wipes for Corona Virus, to be use at Poll Sites.
Its a M/WBE Vendor.

☛ m22

■ SOLICITATION

Services (other than human services)

DEVELOPMENT OF POLLWORKER TRAINING FOR EARLY VOTING AND ELECTION DAY - Request for Proposals - PIN# 0035152020 - Due 6-12-20 at 4:00 P.M.

Pollworker Training Program to Train Pollworkers for Early Voting and Election Day.

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.

Board of Elections, 32 Broadway, 7th Floor, New York, NY 10004. Sherwin Suss (212) 487-7290; Fax: (212) 487-5343; ssuss@boe.nyc.ny.us

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HEALTH AND MENTAL HYGIENE

■ AWARD

Human Services/Client Services

PERMANENT AND SUPPORTIVE HOUSING- INDIVIDUALS W/ MENTAL ILLNES - Required Method (including Preferred Source) - PIN#18AZ006401R1X00 - AMT: \$840,354.00 - TO: Lantern Community Services Inc., 494 Eighth Avenue, New York, NY 10001.

☛ m22

AGENCY CHIEF CONTRACTING OFFICER

■ INTENT TO AWARD

Goods and Services

PURCHASE OF THE MEDSPHERE RCMS (INSIGHTCS)/RCM CLOUD - Sole Source - Available only from a single source - PIN#21FB010101R0X00 - Due 6-8-20 at 11:00 A.M.

DOHMH, intends to enter into a Sole Source contract, with Medsphere System Corporation, for software licensing, professional services, and maintenance support for the RCMS (InsightCS)/RCM Cloud suite of software solutions. DOHMH, intends to utilize RCMS (InsightCS)/RCM Cloud, to provide an automated Revenue Cycle Management System database, in order to maximize DOHMH's ability to capture Medicaid and Medicare Fee-For-Service (FFS), Medicare Part B and Medicaid Managed Care Organizations (MCO), and other third-party health insurance revenues. DOHMH, has determined that Medsphere System Corporation is the designer and developer of the proprietary Revenue Cycle.

Management System (RCMS) solution suite known as InsightCS@. As such, Medsphere Systems, Inc., is the sole source vendor for both the development and implementation of the RCMS software (InsightCS), and the associated professional and support services. The duration of this contract will be for 6 years. Any vendor who believes they can provide these products are welcome to submit an expression of interest via email. All questions and concerns regarding this sole source should also be submitted, via email.

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

Health and Mental Hygiene, 42-09 28th Street, 17th Floor, Long Island City, NY 11101. Chassid Miner (347) 396-6754; Fax: (347) 396-6758; cminer@health.nyc.gov

m20-27

HOMELESS SERVICES

■ AWARD

Human Services/Client Services

DHS EMERGENCY PROCUREMENT TO OPERATE DROP-IN FACILITIES, WESTHAB, INC. - Other - PIN#07120E0006001 - AMT: \$2,632,579.00 - TO: Westhab, Inc., 8 Bashford Street, Yonkers, NY 10701.

Contract Term from 4/15/2020 to 10/14/2020.

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SHORT-TERM HOUSING FOR HOMELESS VETERANS AT BORDEN AVE RESIDENCE AT 21-10 BORDEN AVE, LIC

- Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#0711I0007001 - AMT: \$31,302,962.00 - TO: Institute for Community Living, Inc., 125 Broad Street, 3rd Floor, New York, NY 10004.

Contract Term: 7/1/2020 to 6/30/2024

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HOUSING AUTHORITY

PROCUREMENT

■ SOLICITATION

Goods

GRASS SEED AND TOPSOIL - Competitive Sealed Bids - PIN# 138829 - Due 6-16-20 at 12:00 P.M.

This is a RFQ, for 3 year blanket order agreement. The awarded bidder/vendor agrees to have GRASS SEED and TOPSOL readily available for delivery within 15 days after receipt of order on an "as needed basis" during the duration of the contract period. The quantities provided are estimates based on current usage and the New York City Housing Authority may order less or more depending on our needs. All price adjustable RFQ'S are fixed for one year after award date. One price adjustment per year will be allowed with mfg. supporting documentation only. Please note: NYCHA reserves the right to make award by class as indicated. Samples may be required to be provided within 10 days of request. Failure to do so will result in bid being considered non-responsive.

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the RFQ number; vendors are instructed to open the link: <http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page>. Once on that page, make a selection from the first three links highlighted in red: New suppliers for those who have never registered with iSupplier, current NYCHA suppliers and vendors for those who have supplied goods or services to NYCHA in the past but never requested a login ID for iSupplier, and Login for registered suppliers if you already have an iSupplier ID and password. Once you are logged into iSupplier, select "Sourcing Supplier," then "Sourcing Homepage" and then reference the applicable RFQ PIN/solicitation number 138829.

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

Housing Authority, 90 Church Street, North 6th Floor, Cubicle 6-754, New York, NY 10007. Ornette Proctor (212) 306-4529; Fax: (212) 306-5108; ornette.proctor@nycha.nyc.gov



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HUMAN RESOURCES ADMINISTRATION

■ AWARD

Human Services/Client Services

OPERATION OF EMERGENCY SHELTERS FOR SURVIVORS OF DV - NEW HOPE SHELTER - Renewal - PIN#09611P0061003R010 - AMT: \$3,038,552.00 - TO: Volunteers of America Greater New York, Inc., 135 West 50th Street, 9th Floor, New York, NY 10020.

Contract Term from 3/1/2020 to 2/28/2021.

☛ m22

CONTRACTS**■ INTENT TO AWARD***Human Services/Client Services***THE BAILEY HOUSE 46 UNIT PERMANENT HOUSING AND SUPPORTIVE SERVICES FOR PLWHA - Renewal - PIN# 09612P0005015R001 - Due 5-26-20 at 5:00 P.M.**

HRA/DSS, intends to renew one (1) contract with the contractor that currently provide services to the HIV/AIDS Services Administration (HASA), for the Provision of the Bailey House 46 Unit Permanent Housing and Supportive Services For PLWHA. The term of the contract renewal will be from 7/1/2020 to 6/30/2024. Anyone having comments on the performance of the contractor or the proposed renewal of the contract may contact Paula Sangster-Graham, at (929) 252-2608. This Notice is for informational purposes only.

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.

Human Resources Administration, 375 Pearl Street, New York, NY 10038. Paula Sangster-Graham (929) 252-2608; sangstergraham@hrra.nyc.gov

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INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS**CONTRACTS AND PROCUREMENT****■ AWARD***Goods and Services***EMERGENCY ORDER - CONTACT TRACING SOFTWARE SOLUTION - Emergency Purchase - Other - PIN# 85820E0012001 - AMT: \$45,938,856.81 - TO: MTX B2B Solutions, LLC, 320 High Gate Drive, Slingerlands, NY 12159.**

Emergency Order with MTX B2B Solutions, LLC for a Contact Tracing Software Solution.

Due to the COVID-19 Pandemic, the City has authorized an Emergency Procurement with MTX, to implement a Contact Tracing Software Solution for the City of New York.

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PARKS AND RECREATION**■ VENDOR LIST***Construction Related Services***PREQUALIFIED VENDOR LIST: GENERAL CONSTRUCTION, NON-COMPLEX GENERAL CONSTRUCTION SITE WORK ASSOCIATED WITH NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION ("DPR") AND/OR "PARKS") PARKS AND PLAYGROUNDS CONSTRUCTION AND RECONSTRUCTION PROJECTS.**

NYC DPR is seeking to evaluate and pre-qualify a list of general contractors (a "PQL") exclusively to conduct non-complex general construction site work involving the construction and reconstruction of NYC DPR parks and playgrounds projects not exceeding \$3 million per contract ("General Construction").

By establishing contractor's qualification and experience in advance, NYC DPR will have a pool of competent contractors from which it can draw to promptly and effectively reconstruct and construct its parks, playgrounds, beaches, gardens and green-streets. NYC DPR will select contractors from the General Construction PQL for non-complex general construction site work of up to \$3,000,000.00 per contract, through the use of a Competitive Sealed Bid solicited from the PQL generated from this RFQ.

The vendors selected for inclusion in the General Construction PQL, will be invited to participate in the NYC Construction Mentorship. NYC Construction Mentorship focuses on increasing the use of small NYC contracts, and winning larger contracts with larger values. Firms participating in NYC Construction Mentorship will have the opportunity to take management classes and receive on-the-job training provided by a construction management firm.

NYC DPR will only consider applications for this General Construction PQL from contractors who meet any one of the following criteria:

- 1) The submitting entity must be a Certified Minority/Woman Business enterprise (M/WBE)*;
- 2) The submitting entity must be a registered joint venture or have a valid legal agreement as a joint venture, with at least one of the entities in the joint venture being a certified M/WBE*;
- 3) The submitting entity must indicate a commitment to sub-contract no less than 50 percent of any awarded job to a certified M/WBE for every work order awarded.

* Firms that are in the process of becoming a New York City-Certified M/WBE, may submit a PQL application and submit a M/WBE Acknowledgement Letter, which states the Department of Small Business Services has begun the Certification process.

Application documents may also be obtained online at: <http://a856-internet.nyc.gov/nycvendoronline/home.asap>; or <http://www.nycgovparks.org/opportunities/business>.

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

Parks and Recreation, Olmsted Center Annex, Flushing Meadows - Corona Park, Flushing, NY 11368. Alicia H. Williams (718) 760-6925; Fax: (718) 760-6885; dmwbe.capital@parks.nyc.gov

j2-d31

OFFICE OF PAYROLL ADMINISTRATION**■ INTENT TO AWARD***Services (other than human services)***PAID FAMILY LEAVE ("PFL") POLICY - Negotiated Acquisition - Other - PIN# 131FY20NA01 - Due 6-30-20 at 11:00 A.M.**

For Informational Purposes Only

OPA intends to enter into a Negotiated Acquisition with Metropolitan Life Insurance Company (MetLife), to provide the New York State approved Paid Family Leave (PFL) benefit for the City of New York employees. The contract value will be \$124,917,200.00, but there is no cost to the City. The program is paid for through employees' payroll deductions.

The initial term of the contract will be five (5) years, from 1/1/2021 to 12/31/2025, with an option to renew at the City's sole option for another five (5) years from 1/1/2026 to 12/31/2030, at the same terms and conditions as the underlying contract.

Under the Negotiated Acquisition, MetLife will provide a stand-alone PFL policy for the City of New York employees as negotiated by the City agreement on PFL with District Council 37, AFSCME, AFL-CIO ("DC 37").

The New York City (the "City"), PFL policy covers eligible employees whose unions have opted into New York State Paid Family Leave program per collective bargain agreements with the City. These agreements cover employees of the City of New York, the New York City Department of Education, the New York City Housing Authority. The policy also covers some employees of the City University of New York junior colleges. The New York City Health and Hospital Corporation is covered by a separate PFL policy but will likely be seeking coverage from the City's vendor. As of January 31, 2020 the City PFL policy covered approximately 127,000 employees. The number of employees enrolled in the PFL program will grow as additional collective bargaining units settle their contracts.

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.

Office of Payroll Administration, 5 Manhattan West, 4th Floor, New York, NY 10001-2633. Erika Lerner (212) 857-1538; Fax: (212) 857-1004; elerner@isa-opa.nyc.gov

m21-28

CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES.

FOR FURTHER INFORMATION ON ACCESSIBILITY OR TO MAKE A REQUEST FOR ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION SERVICES, PLEASE CONTACT

THE MAYOR'S OFFICE OF CONTRACT SERVICES (MOCS) VIA E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 788-0010. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



YOUTH AND COMMUNITY DEVELOPMENT

NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held via conference call, toll-free number 866-580-6251, Participant ID 86160890, on Tuesday, May 26, 2020 commencing at 10:00 a.m. on the following:

IN THE MATTER of the proposed contract between the Department of Youth and Community Development and the Contractors listed below to provide payroll related services for DYCD's Workforce programs participants. The contract term shall be April 1, 2020 through March 31, 2022, with no option to renew.

Name: Community Software Solutions, Inc. Address: 30 Jefferson Plaza Princeton, NJ 08540 Amount: \$4,015,214

The proposed contractors are being funded pursuant to Section 3-04 of the Negotiated Acquisition Extension Procurement Policy Board Rules.

In order to access the Public Hearing or to testify, please join the public hearing conference call at the toll-free number 866-580-6251, Participant ID 86160890 no later than 9:50 am on the date of the hearing. If you require further accommodations, please contact Wendy Johnson, via email, at Wjohnson@dycd.nyc.gov no later than three business days before the hearing date.

m22

SPECIAL MATERIALS

CITYWIDE ADMINISTRATIVE SERVICES

NOTICE

OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8548 FUEL OIL AND KEROSENE

Table with columns: CONTR. NO., ITEM NO., FUEL/OIL TYPE, DELIVERY, VENDOR, CHANGE (\$), PRICE (\$) EFF. 5/18/2020. Rows include items 1.2 through 17.3 and 1.0 through 14.0 with various fuel types and delivery methods.

3687007	1.0	#2B5	MANHATTAN	SPRAGUE	.0324 GAL.	1.0130 GAL.
3687007	4.0	#2B5	BRONX	SPRAGUE	.0324 GAL.	1.0020 GAL.
3687007	7.0	#2B5	BROOKLYN	SPRAGUE	.0324 GAL.	1.0187 GAL.
3687007	10.0	#2B5	QUEENS	SPRAGUE	.0324 GAL.	1.0149 GAL.
3687007	13.0	#2B5	RICHMOND	SPRAGUE	.0324 GAL.	1.1793 GAL.
3687007		#2B5	RACK PICK-UP	SPRAGUE	.0324 GAL.	0.9408 GAL.
3687007	16.0	#2B10	CITYWIDE BY TW	SPRAGUE	.0321 GAL.	1.2217 GAL.
3687007	17.0	#2B20	CITYWIDE BY TW	SPRAGUE	.0315 GAL.	1.3435 GAL.
3987206	#2DULSB5	95% ITEM 7.2 & 5 % ITEM 9.2	CITYWIDE BY TW	SPRAGUE	.0324 GAL.	1.1236 GAL. (A)
3987206	#2DULSB10	90% ITEM 7.2 & 10 % ITEM 9.2	CITYWIDE BY TW	SPRAGUE	.0321 GAL.	1.1882 GAL.(B)
3987206	#2DULSB20	80% ITEM 7.2 & 20 % ITEM 9.2	CITYWIDE BY TW	SPRAGUE	.0315 GAL.	1.3172 GAL.(C)
3987206	#2DULSB5	95% ITEM 10.2 & 5% ITEM 12.2	PICK-UP	SPRAGUE	.0324 GAL.	1.0188 GAL.(D)
3987206	#2DULSB10	90% ITEM 10.2 & 10% ITEM 12.2	PICK-UP	SPRAGUE	.0321 GAL.	1.0834 GAL.(E)
3987206	#2DULSB20	80% ITEM 10.2 & 20% ITEM 12.2	PICK-UP	SPRAGUE	.0315 GAL.	1.2124 GAL.(F)
3987206	#1DULSB20	80% ITEM 13.2 & 20% ITEM 14.2	CITYWIDE BY TW	SPRAGUE	-.0663 GAL.	1.5222 GAL.
3987206	#1DULSB20	80% ITEM 15.2 & 20% ITEM 16.2	PICK-UP	SPRAGUE	-.0663	-0663 1.4174 GAL.

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8549
FUEL OIL, PRIME AND START**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 5/18/2020
3787250	1.0	#2B5	ERP - CITYWIDE	PACIFIC ENERGY	.0324 GAL.	1.0709 GAL.

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8550
FUEL OIL AND REPAIRS**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 5/18/2020
3787250	1.0	#2B5	CITYWIDE BY TW	PACIFIC ENERGY	.0324 GAL.	1.0709 GAL.
3787250	2.0	#4B5	CITYWIDE BY TW	PACIFIC ENERGY	.0340 GAL.	1.0069 GAL.

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8551
GASOLINE**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 5/18/2020
3787120	1.0	REG UL	CITYWIDE BY TW	GLOBAL MONTELLO	.0152 GAL.	1.0400 GAL.
3787120	2.0	PREM UL	CITYWIDE BY TW	GLOBAL MONTELLO	.0387 GAL.	1.1861 GAL.
3787120	3.0	REG UL	PICK-UP	GLOBAL MONTELLO	.0152 GAL.	0.9750 GAL.
3787120	4.0	PREM UL	PICK-UP	GLOBAL MONTELLO	.0152 GAL.	1.1211 GAL.
3787121	5.0	E85 (SUMMER)	CITYWIDE BY DELIVERY	UNITED METRO	.0525 GAL.	1.5507 GAL. (G)

NOTE:

- (A), (B) and (C) Contract 3987206, item 7.2 replaced item 8.2 (Winter Version) effective April 1, 2020**
- As of February 9, 2018, the Bio-Diesel Blender Tax Credit was retroactively reinstated for calendar year 2017. Should the tax credit be further extended, contractors will resume deducting the tax credit as a separate line item on invoices.
- Federal excise taxes are imposed on taxable fuels, (i.e., gasoline, kerosene, and diesel), when removed from a taxable fuel terminal. This fuel excise tax does not include Leaking Underground Storage Tank (LUST) tax. LUST tax applies to motor fuels for both diesel and gasoline invoices. Going forward, LUST Tax will appear as an additional fee at the rate of \$0.001 per gallon and will be shown as a separate line item on your invoice.
- The National Oilheat Research Alliance (NORA) has been extended until February 6, 2029. A related assessment of \$.002 per gallon has been added to the posted weekly fuel prices and will appear as a separate line item on invoices. This fee applies to heating oil only and since 2015 has included #4 heating oil. All other terms and conditions remain unchanged.
- Contract #3987206, effective June 1, 2019, replaces former items (1-17) on Contract #3687331 and is inclusive of Item #17.3 for the price structure for the Winterized Fuel Barge Delivery for ULTRA LOW SULFUR D-2 – BARGE DELIVERY.
- Due to RIN price adjustments Biomass-based Diesel (2019) is replaced by Biomass-based Diesel (2020) commencing 01/01/2020.**

7. **Metro Environmental Services, LLC Requirement Contract #: 20201201516/4087084 for Fuel Site Maintenance Services, Citywide has been registered and Contract is available on DCAS / OCP's "Requirements Contract" website for Citywide use as of January 27, 2020. Link to Fuel Site Maintenance Services, Citywide contract via OCP website: <https://mspwww-dsocc.dcas.nycnet/mycprocurement/dmss/asp/RCDetails.asp?vContract=20201201516>**
8. **(D), (E) and (F) Contract 3987206, item 10.2 replaced item 11.2 (Winter Version) effective April 1, 2020**
9. **(G) Contract 3787121, item 5.0 replaced item 6.0 (Winter Blend) effective April 1, 2020**

REMINDER FOR ALL AGENCIES:

All entities utilizing DCAS fuel contracts are reminded to pay their invoices **on time** to avoid interruption of service.

Please send inspection copy of receiving report for all gasoline (E70, UL & PREM) delivered by tank wagon to OCP/Bureau of Quality Assurance (BQA), 1 Centre Street, 18th Floor, New York, NY 10007.

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OFFICE OF MANAGEMENT AND BUDGET

■ NOTICE

THE CITY OF NEW YORK - OFFICE OF MANAGEMENT AND BUDGET COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CD / CDBG) NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

TO ALL INTERESTED AGENCIES, COMMUNITY BOARDS,
GROUPS AND PERSONS:

This document constitutes the Notice of Intent to Request Release of Funds for the programs identified below, which are funded in the Forty-Sixth Community Development Year (CD 46/Calendar Year 2020/ Federal Fiscal Year 2020). On May 27, 2020 the City will submit to HUD its Request for Release of Funds for these projects. In accordance with 24 CFR Part 58.35 of the HUD Environmental Review Procedures for Title I CDBG Programs, the City has determined the activities conducted under these programs to be categorically excluded from the Environmental Assessment requirements of the National Environmental Policy Act. The programs do not involve new construction or the expansion of a building's footprint. This notice is not related to the CDBG - Disaster Recovery Program.

Because sites to be funded under the following programs are identified throughout the program year, these environmental reviews prepared on a tiered or programmatic basis. As sites are identified for CD funding specific reviews will be conducted.

ALTERNATIVE ENFORCEMENT PROGRAM (AEP)

AEP is an additional HPD enforcement mechanism that is intended to alleviate the serious physical deterioration of the City's most distressed multiple dwellings. The program forces owners to make effective repairs or have HPD do so in a more comprehensive fashion so that emergency conditions are alleviated and the underlying physical conditions are addressed. As described in the law, HPD will notify an owner that based upon criteria in the law, his or her multiple dwelling has been chosen for participation in AEP. An owner will have four months to repair the violations, pay all outstanding HPD emergency repair charges and liens, submit a current and valid property registration statement and request a re-inspection. If the owner fails to meet all of the requirements for discharge within the first four months, HPD will perform a building-wide inspection and issue an order outlining the necessary actions to address the emergency conditions and the underlying causes of those conditions (to minimize re-occurrence of those conditions). HPD will prepare a scope of work that will address the conditions cited in the order. Should an owner fail to comply with the order, HPD will perform the work. Work may include: Roof upgrade and replacement; brick re-pointing and masonry upgrades, electrical upgrades; joist, window, door, water supply lines, waste lines, water heater, and boiler replacement; lead-based paint remediation; and integrated pest management. CD 46 Allocation: \$8,627,000.

PROJECT OPEN HOUSE

The Mayor's Office for People with Disabilities uses CD funds to remove architectural barriers from the homes of low- and moderate-income City residents who have mobility impairments. Work may include grab bar installations; main entry components (ramp, chair lift, and door); and kitchen and bathroom modifications. CD 46 Allocation: \$198,000.

LANDMARKS HISTORIC PRESERVATION GRANT PROGRAM

The Landmarks Preservation Commission provides façade improvement grants to homeowners and nonprofits that own a property that is a designated landmark, is located within a designated historic district, or is listed in or is eligible to be listed in the National Register of Historic Places. Additionally, nonprofits may be awarded grants for interior improvements provided the building has a designated interior. CD 46 Allocation: \$114,000.

DFTA SENIOR CENTER IMPROVEMENTS

CD funds will be used for the renovation of the physical plant and the rectification of code violations in senior centers. Activities may include plumbing upgrades; installation of lighting and emergency lighting systems, security systems, air conditioning/heating/ventilation systems, kitchen fire extinguishing systems, hot water heaters, fire doors, and ramps; window upgrade/replacement; ceiling and roof rehabilitation; kitchen upgrade; bathroom renovation; re-wiring; floor replacement; handicapped access; and security and elevator improvements. CD 46 Allocation: \$1,933,000.

Sites under the following programs are known and reviews have been completed where noted in the environmental review.

MAINTENANCE AND OPERATION OF TAX-FORECLOSED HOUSING

Through foreclosure for tax delinquency (in rem), the City assumed ownership and management responsibility of formerly privately-owned residential buildings. HPD conducts necessary repairs and rehabilitation either through in-house staff or through private contractors. Rehabilitation will involve more extensive work than routine maintenance for plumbing and electrical work, seal-ups, boilers, and roofs. Funds are also used to renovate common building areas such as hallways. CD 46 Allocation: \$1,500,000. Please note that this amount is for only the rehabilitation component of the Maintenance and Operation of Tax-Foreclosed Housing program. The total program allocation is \$19,295,000.

CODE VIOLATION REMOVAL IN SCHOOLS

The Department of Education (DOE) uses CD funds to prevent or remove code violations in New York City schools. The activities may include the installation, repair, or replacement of emergency lighting; elevator guards; doors and hardware; panic hardware; fire alarm, suppression, and extinguishing systems; radiator shields; potable water systems; sewage systems; kitchen ventilation/exhaust systems; heating/cooling/refrigeration systems; flame-proof curtains; building and sidewalk elevators; bleachers; retaining walls; interior masonry; damaged flooring and ceilings, electrical fixtures; mandated signage; and lead testing and remediation. To avoid archaeological concerns, playground resurfacing may be performed provided there is no increase in the playground area and no excavation is proposed. CD 46 Allocation: \$7,545,000.

PARKS CONSTRUCTION AND RENOVATION PROGRAM

The Department of Parks and Recreation will use CD funds to create new or renovate existing City parks and playgrounds. Renovations will be undertaken at the Lewis Playground located at 773 Willoughby Avenue, Brooklyn and the Vale of Cashmere Path located in the northeast section of Prospect Park, also in Brooklyn.

The Lewis Playground project will add new playground equipment that offers accessible recreational opportunities, more seating such as benches, and game tables and picnic tables. New pavement and additional planting areas will make the playground more engaging for neighborhood residents. The Vale of Cashmere Path reconstruction involves resurfacing the existing pedestrian path, removing and replacing existing benches, and installing Central Park style settees and new light poles with LED lamps. CD 45 Allocation: \$3,900,000.

PUBLIC COMMENTS

Environmental Review Records (ERR) that document the environmental review of the projects have been made by the City of New York. Due to the COVID-19 emergency, these ERRs may be obtained by sending your request to the following email: leonardj@omb.nyc.gov. Any individual, group or agency may submit written comments on the ERRs for the programs identified above. All comments received by May 26, 2020 will be considered prior to the submission of a request for release of funds.

OBJECTIONS TO RELEASE OF FUNDS

The City of New York will undertake the projects described above with CD funds from HUD, under Title I. The City of New York is certifying to HUD that the City and Assistant Director John Leonard, in his official capacity as a Certifying Officer for the CD Program, consent to accept the jurisdiction of the Federal Courts if an action is brought to

enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under the National Environmental Policy Act of 1969 and related laws and authorities and allows the City of New York to use CD program funds. HUD will accept an objection to its approval of the release of funds and acceptance of the certification only if it is on one of the following bases: a) That the certification was not in fact executed by the City of New York's Certifying Officer, b) the City of New York has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58, c) the City of New York or other participants in the development process have committed funds, incurred costs, or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD, or d) another federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedure (24 CFR Part 58), and may be addressed to HUD, Office of Community Planning and Development, at the following email address: CPD_COVID-19OEE-NY@hud.gov. Objections to the release of funds on bases other than those stated above will not be considered by HUD. No objection received after June 11, 2020 will be considered by HUD.

City of New York: Bill de Blasio, Mayor
 Melanie Hartzog, Director, Office of Management and Budget

Date: May 19, 2020

m19-26

CHANGES IN PERSONNEL

OFFICE OF THE MAYOR
 FOR PERIOD ENDING 04/03/20

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BERO	JULIE N	05278	\$211150.0000	APPOINTED	YES	03/22/20	002
KARL	EVAN M	0527A	\$70000.0000	APPOINTED	YES	03/15/20	002
KLETTNER	JONI	0668A	\$190140.0000	RESIGNED	YES	03/15/20	002
KNOWLES	GUENEVER	0668A	\$169993.0000	RESIGNED	YES	12/01/19	002
MOK	POU L	0527A	\$88648.0000	APPOINTED	YES	03/15/20	002
QUINONES	LAUREN G	0527A	\$134280.0000	APPOINTED	YES	03/22/20	002
RAMIREZ	EDWARD	06405	\$41000.0000	APPOINTED	YES	03/22/20	002
ROSS-TEEL	ASHLEY	0668A	\$160000.0000	APPOINTED	YES	03/15/20	002
STAMPUR	MARC G	95005	\$120000.0000	APPOINTED	YES	03/22/20	002
WAN	HSIAO-HS	0668A	\$134281.0000	RESIGNED	YES	03/15/20	002
WOLFE	EMILIA M	12940	\$251982.0000	INCREASE	YES	03/21/20	002

BOARD OF ELECTION
 FOR PERIOD ENDING 04/03/20

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
MORANO	STEPHANI	94367	\$15.4500	APPOINTED	YES	03/15/20	003

CAMPAIGN FINANCE BOARD
 FOR PERIOD ENDING 04/03/20

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
NORTHIA	ROSEMARY	0660A	\$64543.0000	RESIGNED	YES	03/14/20	004

PRESIDENT BOROUGH OF MANHATTAN
 FOR PERIOD ENDING 04/03/20

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ANDERSON	TIMOTHY	56058	\$60000.0000	APPOINTED	YES	03/22/20	010

BOROUGH PRESIDENT-QUEENS
 FOR PERIOD ENDING 04/03/20

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BRITTAIN	ANAYELI	12626	\$74479.0000	APPOINTED	YES	11/18/19	013

OFFICE OF EMERGENCY MANAGEMENT
 FOR PERIOD ENDING 04/03/20

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
CALHOUN	ELIOT T	06766	\$75197.0000	RESIGNED	YES	03/19/20	017
DIAZ	CHRISTOP S	06766	\$70900.0000	RESIGNED	YES	03/27/20	017
MCCONNELL	JAMES P	06765	\$82.0000	APPOINTED	YES	03/17/20	017

OFFICE OF MANAGEMENT & BUDGET
 FOR PERIOD ENDING 04/03/20

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
AKINROSOYE	ABIODUN C	06088	\$46856.0000	INCREASE	YES	03/15/20	019
ELLIS	EVELYN R	06088	\$98388.0000	APPOINTED	YES	03/15/20	019
GAO	QIU XIA K	0608A	\$159890.0000	INCREASE	YES	03/08/20	019
GREENIDGE	SHANELLE C	06088	\$52480.0000	APPOINTED	YES	03/15/20	019
HART	MOLLIE F	06088	\$62480.0000	APPOINTED	YES	03/22/20	019
MITCHELL	KELVIN	06088	\$62480.0000	APPOINTED	YES	03/22/20	019
RALLY	SPIROS N	0608A	\$137601.0000	INCREASE	YES	03/22/20	019
WELSH LOVEMAN	JEREMY W	06088	\$70291.0000	APPOINTED	YES	03/15/20	019
YANG	ZHISHEN	0608A	\$141766.0000	INCREASE	YES	03/08/20	019

LAW DEPARTMENT
 FOR PERIOD ENDING 04/03/20

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BAKER	ALICE R	06503	\$101077.0000	APPOINTED	YES	03/22/20	025
FAVOR	HAKIM	10251	\$19.9200	APPOINTED	YES	03/18/20	025
FLEMING	DWAYNE A	10251	\$36390.0000	RESIGNED	NO	03/15/20	025
HARVEY	JULIA L	30112	\$80440.0000	RESIGNED	YES	03/19/20	025
HOWARD	JOSHUA L	60215	\$41848.0000	RESIGNED	YES	03/15/20	025
JOBE	TRICIA	10251	\$50019.0000	INCREASE	NO	03/01/20	025
JONES	CLAY L	30080	\$23.6500	RESIGNED	YES	03/18/20	025
PASARELL	RITA B	06503	\$122933.0000	APPOINTED	YES	03/22/20	025
PIERRE	LYNETTE	10251	\$22.9100	RESIGNED	YES	03/15/20	025
PIRTLE	PAIGE N	06517	\$50755.0000	INCREASE	YES	01/22/20	025
RAMNAUTH	DENEISE L	12627	\$75591.0000	APPOINTED	NO	03/15/20	025
SIMON	CASSANDR C	06503	\$73579.0000	RESIGNED	YES	03/14/20	025
SIVAN	ATHIRA	10232	\$21.4300	RESIGNED	YES	07/28/19	025
STONE	SAEEDA W	10251	\$19.9200	APPOINTED	YES	03/18/20	025
WARNER JR	DONALD E	13631	\$76587.0000	APPOINTED	NO	03/15/20	025
YAVARONE	MAXIMILI J	06517	\$50755.0000	RESIGNED	YES	03/10/20	025

DEPARTMENT OF CITY PLANNING
 FOR PERIOD ENDING 04/03/20

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ESTRADA	EVA A	56058	\$72100.0000	RESIGNED	YES	03/27/20	030
GAYLARD	JANINE A	30087	\$120509.0000	RESIGNED	YES	03/01/20	030
IANNITTO	CATHERIN F	22122	\$76000.0000	INCREASE	NO	03/22/20	030
KIM	STELLA Y	56058	\$69093.0000	RESIGNED	YES	03/13/20	030
MINI RAJESH	GEETHANJ	40910	\$62500.0000	APPOINTED	YES	03/22/20	030
OTTO	JEFFREY L	56058	\$62215.0000	APPOINTED	YES	03/22/20	030
ZHOU	BAOLING	40910	\$74160.0000	RESIGNED	YES	03/19/20	030

DEPARTMENT OF INVESTIGATION
 FOR PERIOD ENDING 04/03/20

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
SIEGFRIEDT	RACHAEL E	31130	\$53712.0000	RESIGNED	YES	03/20/20	032
SIGUENCIA	JANAINA	31130	\$60589.0000	RESIGNED	YES	03/17/20	032

CIVILIAN COMPLAINT REVIEW BD
 FOR PERIOD ENDING 04/03/20

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BAILYN	ANDREW M	31165	\$38223.0000	RESIGNED	YES	01/01/17	054

POLICE DEPARTMENT
 FOR PERIOD ENDING 04/03/20

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ABBASCIANO	KRISTY A	70210	\$85292.0000	RETIRED	NO	03/27/20	056
ADACH	TOMASZ P	21215	\$100000.0000	APPOINTED	YES	03/15/20	056
ADEGOKE	OLUBUNMI F	10144	\$36390.0000	APPOINTED	NO	03/13/20	056
AHMED	KAWSAR	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
AKHTER	JASMIN N	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
AKTER	NARGISH	60817	\$33819.0000	RESIGNED	NO	03/19/20	056
AKWASSI	ANNOR	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
ALI	MD H	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
ALI	SHAIKH M	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
ALLER	KIM M	10147	\$50873.0000	RETIRED	NO	03/17/20	056
ALONZO	SHEENA C	10144	\$36390.0000	APPOINTED	NO	03/13/20	056
ALSTON	WONEEDA A	60817	\$36054.0000	RESIGNED	NO	02/28/20	056
ALVAREZ	SOANNY F	70210	\$42500.0000	RESIGNED	NO	03/21/20	056
AMIN	MOHAMMAD F	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
AMIN	MOHAMMAD N	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
ANISUZZAMAN	MOHAMMAD	71012	\$40636.0000	RESIGNED	NO	02/28/20	056
AQUINO ACOSTA	MARY	60817	\$33819.0000	RESIGNED	NO	03/19/20	056
ARGUMPER-JONES	ELIZABET M	10144	\$36390.0000	APPOINTED	NO	03/13/20	056
ATEKIN	MD S	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
ATWATER	PATRICIA C	60817	\$33819.0000	RESIGNED	NO	03/19/20	056
AYALA	YVONNE	70205	\$15.4500	RESIGNED	YES	01/29/20	056
BATTLES	RHEA A	10144	\$36390.0000	APPOINTED	NO	03/13/20	056
BECKLES	JOSETTE J	71013	\$60149.0000	PROMOTED	NO	02/26/20	056
BHADRA	PARTHA	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
BHUYIAN	MD M	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
BISRAM	SHERIDA S	71012	\$39329.0000	RESIGNED	NO	03/04/20	056
BLOUNT	STEPHANI	10144	\$36390.0000	APPOINTED	NO	03/13/20	056
BONA	STEVEN L	70260	\$125531.0000	RETIRED	NO	03/22/20	056

POLICE DEPARTMENT
 FOR PERIOD ENDING 04/03/20

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BOYEA	REBECCA L	21849	\$55098.0000	APPOINTED	YES	03/15/20	056
CARSON	CAROL	10144	\$36390.0000	APPOINTED	NO	03/13/20	056
CHAMBERS	TONYA	90644	\$36915.0000	RESIGNED	YES	01/16/20	056
CHOUDHURY	MD JAKIU H	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
CHOUDHURY	ASHRAFUL A	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
CHOUDHURY	FUJAEEL A	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
CHOUDHURY	MAHAJABI S	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
CHOUDHURY	MAHFUZ A	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
CHOUDHURY	MD JAHAN Y	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
CHOUDHURY	SHARAF U	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
CHOUDHURY I	AZMIR A	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
COLEMAN BATES	KIM	71012	\$53390.0000	RETIRED	NO	03/23/20	056
COLLAZO	ALEXUS L	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
COMPERE	KEISHA L	71651	\$41493.0000	APPOINTED	NO	03/08/20	056
CORCORAN	ETHEL H	95005	\$199354.0000	RESIGNED	YES	03/22/20	056
CRUZ	JANELLE D	10144	\$36390.0000	APPOINTED	NO	03/13/20	056
D'ALESSANDRO	DANIEL A	56058	\$67192.0000	RESIGNED	YES	03/14/20	056
DANILOV	MARINA	10144	\$36390.0000	APPOINTED	NO	03/13/20	056
DANZA	LAUREN N	30086	\$62397.0000	APPOINTED	YES	03/15/20	056

LATE NOTICE

CAMPAIGN FINANCE BOARD

■ NOTICE

Notice of Final Rules

IN COMPLIANCE WITH SECTION 1043 OF THE NEW YORK CITY CHARTER, and exercising authority vested in the Campaign Finance Board (the "Board") under Chapters 45 and 46 of the New York City Charter (including Sections 1043, 1052(a)(8) and 1052(a)(12) thereof) and under the New York City Campaign Finance Act (the "Act") (including Section 3-708(8) of the New York City Administrative Code (the "Code")), the Board hereby adopts amendments to the Campaign Finance Board Rules (the "Board rules") related to public funds payments and repayments, proof of compliance with the Conflicts of Interest Board ("COIB"), deadlines for submitting certain documents and completing a compliance training, disclosure statements, contribution limits, transfers of funds, qualified expenditures, independent expenditures, special elections, runoff elections, and the Voter Guide. These amendments are being made to conform to, and facilitate implementation of and compliance with, amendments made to the Administrative Code of the City of New York (the "Code") and the New York City Charter (the "City Charter") by Local Laws No. 1 and 128 for the year 2019; amendments made to the City Charter by the 2018 and 2019 Charter Revision Commissions; and amendments made to the New York State Election Law by Section 14 of Chapter 5 of the laws of 2019 and Section 8 of Chapter 6 of the laws of 2019.

I. Explanation, Basis, and Purpose

The Board rules are codified in Chapter 52 of the Rules of the City of New York.

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

The CFB is amending its rules regarding public funds payments and repayments, registration and certification, proof of compliance with the Conflicts of Interest Board ("COIB"), deadlines for submitting certain documents and completing a compliance training, disclosure statements, contribution limits, transfers of funds, qualified expenditures, independent expenditures, special elections, runoff elections, and the Voter Guide.

The CFB is proposing these amendments to improve the administration of the Campaign Finance Program and to conform to, and facilitate implementation of and compliance with, amendments made to the City Charter by the 2018 and 2019 Charter Revision Commissions; Local Laws No. 1 and 128 for the year 2019, codified in Sections 3-702, 3-703, 3-704, 3-705, 3-706, 3-708, 3-709, 3-709.5, 3-710, 3-713, 3-720, 3-801, and 12-110 of the Administrative Code of the City of New York (the "Code") and Sections 1052 and 1152 of the City Charter; Section 14 of Chapter 5 of the laws of 2019, codified in Section 8-100(1) of the New York State Election Law; and Section 8 of Chapter 6 of the laws of 2019, codified in Section 8-600 of the New York State Election Law.

The following is a summary of the changes.

Summary of Final Rules

Chapter 1

Section 1-02 is amended to update the definition of "optional early public funds repayment" to reflect the fact that there are now multiple public funds payments made before the ballot is set. Additionally, the definitions of "election" and "transfer" are amended to account for the removal of runoff elections (*see also* Chapter 16).

Section 1-04(a)(iii) is amended to clarify that if a scheduled payment date falls on a Saturday, Sunday, or legal holiday, the payment will be made on the next business day.

Chapter 2

Section 2-01 is amended to require that candidates declare an office sought when they submit a Filer Registration. Pursuant to section 2-02(e), a declaration of office sought must also be provided with a Certification. This information is crucial to effective and efficient administration of the Campaign Finance Program, as it is required in order to determine each candidate's contribution limit, expenditure limit, threshold calculation, and total public funds payable.

Section 2-02 is amended to update the certification and rescission deadlines, in order to conform to §§ 3-703(1)(c) and 3-705(4) of the Code, as amended by Local Law No. 128 of 2019 ("Local Law 128").

Section 2-03 is amended to provide that candidates may change their office sought until the certification deadline or until they receive public funds, whichever comes first. If the Board declares an extraordinary circumstance, thus creating a new certification deadline pursuant to section 3-703(1)(c)(iii) of the Code, then a candidate for any affected office (meaning that the declaration applies either to the original office sought or to the new office sought) may change their office sought, provided that they must refund any contributions that exceed the limits applicable to the new office sought, raise any additional funds required to meet the threshold applicable to the new office sought, and repay any public funds previously received that exceed the amount for which the candidate is now eligible. If an extraordinary circumstance is not declared, any candidate who changes their office sought after receiving public funds will be ineligible to receive additional public funds for the covered election and must repay all public funds previously received for that election. These requirements, which were not included in the Notice of Proposed Rules, are added to address the fairness and compliance considerations and the administrative burdens associated with a candidate receiving public funds based on the contribution limit, public funds maximum, matchable amount per contribution, and threshold applicable to one office and subsequently seeking election to a different office.

Section 2-06 is amended to clarify the deadlines by which candidates must complete the CFB's pre-election compliance training. Candidates not seeking an early payment must complete the training by the final day of the disclosure period reported in the 32-day pre-primary disclosure statement, while candidates seeking an early payment must complete the training at least 15 business days before the payment is made.

Chapter 3

Section 3-01(b) is amended to reflect the fact that there are now multiple public funds payments made before the ballot is set.

Section 3-01(d) is amended to provide that a candidate may be ineligible to receive public funds during the pre-election period if the candidate maintains a significant reporting variance for either receipts or expenditures, fails to report employment information or provide complete and accurate backup documentation for a significant percentage of matching claims, or fails to attend a compliance training. Reporting variances, missing employment information, and documentation error rates above a certain percentage are common indicia of inadequate internal controls and thus provide a basis for the denial of public funds. The Board has previously denied public funds based on documentation error rates and missing employment information pursuant to its internal audit standards; this amendment represents a codification of that practice. The addition of reporting variance as a factor follows a 2015 rule change requiring that candidates submit all bank statements and deposit slips concurrently with each disclosure statement. Prior to this rule change, a significant reporting variance during the pre-election period could be a result of the campaign not yet having provided up-to-date bank records. Now, an underreporting variance likely indicates significant amounts of unreported activity, while an overreporting variance likely indicates a failure to comply with the requirement to provide bank records with each disclosure statement; either scenario represents a lack of adequate internal controls and a failure to disclose key information to the Board and/or the public. The threshold amounts for determining what constitutes a "significant" reporting variance, percentage of missing employment information, and documentation error rate will be calculated for each election cycle and will be publicized on or before July 11 in the year prior to the year of the election.

Section 3-02 is amended to remove the statement that a candidate who has been disqualified from the ballot, or who is no longer opposed by a candidate who appears on the ballot, is not eligible to receive public funds, as this statement appears in section 7-01(e) as amended herein.

Section 3-05 is amended to conform to §§ 3-703(1)(m) and 12-110(b)(2) (a) of the Code, as amended by Local Law 128, concerning filing with the Conflicts of Interest Board.

Chapter 4

Section 4-05(b) is amended to modify the disclosure schedule during the year of the election, in order to account for the rescheduling of the primary election from September to June per recent amendments to the State Election Law. The May 15 disclosure statement is removed,

as the 32-day pre-primary disclosure statement will be due in mid-May, and a new disclosure statement is added in late August, due to the gap between the primary and general elections.

Section 4-05(b)(ii)(D) is amended to parallel the language used in section 1-04(a)(iii) regarding deadlines.

Section 4-05(c)(ii) is amended to accommodate the updates to contribution refund requirements in sections 5-07(b) and (c).

Section 4-05(c)(iv) is amended to change the threshold dollar amount above which contributions to political committees from a candidate's personal funds are considered contributions to, and expenditures by, that candidate's campaign.

Section 4-05(c)(vi) is amended to delete the requirement that transfers of funds consist entirely of contributions previously raised by the transferor committee.

Chapter 5

Section 5-01(b) is amended to update the year of the most recent contribution limit adjustment from 2018 to 2022.

A new section 5-01(c) is created to clarify that the new contribution limits, as created by the 2018 Charter revision and codified in § 3-703(1)(f) of the Code, apply to all contributions accepted by Option A candidates in the 2021 elections, regardless of when the contributions were received. Failure to refund the over-the-limit portion of contributions received at any time during the election cycle is a violation that may result in a penalty. *See also* CFB Advisory Opinion No. 2019-1.

Sections 5-07(b) and (c) are amended to provide that contribution refunds must be documented and are considered to be made on the date on which the funds cleared the committee account. The documentation provided must demonstrate that the refund cleared the committee account and was issued to the reported contributor (for example, for a refund made by check, the campaign must provide a copy of the front and back of the endorsed check as well as the corresponding committee bank statement). The sections are further amended to remove the requirement that contribution refunds be made by bank or certified check. Contribution refunds may be made electronically by ACH transfer, or using a committee check; however, the campaign assumes the risk that the contributor may not cash or deposit a committee check in a timely manner, which would delay the refund date and potentially affect the campaign's public funds eligibility and result in violations and penalties.

Section 5-08(c) is amended to provide that transfers between CFB committees are not subject to the requirement to demonstrate that transferred funds are not derived from excess or prohibited contributions. This change is to conform to § 3-703(14) of the Code, as amended by Local Law 189 of 2016.

Chapter 6

Section 6-01(h)(i) is reworded to mirror the phrasing used in section 5-10(a), the corresponding provision regarding contributions.

Section 6-02(a) is amended to provide that expenditures to defend the validity of petitions may be qualified expenditures. This change is to conform to § 3-704(2)(h) of the Code, as amended by Local Law 128.

Section 6-02(a) is further amended to provide that, if a candidate or their sole opponent is removed from the ballot, the candidate may make qualified expenditures for a different election held later in the calendar year, unless the candidate is running as a write-in candidate for that later election. This amendment is added to address the fact that write-in candidates are not permitted to receive public funds, but because public funds payments will now be issued several months before ballot determinations are made, it is possible that a candidate could receive a public funds payment prior to the primary election, be disqualified from the primary ballot, and subsequently run a campaign solely as a write-in candidate for the general election. This amendment prohibits expenditures made for that election by that write-in candidate from being made with public funds.

Section 6-02(a) is further amended to provide that qualified expenditures for candidates in a small primary election, as defined by section 7-05(a), may not exceed \$5,000 per candidate. This amendment is added to address the fact that, because public funds payments will now be issued several months before ballot determinations are made, it is possible that a candidate could receive a public funds payment exceeding \$5,000 prior to the primary election, but only appear on the ballot in a small primary election, for which the candidate was eligible to receive no more than \$5,000 in public funds pursuant to section 7-05(a). Pursuant to this amendment, candidates in a small primary are prohibited from making more than \$5,000 in expenditures for that primary using public funds. Pursuant to § 3-710(2)(a) of the Code, candidates are also required to repay any amount of public funds received in excess of the amount they were eligible to receive; accordingly, a candidate in a small primary who receives more than \$5,000 in public funds would be required to repay the excess amount

to the Board. (*See also* section 7-05(c), added herein.) This amendment ensures that such candidates are not permitted to spend public funds they were not eligible to receive.

Chapter 7

Section 7-01(e) is amended to clarify that a candidate who does not appear on the ballot, or who is not opposed on the ballot, may be required to return any public funds received. This clarification is necessary because Local Law 128 provided for public funds payments beginning in December in the year prior to the election year, thus increasing the likelihood that a candidate who previously received public funds, or that candidate's sole opponent, could subsequently be disqualified from the ballot. Candidates who are not opposed on the ballot are not eligible to receive public funds for that election. *See Admin. Code* § 3-703(5).

Section 7-01(e) is further amended to provide that a candidate who does not appear on the ballot, or is not opposed on the ballot, for an election is ineligible to receive additional public funds for a later election held in the same calendar year unless the candidate demonstrates that they will appear on the ballot in that later election. This amendment is added to address the fact that, because public funds payments will now be issued several months before ballot determinations are made, it is possible that a candidate could receive a public funds payment prior to the primary election, be disqualified or have their sole opponent disqualified from the primary ballot, and subsequently run a campaign solely as a write-in candidate for the general election. Pursuant to this amendment, that candidate could not receive additional public funds without demonstrating that they will be on the ballot for the general election.

Section 7-02(a)(iii) is relocated to new section 7-01(g) and is amended to reflect the fact that there are now multiple public funds payments made before the ballot is set. The section is also amended to remove the reference to unopposed candidates, who are covered in section 7-01(e).

Section 7-02(a) is amended to conform to the payment schedule established by § 3-705(4) of the Code, as amended by Local Law 128. Additionally, the section provides that a certified statement of need, which must be submitted in order to receive an early public funds payment, must be received at least 15 business days before the scheduled date of the payment. This is to allow CFB staff sufficient time to review statements of need and determine eligibility before issuing payments.

Section 7-02(c) is amended to clarify what may constitute "new information" for purposes of § 3-703(12) of the Code, which provides that the Board may not invalidate a matching claim that was submitted in a previously reviewed disclosure statement unless the Board learns of new information that is relevant to the eligibility for matching of the claim and that was not available to the Board at the time of the initial review. New information may include, but is not limited to, information relevant to the candidate's eligibility to receive public funds generally, including the submission of a Certification not previously submitted, and information relevant to determining which contribution limit is applicable to the candidate, such as a declaration or change of the office sought.

Section 7-02(d) is amended to modify the characterization of public funds payments as being for the primary or general election. This change is to accommodate both the increased amount of time between the primary and general elections, due to the primary being rescheduled from September to June, and the additional early public funds payment dates created by § 3-705(4) of the Code, as amended by Local Law 128. Public funds payments will not be characterized as for the primary or general election, but no candidate may receive more than the maximum public funds payable amount for a single election prior to the day after the day of the primary election. For example, a City Council candidate who anticipates running in both the primary and general elections may submit sufficient valid matching claims to be eligible for public funds totaling \$168,888 for the primary and \$168,888 for the general, totaling \$337,776. However, that candidate would only receive \$168,888 prior to the primary election. On the first payment date after the primary election, the candidate could receive an additional \$168,888 (less the 5% withholding assessed pursuant to Board Rule 7-06 and § 3-705(4) of the Code).

Section 7-04 is amended to conform to § 3-705(7) of the Code, as amended by Local Law 128, which requires that, in order for a candidate to receive either an early public funds payment or public funds payments totaling more than 25% of the maximum payable amount, either 1) the candidate must submit a certified statement of need attesting that one or more enumerated conditions applies, 2) the candidate must be opposed in an election for an office for which no incumbent is seeking re-election, or 3) the candidate must be opposed by a candidate who has received public funds for the election in question.

Section 7-05(c) is added to address the fact that, because public funds payments will now be issued several months before ballot determinations are made, it is possible that a candidate could receive a public funds payment exceeding \$5,000 prior to the primary election,

but only appear on the ballot in a small primary election, for which the candidate was eligible to receive no more than \$5,000 in public funds pursuant to section 7-05(a). Pursuant to this amendment, candidates in a small primary must return to the Board any public funds received in excess of \$5,000, except that the funds may be used for a different election later in the calendar year for the same office, as long as the candidate is on the ballot in the later election. If the candidate uses the excess funds for a later election, the amount of the excess funds will be deducted from the total amount of public funds the candidate would otherwise be eligible to receive for that later election.

Section 7-06 is amended to provide that the Board may withhold an amount equal to the amount of any contributions made, solicited, or otherwise received in violation of the law, including contributions from a prohibited source and over-the-limit contributions (for which only the excess portion would be withheld), pending refund of the contribution (or excess portion, as applicable) to the contributor or disgorgement to the Public Fund. Previously, the Board's policy was to deem a candidate ineligible to receive a pre-election public funds payment if the candidate had received and failed to refund any prohibited or over-the-limit contributions. By providing a less severe consequence for failing to refund such contributions in a timely manner, this change will reduce the burden on campaigns that do not have additional compliance issues.

Chapter 9

Section 9-02(f) is amended to clarify that a candidate who is no longer opposed by a candidate who appears on the ballot may not spend public funds for any purpose other than the payment of liabilities previously incurred for qualified expenditures. Candidates who are not opposed on the ballot are not eligible to receive public funds for that election. *See* Admin. Code § 3-703(5). Additionally, section 9-02(h) is amended and section 9-02(i) is added to clarify that a candidate may be required to repay public funds due to either failing to satisfy the requirements to actively campaign for office, or ceasing to actively campaign for office. Section 9-02(j) (previously section 9-02(h)) is added to clarify that a candidate may be required to repay public funds if the candidate fails to appear on the ballot or be opposed on the ballot. If a candidate who received public funds fails to actively campaign, that candidate may be required to repay all public funds received. If a candidate who received public funds ceases to actively campaign, that candidate may not incur additional expenditures and may be required to repay all public funds previously received, less the amount of any qualified expenditures made before the candidate ceased campaigning. *See* Admin. Code § 3-710(3). These amendments are necessary because Local Law 128 provided for public funds payments beginning in December in the year prior to the election year, thus increasing the likelihood that a candidate could receive public funds and subsequently drop out of the race or be disqualified from the ballot.

Chapter 13

Section 13-02(a)(viii) is amended to accommodate the updates to contribution refund requirements in sections 5-07(b) and (c).

Chapter 14

Section 14-01 is amended to expand the definition of "electioneering communication" to include communications disseminated within 60 (previously 30) days of a primary election. This change is to account for recent changes to the election calendar, in particular the establishment of early voting, codified in § 8-600 of the Election Law.

Section 14-03(a) is amended to align the independent expenditure disclosure schedule with the campaign disclosure schedule.

Chapter 15

Section 15-02(d)(viii) is amended to provide that special election candidates must demonstrate compliance with the COIB's financial disclosure requirements by the due date of the first disclosure statement required to be filed with the CFB for the special election.

Section 15-03(e) is amended to provide that expenditures incurred outside of the calendar year in which a special election is held are presumed not to be qualified, unless the proclamation and the special election occur in different calendar years.

Section 15-04(e) is amended to reflect the threshold dollar amounts and payment dates for special elections stated in §§ 3-703(2), 3-705(4), and 3-709(5) of the Code, as amended by Local Law 128.

Chapter 16

Chapter 16 is repealed. New section 1057-g of the City Charter, implementing ranked choice voting in citywide elections beginning on January 1, 2021, renders runoff elections unnecessary. References to runoff elections are deleted throughout the rules.

Chapter 17

Sections 16-02(b)(i) and (iii) (previously sections 17-02(b)(i) and (iii)) are amended to allow for Voter Guide submissions between the primary and general elections. Previously, final general election Voter Guide statements were required to be submitted prior to the primary

election, and no modifications could be made thereafter. As the primary election will now be held in June rather than September, the additional time between the primary and general elections allows for more flexibility in the submission schedule.

Additionally, the entirety of Chapter 17 is renumbered to become the new Chapter 16.

Chapter 18

The entirety of Chapter 18 is renumbered to become the new Chapter 17.

The following rules will take effect thirty days after final publication in The City Record:

II. Final Rules

New material is underlined.

[Deleted material is in brackets.]

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

Section 1. The definitions of the terms "election", "optional early public funds payment", and "transfer" in section 1-02 of chapter 1 of title 52 of the rules of the city of New York are amended to read as follows:

"**Election**" means any primary, [runoff primary,] special, [runoff special,] or general election for nomination or election.

"**Optional early public funds payment**" means [the] a disbursement of optional public financing occurring prior to two weeks after the last day to file designating petitions for a primary election.

"**Transfer**" means any exchange of funds or any other thing of value between political committees, other than multicandidate committees, authorized by the same candidate pursuant to § 14-112 of the New York State Election Law. [In section 16-06 the term "transfer" means funds exchanged between different bank or other depository accounts.]

§ 2. Paragraph (iii) of subdivision (a) of section 1-04 of chapter 1 of title 52 of the rules of the city of New York is amended to read as follows:

(iii) Weekends and holidays. If the scheduled date of a public funds payment, or the deadline for submitting a Certification or for filing a disclosure statement, other than a daily pre-election disclosure statement, falls on a Saturday, Sunday, or legal holiday, the next business day becomes the deadline or scheduled payment date.

§ 3. Subdivision (e) of section 2-01 of chapter 2 of title 52 of the rules of the city of New York is amended to read as follows:

(e) Contents. The Filer Registration must include:

- (i) the candidate's name, residential address information and telephone numbers, email address, and employment information;
- (ii) the name and mailing address, and treasurer name, treasurer residential address information and telephone numbers, treasurer email address, and treasurer employment information, of every political committee authorized by the candidate that has not been terminated, and, in the case of a participant or limited participant, an indication of which such committee is the principal committee;
- (iii) the name, mailing address, email address, and telephone number of any person designated by the candidate to act as liaison with the Board for each committee filing disclosure statements;
- (iv) identification of all bank accounts and other depository accounts, including merchant and payment processor accounts, into which receipts have been, or will be, deposited, and all bank accounts used for the purpose of repaying debt from a previous election; [and]
- (v) the specific office to which the candidate is seeking nomination or election; and
- (vi) other information as required by the Board.

§ 4. Section 2-02 of chapter 2 of title 52 of the rules of the city of New York is amended to read as follows:

§2-02 Certification. To join the Program, a candidate must submit a Certification by the [election year's] deadline [date] as provided in §§ 3-703(1)(c) and 3-705(4) of the Code. A candidate may submit a Certification, [in lieu] instead of the Filer Registration, [prior to] before filing disclosure statements.

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

(b) Deadlines. [The] (i) For primary and general elections, the deadline for filing a Certification [shall be: (i) in the case of a primary

or general election,] is the later of the [tenth of June in the year of the covered] ninth Monday preceding the primary election or the thirtieth day after a special election is held to fill a vacancy for the office sought by the candidate; or, To be eligible to receive an optional early public funds payment, candidates must file a Certification no less than fifteen business days before the date on which the payment is scheduled to be made.

(ii) [in the case of the declaration of] If the Board declares an extraordinary circumstance, the deadline for filing a Certification will be [on or before] the seventh day following the declaration [by the Board of the extraordinary circumstance].

(c) **[Rescission;] Failure to timely certify.** A candidate [may rescind such candidate's Certification by submitting a Certification rescission form on or before the ninth Monday preceding the primary election or prior to the receipt of public funds, whichever occurs first. A candidate who rescinds a Certification in a timely manner or] who does not file a timely Certification [shall be deemed to be] is a non-participant.

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

(e) **Form.** The Certification must contain any signatures and notarizations [as may be] required by the Board. A candidate who has already submitted a Filer Registration may submit a Certification [in electronic format] electronically, except that if a new principal committee treasurer has been appointed since the Filer Registration was submitted, the Certification [must be submitted in non-electronic format] cannot be submitted electronically. [A Certification] Certifications submitted [in a non-electronic format] non-electronically must contain [an] original notarized [signature] signatures from both the candidate and the principal committee treasurer.

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

(f) (g) **Legal effect.** The candidate must comply fully with Program requirements in all elections for which the Certification is submitted, regardless of the office sought and regardless of whether the candidate: (1) meets all the requirements of law to have such candidate's name on the ballot in the election; (2) meets the Act's threshold for eligibility for public funds; (3) accepts public funds; or (4) is otherwise [not] eligible to receive public funds in the election.

§ 5. Section 2-03 of chapter 2 of title 52 of the rules of the city of New York is amended to read as follows:

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

(a) The candidate must notify the Board of any material change in the information required to be listed on the candidate's Filer Registration or Certification occurring prior to the covered election or within a period of five years following the covered election, including any new information, or any change to any required information, concerning any political committee, bank account, merchant or payment processor account, candidate or treasurer employment, address, telephone number, or email address, in such manner as may be provided by the Board. Such notification must be submitted no later than the next deadline for filing a disclosure statement, or, in the case of changes that occur after the deadline for the last disclosure statement required to be filed, no later than 30 days after the date of the change; provided, however, that if the candidate has extinguished all outstanding liabilities resulting from the applicable election, including payment of any penalties or repayment of public funds owed to the Board, the candidate need not notify the Board of any material change after the issuance of the candidate's final audit report.

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

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

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

§ 6. Section 2-06 of chapter 2 of title 52 of the rules of the city of New York is amended to read as follows:

§2-06 Training. A candidate or [such] the candidate's representative must attend a training provided by the Board concerning compliance with the requirements of the Program and use of the disclosure software. [Such] The training must be completed on or before the [financial disclosure cut-off date] final day of the 32-day [pre-election primary] pre-primary election disclosure [statement] period; provided, however, that for the candidate to be eligible to receive an optional early public funds payment, such training must be completed at least 15 business days before such payment is made. The individual attending the training may be the candidate, the candidate's campaign manager or treasurer, or another individual with significant managerial control over [a] the campaign [(not including campaign consultants)]. For this section, campaign consultants are not individuals with significant managerial control over the campaign. The training attendee must be listed on the candidate's Filer Registration or Certification.

§ 7. Subdivision (b) of section 3-01 of chapter 3 of title 52 of the rules of the city of New York is amended to read as follows:

(b) **Ballot status.** In order to be eligible to receive public funds, a candidate in a covered election must meet all of the requirements to appear on the ballot as provided in Article 6 of the New York State Election Law, and be opposed by at least one other candidate on the ballot, or, for [the] an optional early public funds payment, certify that [such] the candidate intends to meet all the requirements of law to have such candidate's name on the ballot for the primary or general election.

§ 8. Paragraph (i) of subdivision (d) of section 3-01 of chapter 3 of title 52 of the rules of the city of New York is amended to read as follows:

(i) **Pre-election.** The Board may determine that a pre-election public funds payment [shall] will not be paid to a candidate if:

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

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

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

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

(E) the number of matching claims for which a candidate has failed to report employer information as required by section 4-05(c)(ii)(A) exceeds a maximum threshold percentage of such candidate's total matching claims. The threshold percentage for each election cycle will be determined and publicized by the Board on or before July 11 in the year before the year of the election;

(F) the candidate or such candidate's representative fails to attend a compliance training by the deadline provided in section 2-06; or

(G) there is reason to believe that the candidate has committed a violation of the Act or these rules not otherwise enumerated in [subparagraph] paragraph (ii) of this [paragraph] subdivision, and which is not a basis for withholding pursuant to section 7-06.

§ 9. Subparagraph (C) of paragraph (ii) of subdivision (d) of section 3-01 of chapter 3 of title 52 of the rules of the city of New York is amended to read as follows:

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

§ 10. Section 3-02 of chapter 3 of title 52 of the rules of the city of New York is amended to read as follows:

§3-02 Disqualification from ballot. A candidate who has been disqualified from the ballot, or who is no longer opposed by a candidate who appears on the ballot, is not eligible to receive public funds.]

(a) **Notice of appeal.** The candidate must notify the Board immediately, in writing, if the disqualified candidate is seeking to appeal or otherwise remedy a disqualification. This notice must [indicate] say whether a judicial appeal is being taken as of right or by permission and the specific nature of any [other] judicial remedy sought.

(b) **Disqualification reversed.** The candidate must immediately inform the Board, in writing, if the disqualification of the candidate or the opponent is reversed by a court [of competent jurisdiction].

§ 11. Section 3-05 of chapter 3 of title 52 of the rules of the city of New York is amended to read as follows:

§3-05 Proof of filing with the Conflicts of Interest Board [(COIB)]; payment of penalties

(a) **Requirements.** In order to be eligible to receive public funds, a candidate must comply with the requirements in § 12-110 of the Code, including payment of any penalties assessed by the conflicts of interest board. The Board may [obtain confirmation of] confirm the candidate's compliance [from] with the conflicts of interest board. The failure of a candidate to demonstrate [such] compliance by the deadline established [by the conflicts of interest board or by the reporting deadline immediately preceding the date on which the candidate seeks to receive a public funds payment, whichever is earlier,] pursuant to §§ 3-703(1)(m) and 12-110 of the Code may result in a delay of any payment by the Board [of public funds the candidate may otherwise be eligible to receive until a future scheduled payment date].

(b) **Due dates.** A candidate may submit proof of compliance [with] to the Board [and such proof shall be considered]. Proof is timely [submitted] if it is submitted to the Board on or [prior to] before the [last business day of July in the year of] deadline to file a Certification for the covered election, except as provided by paragraph (a).

§ 12. Paragraph (ii) of subdivision (b) of section 4-05 of chapter 4 of title 52 of the rules of the city of New York is amended to read as follows:

(ii) **Filing dates.** The Board [shall] will publish a schedule of disclosure statement filing dates on its website on or before March 1 in the first year of each election cycle, or as soon as is practicable after the State Board of Elections has published its schedule.

(A) Semi-annual disclosure statements are due on January 15 and July 15 in each year of the election cycle and on January 15 in the year after the election.

(B) Pre-election disclosure statements are due:

(i) 32 and 11 days before the election; and[,]

(ii) at the Board's discretion, on March 15 and [May 15] the fourth Friday in August in the year of the election.

(C) Post-election disclosure statements are due 10 days after a primary election and 27 days after a general [or special] election.

(D) **Weekends and holidays.** The Board's published schedule of disclosure statement filing dates [shall] will reflect that if a disclosure statement [is due to be submitted] deadline falls on a Saturday, Sunday, or legal holiday, [submission must be made on] the next business day becomes the deadline.

§ 13. Subparagraph (A) of paragraph (ii) of subdivision (c) of section 4-05 of chapter 4 of title 52 of the rules of the city of New York is amended to read as follows:

(A) **Reporting requirements.** To fully report a contribution accepted during the reporting period, the candidate must report, for each contribution:

- (1) the contributor's and intermediary's (if any) full name, residential address, occupation, employer, and business address;
- (2) the date the contribution was received by the candidate;
- (3) the amount of the contribution;
- (4) the form of the contribution (cash, check, cashier's check, money order, credit card, text, or other);
- (5) the number of the check, cashier's check, or money order, if applicable;
- (6) the date and amount of each contribution returned to a contributor, the account from which the funds used to make the return originated, and, if applicable, the number of the [bank or certified] check used to issue the return of funds;

(7) each previously reported contribution for which the check was returned unpaid;

(8) whether the contribution was accepted for a [runoff or] rerun election in accordance with [Chapter 16 and] section 5-12;

(9) whether the contribution was accepted to be deposited into a segregated bank account in accordance with section 7-07(b); and

(10) such other information as the Board may require.

§ 14. Subparagraph (F) of paragraph (iv) of subdivision (c) of section 4-05 of chapter 4 of title 52 of the rules of the city of New York is amended to read as follows:

(F) **Contributions to political committees.** [Political contributions] Contributions to political committees that support or oppose candidates in New York City (except political committees of other candidates), including state party committees, that are made by a candidate with [such] the candidate's personal funds and that, in the aggregate for any single political committee, exceed [the contribution limit applicable to the office of mayor for contributors having business dealings with the city pursuant to section 3-703(1-a) of the Code] \$1,000, are presumed to be expenditures in furtherance of the [campaign's candidate] candidate's campaign and contributions from the candidate to the candidate's campaign[,] and[, as such,] must be reported to the Board. The candidate may rebut this presumption by providing evidence [indicating] that the contributions were not in furtherance of the [campaign's candidate] candidate's campaign. [Such] These contributions are subject to all applicable expenditure and contribution limits, except that contributions made to committees registered with the State Board of Elections or the Federal Election Commission as independent expenditure committees are not subject to such limits. Candidates must create and maintain records of such contributions. Contributions made with a candidate's personal funds as provided in this subparagraph [shall] are not [be the] a basis for a deduction from [such] the candidate's public funds payment, pursuant to section 7-07(a).

§ 15. Paragraph (vi) of subdivision (c) of section 4-05 of chapter 4 of title 52 of the rules of the city of New York is amended to read as follows:

(vi) **Transfers**

(A) [Transfers of funds shall consist entirely of contributions previously raised by the transferor committee and shall not include any public funds.

(B) Candidates must report contemporaneously: (1) the aggregate amount of each transfer to an authorized committee from a committee not otherwise involved in the covered election, and, unless the transferring committee is another authorized committee of the same candidate that has filed contemporaneous disclosure statements with the Board in a timely manner, (2) each contribution the transfer consists of (using a last-in/first out attribution), including the name and residential address of the contributor and the amount and date of the contribution.

[(C)] (B) In the case of a transfer to an authorized committee from a committee not otherwise involved in the covered election, unless the transferring committee is another authorized committee of the same candidate that has filed contemporaneous disclosure statements with the Board in a timely manner, participants must (1) report to the Board, in the same disclosure statement in which the transfer is reported, any expenditures incurred by the transferor committee in connection with raising or administering the transferred contributions, regardless of when the expenditures were incurred, and (2) upon request by the Board, disclose all expenditures made by the transferor committee during the covered election cycle for purposes other than raising or administering the transferred contributions. [Further, candidates] Candidates must also contemporaneously submit [contemporaneously] the records required to be maintained pursuant to section 4-01(b)(ii)(D).

§ 16. Subdivision (b) of section 5-01 of chapter 5 of title 52 of the rules of the city of New York is amended to read as follows:

(b) **Adjustment.** Pursuant to § 3-703(7) of the Code, not later than the first day of March in the year [2018] 2022, and every fourth year thereafter, the Board [shall] will adjust the contribution limits. [Such] The adjustment [shall be made in accordance with] will follow changes in the consumer price index for the metropolitan New York-New Jersey region published by the United States Bureau of Labor Statistics. The adjustment [shall be based on] is the difference between the average

consumer price index over the 12 months preceding the calendar year of such adjustment, and either (a) the calendar year preceding the year of the last such adjustment or (b) such other calendar year as may be appropriate pursuant to any amendment to the Act.

§ 17. A new subdivision (c) of section 5-01 of chapter 5 of title 52 of the rules of the city of New York is added to read as follows:

(c) Contributions received prior to January 12, 2019. For candidates in covered elections held before the year 2022 who choose Option A, as defined in § 3-720(e)(1) of the Code, the contribution limits as stated in § 3-703(1)(f) of the Code will apply to all contributions received during the 2021 election cycle, regardless of when they are received. Such candidates shall refund the portion of any contribution that exceeds the limits, as provided in section 5-07 of this chapter, even if the contribution was received before January 12, 2019. Failure to timely issue required refunds will be considered a violation of the Act and these rules.

§ 18. Subdivisions (z), (aa), (bb), and (cc) of section 5-05 of chapter 5 of title 52 of the rules of the city of New York are amended to read as follows:

(z) [Contributions for a runoff election. Contributions solicited for, or required to be deposited into an account established for, a runoff election, as provided in section 16-06.

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

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

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

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

§ 19. Subdivisions (a), (b), (c), and (d) of section 5-07 of chapter 5 of title 52 of the rules of the city of New York are amended to read as follows:

§ 5-07 Refunding prohibited and over-the-limit contributions

(a) Generally. When a candidate knows or has reason to know that [such] the candidate has accepted a contribution or aggregate contributions from a single source in excess of the applicable contribution limit, including a contribution or contributions from a contributor having business dealings with the city, or from a source prohibited by the Act or the Charter or by state or federal law, the candidate must promptly refund the excess portion or prohibited contribution [by bank or certified check made out] to the contributor or to the Fund; provided, however, that when] When a candidate knows or has reason to know that [such] the candidate has accepted a nominee or anonymous contribution, the candidate must promptly disgorge the [amount of such] contribution [by bank or certified check made out] to the comptroller of the state of New York for deposit in the general treasury of the state.

(b) Contribution refunds must be timely.

- (i) When a candidate knows or has reason to know that [such] the candidate has accepted a prohibited or over-the-limit contribution, the candidate must return or refund the contribution, or the over-the-limit portion [thereof], on or before the next disclosure statement filing deadline or the deadline set by the Board.
- (ii) When a candidate is notified by the Board that [such] the candidate has accepted a prohibited or over-the-limit contribution, the candidate must return the contribution or the over-the-limit portion by the date specified in the notice sent by the Board.
- (iii) A contribution refund is made on the date on which the funds cleared the committee account.

(c) Contribution refunds must be documented and reported. If a candidate issues a refund for a contribution after it has been deposited in the committee's account, the contribution and corresponding refund must be documented and reported to the Board. The documentation must demonstrate that the refund cleared the committee account and was cashed or deposited by the reported contributor.

(d) Restrictions on return. [After] Unless directed to do so by the Board, a candidate may not return a contribution after receiving public funds for an election], a candidate may not return a contribution, unless directed by the Board to do so,] until any required repayments to the Fund have been made[, except if the]. A contribution may be returned if it: (i) exceeds the contribution limit, including the limit

applicable to contributors having business dealings with the city, (ii) is otherwise illegal, or (iii) is returned because of the candidate's reputational interest in light of the particular source or intermediary involved[, or (iv) was deposited in a separate account pursuant to section 16-06 for a runoff election that is not held].

§ 20. Paragraph (i) of subdivision (c) of section 5-08 of chapter 5 of title 52 of the rules of the city of New York is amended to read as follows:

(i) Candidates have the burden of demonstrating that surplus funds and transfers of funds from [committees] a committee not otherwise involved in the covered election, other than another authorized committee of the same candidate that has filed contemporaneous disclosure statements with the Board in a timely manner, do not derive from:

(A) contributions in excess of the Act's contribution limits, including contributions that would exceed the Act's contribution limits when aggregated with other contributions accepted from the same source; or

(B) contributions from sources prohibited by the Act, the Charter, or state or federal law.

§ 21. Subdivision (b) of section 5-11 of chapter 5 of title 52 of the rules of the city of New York is amended to read as follows:

(b) Receipts may be used only [to further a candidate's nomination or] for the covered election. A candidate may use receipts only for the covered election for which that account was established [or an associated runoff election].

§ 22. Paragraph (i) of subdivision (h) of section 6-01 of chapter 6 of title 52 of the rules of the city of New York is amended to read as follows:

(i) An expenditure is presumed to be made for the first covered election in which the [participant or non-participant is a] candidate seeks nomination or election following the day [it] that the expenditure is made, except:

§ 23. Subparagraphs (F), (G), (L), (V), and (W) of paragraph (ii) of subdivision (a) of section 6-02 of chapter 6 of title 52 of the rules of the city of New York are amended, and a new subparagraph (X) is added, to read as follows:

(F) expenditures made after the candidate has been finally disqualified or such candidate's petitions have been finally declared invalid by the Board of Elections or a court of competent jurisdiction, except that such expenditures may be made (1) as otherwise permitted pursuant to § 3-709(7) of the Code, or (2) for a different election (other than a special election to fill a vacancy) held later in the same calendar year in which the candidate seeks election for the same office, unless the candidate is seeking election exclusively as a write-in candidate in such later election;

(G) expenditures made after the only remaining opponent of the candidate has been finally disqualified or such opponent's petitions have been finally declared invalid by the Board of Elections or a court of competent jurisdiction, except that such expenditures may be made for a different election (other than a special election to fill a vacancy) held later in the same calendar year in which the candidate seeks election for the same office, unless the candidate is seeking election exclusively as a write-in candidate in such later election;

(L) expenditures to challenge [or defend] the validity of petitions of designation[, or] nomination, or of certificates of nomination, acceptance, authorization, declination, or substitution, and expenses related to the canvassing of election results;

(V) expenditures related to childcare services; [or]

(W) payments for liabilities that were not reported in the disclosure statement covering the reporting period in which the liability was incurred[.]; or

(X) expenditures in excess of \$5,000 made by a candidate in a small primary election as defined in section 7-05(a).

§ 24. Subdivision (e) of section 7-01 of chapter 7 of title 52 of the rules of the city of New York is amended to read as follows:

(e) Ballot disqualification; unopposed candidates. Pursuant to §§ 3-703(1)(a) and (5) of the Code, the Board will not [make payment to] pay any candidate disqualified from the ballot by the Board of Elections or by a court, or [to] any candidate for an election in which all other candidates have been disqualified from the ballot by the Board of Elections or by a court, until such candidate or other candidate is restored to the ballot by a court [of competent jurisdiction]. A candidate who does not appear on the ballot in an election, or who appears as the only candidate on the ballot in an election, [shall] is not [be] eligible to

receive public funds, notwithstanding any write-in candidates in that election, except as otherwise provided in subparagraph (ii) below, and may be required to return any public funds received. Notwithstanding § 3-704(2)(d) of the Code, such a candidate shall be ineligible to receive additional public funds for a later election held in the same calendar year unless the candidate demonstrates that they will appear on the ballot in that election.

§ 25. A new subdivision (g) of section 7-01 of chapter 7 of title 52 of the rules of the city of New York is added to read as follows:

(g) Pursuant to §§ 3-703(1)(a) and (5) of the Code, public funds are not payable to a participant who has not met the legal requirements to have the participant's name on the ballot, or, for an optional early public funds payment, who has not certified that the participant intends to meet all the requirements of law to have the participant's name on the ballot and stated the specific office to which the participant is seeking nomination or election.

§ 26. Subdivision (a) of section 7-02 of chapter 7 of title 52 of the rules of the city of New York is amended to read as follows:

(a) [Three payment dates in the 30 days prior to an election. The Board shall schedule at least three payment dates in the 30 days prior to a covered primary, general, or special election.] **Payment dates**

(i) The Board will schedule at least three payment dates in the 45 days before a covered primary election and at least four payment dates in the 90 days prior to a covered general election.

(ii) No public funds [shall] will be paid to candidates in a primary or general election any earlier than [four business days after the final day to file a written Certification for such] two weeks after the last day to file designating petitions for the primary election [pursuant to paragraph (c) of subdivision 1 of section 3-703 of the Code], except that optional early public funds payments may be made no earlier than December 15 in the year before the year of the election. For a candidate to receive an optional early public funds payment, the Board must determine that one of the conditions set forth in § 3-705(7)(a)(2) or (3) of the Code is satisfied, or the candidate must submit a certified signed statement attesting to the need for such public funds and demonstrating that at least one of the conditions set forth in § 3-705(7)(a)(1) of the Code is satisfied. The statement must be accompanied by supporting documentation and must be submitted to the Board at least 15 business days before the optional early public funds payment is scheduled to be made.

(iii) Pursuant to §§ 3-703(1)(a) and (5) of the Code, public funds are not payable to a participant who has not met the legal requirements to have such participant's name on the ballot, who is unopposed, or, for the optional early public funds payment, who has not certified that such participant intends to meet all the requirements of law to have such participant's name on the ballot and stated the specific office to which such participant is seeking nomination or election.]

§ 27. Subdivision (c) of section 7-02 of chapter 7 of title 52 of the rules of the city of New York is amended to read as follows:

(c) Preliminary review of matching claims[.]

[Prior to] (i) Before making a pre-election payment determination, the Board may issue a report to the candidate indicating any matching claims determined to be invalid based on preliminary review of each disclosure statement and of the matchable contribution claims reported [therein]. The candidate may respond to [such] the report by providing information or documentation demonstrating that any [such] of the matching claims should be considered valid. Failure by the candidate to respond to such report by the deadline set by the Board may [result in a] delay [in] payment of public matching funds.

(ii) Pursuant to 3-703(12)(b) of the Code, the Board will not invalidate a matching claim in a review of any disclosure statement filed after the statement in which such claim was submitted, unless the Board learns of new information relevant to the eligibility of the claim that was not available to the Board at the time of the initial review. Such new information may include: (1) information related to the candidate's eligibility to receive public funds generally, including the submission of a Certification as provided in Rule 2-02, where the submission had not been made at the time of the initial review, and (2) information related to the contribution limit applicable to the candidate, including a declaration or change of the office sought by the candidate.

§ 28. Subdivision (d) of section 7-02 of chapter 7 of title 52 of the rules of the city of New York is amended to read as follows:

(d) [Characterization of payments as for the primary or general election.

(i) If a participant is on the ballot and has an opponent on the ballot in both a primary and the general elections, payments made after the primary election will be characterized initially as follows:

(A) As a primary election payment, if the payment is made on the basis of contribution and expenditure information reported in or before

the disclosure statement due 10 days after the primary election, except as otherwise provided in subparagraph (B).

(B) As a general election payment, to the extent that any further primary election payments would exceed a maximum applicable in the primary election pursuant to the Act.

(C) As a general election payment, if the payment is made on the basis of contribution and expenditure information reported in disclosure statements due later than 10 days after the primary election.

(ii) If the Board determines that payments characterized initially as either primary or general election payments were, in fact, used for qualified campaign expenditures incurred in the other election, the payments will be recharacterized accordingly, and additional payments may be made or repayments required, if appropriate.]

No candidate shall receive more than the maximum public funds payable amount for a single election, pursuant to § 3-705(2)(b) of the Code, any earlier than the day after the day of the primary election.

§ 29. Subdivision (a) of section 7-04 of chapter 7 of title 52 of the rules of the city of New York is amended to read as follows:

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

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

§ 30. A new subdivision (c) of section 7-05 of chapter 7 of title 52 of the rules of the city of New York is added to read as follows:

(c) Public funds exceeding \$5,000. If a candidate in a small primary receives public funds payments aggregating in excess of \$5,000 for the covered election, the candidate must return the excess funds to the Board; provided, however, that the candidate may use the excess funds for a different election (other than a special election to fill a vacancy) held later in the same calendar year in which the candidate seeks election for the same office, unless the candidate is seeking election exclusively as a write-in candidate in such later election. The amount of any excess funds used for a later election will be deducted from the total amount of public funds the candidate is eligible to receive for that election.

§ 31. Section 7-06 of chapter 7 of title 52 of the rules of the city of New York is amended to read as follows:

§ 7-06 Withholdings. The Board may withhold up to 5% of the amount of public funds payable to a candidate until the final pre-election payment for any election in which the candidate is eligible to receive public funds. In addition, the Board may withhold from pre-election public funds payments: (a) a percentage equal to the projected rate of invalid matching claims; (b) an amount equal to any contributions made, received, solicited, or otherwise obtained in violation of any law, pending disgorgement of such contributions to the Fund or refund to the contributor; and [(b)] (c) up to an additional 5% if the Board determines that there is reason to believe that the candidate has failed to comply with the Act, including by failing to adequately respond to a Board request for information or documentation. [Such withholdings] Withholdings shall be subject to post-election audit.

§ 32. Subdivisions (f), (g), and (h) of section 9-02 of chapter 9 of title 52 of the rules of the city of New York are amended, and new subdivisions (i) and (j) are added, to read as follows:

(f) Ballot disqualification. Pursuant to §3-709(7) of the Code, a candidate who has been finally disqualified or whose designating or nominating petitions have been finally declared invalid by the Board of Elections or a court [of competent jurisdiction], or whose only remaining opponent has been finally disqualified or whose designating or nominating petitions have been finally declared invalid by the Board of Elections or a court, may not [thereafter] spend public funds for any purpose other than the payment of previous liabilities incurred in qualified campaign expenditures. All public funds in excess of [such] those liabilities previously incurred shall be promptly repaid to the

Board; the] The amount to be repaid [shall] will be determined in accordance with §3-710(2)(b) of the Code and subdivision (b) of this section. A repayment made pursuant to §3-709(7) [shall] does not [preclude a determination] prevent the Board from determining that an additional repayment is required [pursuant to that or any other provision of the Act].

(g) Ballot fraud. Pursuant to § 3-710(3)(a) of the Code, a candidate who has been disqualified by a court [of competent jurisdiction] on the grounds that [such] the candidate committed fraudulent acts in order to obtain a place on the ballot, if such decision is not reversed,] must pay to the Board an amount equal to the total public funds paid to the candidate. Repayments pursuant to this subdivision must be made promptly upon the court's determination of disqualification. No repayment is required if the decision is reversed.

(h) Failure to actively campaign. Pursuant to § 3-710(3)(b) of the Code, a candidate who fails to actively campaign for a covered office may be required to repay an amount equal to the total public funds received.

(i) Ceasing to campaign. Pursuant to § 3-710(3)(c) of the Code, a candidate who ceases to actively campaign for a covered office may be required to repay an amount equivalent to the amount of public funds paid to the candidate that were not spent on qualified expenditures. Only expenditures incurred prior to the date on which the candidate ceased actively campaigning may be considered qualified expenditures.

(j) Other reasons for repayment. The Board may require a candidate to repay public funds because:

- (i) the candidate failed to maintain copies of checks or contribution cards that document matchable contributions;
- (ii) the public funds paid were based on contributions that were returned or contribution checks that have not been paid;
- (iii) the candidate has failed to demonstrate eligibility for the public funds paid [and/or] or compliance with Program requirements, including the requirements to appear on the ballot and to be opposed by at least one other candidate on the ballot; or
- (iv) a determination pursuant to §§ 3-705(6) or (7) of the Code is reversed following reconsideration pursuant to Rule 7-10(b)(vii).

§ 33. Paragraph (viii) of subdivision (a) of section 13-02 of chapter 13 of title 52 of the rules of the city of New York is amended to read as follows:

- (viii) the date and amount of each donation returned to a donor, the account from which the funds used to make the return originated, and, if applicable, the number of the [bank or certified] check used to issue the return of funds;

§ 34. The definition of the term "electioneering communication" in section 14-01 of chapter 14 of title 52 of the rules of the city of New York is amended to read as follows:

"Electioneering communication" means a communication that: (1) is disseminated by radio, television, cable, or satellite broadcast, is a paid advertisement [such as in a periodical or on a billboard], or is a mass mailing; (2) is disseminated within [30] 60 days of a covered primary, general, or special election[, or within 60 days of a covered general election]; and (3) refers to one or more clearly identified ballot proposals or candidates for a covered election. Electioneering communication [shall] does not include a [campaign-related] candidate-related communication made by an organization operating and remaining in good standing under § 501(c)(3) of the Internal Revenue Code of 1986.

§ 35. Paragraph (i) of subdivision (a) of section 14-03 of chapter 14 of title 52 of the rules of the city of New York is amended to read as follows:

- (i) Disclosure statements are due on January 15, March 15, [May 15, and] July 15, and the fourth Friday in August of the election year.

§ 36. Paragraph (iii) of subdivision (a) of section 14-03 of chapter 14 of title 52 of the rules of the city of New York is amended to read as follows:

- (iii) During the 14 days before a primary or general election, [or a related runoff election,] an independent spender must submit a disclosure statement to the Board within 24 hours of distributing any reportable communication, making any reportable expenditure, or receiving any reportable contribution.

§ 37. Section 14-09 of chapter 14 of title 52 of the rules of the city of New York is amended to read as follows:

§ 14-09 Other provisions concerning independent expenditures. See sections 15-06 (Special elections); [16-07 (Runoff elections);] 10-03 (Enforcement); Chapter 12 (Complaints).

§ 38. Clause (1) of subparagraph (B) of paragraph (iii) of subdivision (d) of section 15-02 of chapter 15 of title 52 of the rules of the city of New York is amended to read as follows:

- (1) for candidates in a special election who proceed to raise or spend funds for the following primary or general election, the 27 day post-election disclosure statement described in paragraph [(iv) shall be] (v) is the last statement required for the special election; provided, however, that if there is a runoff special election, the semi-annual disclosure statement described in paragraph (iv) shall be the last disclosure statement required for all candidates in the special election who continue to raise or spend funds for the following primary or general election, regardless of whether they were candidates in the runoff special election; and

§ 39. Paragraph (v) of subdivision (d) of section 15-02 of chapter 15 of title 52 of the rules of the city of New York is amended to read as follows:

(v) [Post-runoff special election] Post-election disclosure statements. [For runoff special election candidates, post-election] Post-election disclosure statements must be filed 27 days after the special election and on the first January 15 or July 15 following the election. [Candidates in the special election must file both post-runoff special election disclosure statements, regardless of whether they were on the ballot for the runoff special election.]

§ 40. Paragraph (viii) of subdivision (d) of section 15-02 of chapter 15 of title 52 of the rules of the city of New York is amended to read as follows:

(viii) Special election due dates for compliance with § 12-110 of the Code. [If the deadline for filing financial disclosure reports with the conflicts of interest board pursuant to § 12-110(b)(2) of the Code is before the due date for the first disclosure statement required to be filed with the Board pursuant to section 15-02(d)(ii), the] The candidate's compliance with the requirements in § 12-110 of the Code shall be considered timely demonstrated to the Board if the Board receives confirmation of the candidate's compliance on or prior to the [disclosure statement] due date for the first disclosure statement required to be filed with the Board pursuant to section 15-02(d)(ii). [If the deadline for filing financial disclosure reports with the conflicts of interest board pursuant to § 12-110(b)(2) of the Code is on or after the due date for the first disclosure statement required to be filed with the Board pursuant to section 15-02(d)(ii), the candidate's compliance with the requirements in § 12-110 of the Code shall be considered timely demonstrated to the Board if the Board receives confirmation of the candidate's compliance no later than one business day after the last day for filing disclosure reports with the conflicts of interest board.]

§ 41. Paragraph (ii) of subdivision (e) of section 15-03 of chapter 15 of title 52 of the rules of the city of New York is amended, and a new paragraph (iii) is added, to read as follows:

- (ii) Expenditures incurred outside of the calendar year in which the special election is held are presumed not to be qualified, unless the proclamation and the special election occur in different calendar years.

(iii) It is presumed that the following bills for goods and services are not qualified campaign expenditures:

- (A) bills for a special election that are first reported in a disclosure statement submitted later than the first post-election disclosure statement applicable to that special election; and
- (B) bills first reported in an amendment to a disclosure statement that is made after the special election.

§ 42. Subdivision (e) of section 15-04 of chapter 15 of title 52 of the rules of the city of New York is amended to read as follows:

(e) Public funds. To receive public matching funds, candidates in a special election must meet the same threshold and eligibility requirements as candidates in a primary or general election; provided, however, that the threshold dollar amount of summed matchable contributions shall be halved in a special election for mayor, public advocate, or comptroller. A candidate in a special election shall respond to an invalid matching claims report no later than the deadline set by the Board. The Board shall schedule at least three payment dates in the 30 days prior to a special election.

§ 43. Chapter 16 of title 52 of the rules of the city of New York is REPEALED.

§ 44. Chapter 17 of title 52 of the rules of the city of New York is amended to read as follows:

Chapter [17] 16: Voter Education and Engagement

§ [17-01] 16-01 Definitions

Except as otherwise provided, the definitions set forth in section 1-02 apply in this chapter. In addition[, the following terms mean]:

“Ballot proposal” means any proposition, referendum, or other question submitted to New York City voters pursuant to the Charter, the New York Municipal Home Rule Law, or any other law.

“Candidate print statement” means the document filed by a candidate containing biographical and other information requested by the Board, and a photograph of the candidate, for inclusion in the printed or online primary or general election Voter Guide.

“Candidate video statement” means a video-recorded statement by the candidate for inclusion in the video and online [edition(s)] edition of the primary or general election Voter Guide.

“Election” means any primary or general election for the office of mayor, public advocate, comptroller, borough president, or Council member, or a general election in which a ballot proposal is on the ballot, and does not include any special election held to fill a vacancy, [runoff primary election, runoff special election,] or election held pursuant to court order.

“Registered candidate” means an individual who has registered or filed a Certification with the Board pursuant to section 2-01 or 2-02 and § 3-703 of the Code.

§ [17-02] 16-02 Contents of the Voter Guide

(a) Generally. In addition to any information that the Board determines to be useful for promoting public awareness of the voting process, city government, and the candidates and ballot proposals in an election, the printed and online Voter Guides for an election [shall] will contain: (1) the date of the election; (2) the hours during which the polls will be open; (3) an explanation of the voter registration process, including deadlines to register for both the primary and general elections; (4) an explanation of how to obtain and cast or mark an absentee ballot; (5) an explanation of how to cast a vote, including write-in votes; (6) information about the boundaries of City Council districts to aid voters in determining their appropriate district; and (7) tables of contents, graphics, and other materials which the Board determines will make the Voter Guide easier to understand or more useful for the average voter.

(b) Candidate statements

(i) Candidate print statements

(A) Candidate print statements contain the following biographical information:

- (1) the name of the candidate;
- (2) the political party, if any, in which the candidate is enrolled, and for which party lines the candidate’s name will appear on the ballot;
- (3) the previous and current public offices held by the candidate;
- (4) the current occupation and employer of the candidate;
- (5) prior employment and positions held by the candidate;
- (6) the experience the candidate has had in public service;
- (7) the educational background of the candidate;
- (8) a list of the candidate’s major organizational affiliations;
- (9) information about the candidate’s principles, platform, or views, in a form prescribed by the Board; and
- (10) such other information as may be determined by the Board and requested of the candidate.

(B) The candidate print statement must be submitted in English.

(C) The photograph of the candidate submitted as part of a candidate print statement must:

- (1) be a recent photograph;
- (2) have a plain background;
- (3) show only the face or the head, neck, and shoulders of the candidate;
- (4) not include the hands or anything held in the hands of the candidate;
- (5) not show the candidate wearing any distinctive uniform, including [but not limited to] a judicial robe, or a military, police, or fraternal uniform; and
- (6) comply with the size and resolution requirements as determined by the Board.

(D) Candidate print statements may not:

- (1) refer to any opposing candidate by name;

- (2) contain profanity or statements that are patently offensive, obscene, libelous, or defamatory;
- (3) assert facts that the candidate knows or should know to be false; or
- (4) violate any city, state, or federal law, including regulations of the New York State Public Service Commission.

(E) A candidate print statement that violates any of the requirements outlined in this chapter, as determined by the Board at its sole discretion, [shall] will not be included in the Voter Guide.

(F) Timing of submission.

- (1) In the election year, all registered candidates considering filing designating petitions must submit their complete and final print statements in accordance with a deadline set by the Board.
- (2) A candidate not named in a filed designating petition who anticipates filing an independent nominating petition for the general election must submit a candidate print statement on or before the “independent candidates” submission deadline set by the Board.
- (3) Complete and final print statements for the general election Voter Guide must be submitted prior to the publication of the primary election Voter Guide.]

(ii) Candidate video statements.

(A) Candidate video statements must contain information regarding the candidate’s platform and candidacy, and may contain such other information as the candidate may choose; provided, however, except that the candidate may not:

- (1) refer to any opposing candidate by name;
- (2) use profanity, or statements, gestures, or materials that are patently offensive, obscene, or pornographic;
- (3) make statements that are slanderous, or defamatory, or assert facts that the candidate knows or should know to be false;
- (4) engage in any commercial programming or advertising;
- (5) display any literature, graphs, or props; or
- (6) violate any city, state, or federal law, including regulations of the New York State Public Service Commission and the Federal Communications Commission.

(B) Candidates recording video statements may dress as they choose and are responsible for their own clothing, make-up and hairdressing; provided, however, except that when recording a video statement, candidates may not:

- (1) [engage in] be [full] fully or [partial nudity] partially nude;
- (2) wear any distinctive uniform, including [but not limited to] a judicial robe, or a military, police, or fraternal uniform; or
- (3) violate any city, state or federal law, including regulations of the New York State Public Service Commission and the Federal Communications Commission.

(C) To ensure that candidate scripts meet the requirements of this section, candidate video statement scripts must be submitted for Board approval [in advance of] before the candidate’s scheduled recording session, and on or before the script submission deadline set by the Board. Candidates must follow their approved video statement script during the recording. Recorded statements [shall] will not be edited by the Board or any entity participating in the production of the video edition of the Voter Guide, except that candidate identification and other election information may be displayed.

(D) Only the candidate may appear on camera, and only the candidate may record a candidate video statement.

(E) Candidates [shall be allowed to] may sit or stand while recording statements. Reasonable accommodations for candidates with special needs [shall] will be made.

(F) Video statements shall be recorded in English. Candidates may record a portion of their video statements in a language other than English; provided, however, that] if the script submitted for Board approval contains both the English and non-English text[,] and an English translation

of all non-English text. No additional time will be allotted for statements recorded in multiple languages.

(G) Candidate video statements that violate any of the requirements outlined in this chapter [shall] will not be included in the Voter Guide.

(H) Timing of candidate video statement recordings.

In the election year, the recording schedule for candidates' video statements [shall] will be [provided] given to registered candidates in advance. Appointments for candidate video statement recordings [shall] will be [made at a time within] during the [prescribed] production schedule. A candidate who fails to appear at the scheduled time [shall] be deemed to have waived waives participation in the video edition of the Voter Guide.

(iii) Inclusion of candidate statements in Voter Guide editions.

(A) Primary election edition. [Candidate] Only registered candidates who have met the requirements of this chapter and who are on the ballot in a contested primary will have their candidate print and video statements [shall be] included in primary election editions of the Voter Guide [only for registered candidates who have met the requirements set forth in this chapter and are on the ballot in a contested primary. In the case of], Candidates anticipated to appear on the ballot in a contested primary on the date that the primary election print edition goes to press, based on the Board's assessment of information available from the Board of Elections, will have their print statements included in printed editions of the Voter Guide[, print statements of candidates anticipated to appear on the ballot in a contested primary on the date that the primary election print edition goes to press shall be included, based on the Board's assessment of information available from the Board of Elections].

(B) General election edition. [Candidate] Only registered candidates who have met the requirements of this chapter and who are on the general election ballot will have their candidate print and video statements [shall be] included in general election editions of the Voter Guide [only for registered candidates who have met the requirements set forth in this chapter and are on the general election ballot]. Candidates who are seeking nomination or election exclusively as write-in candidates [shall] will not be included in the Voter Guide. Candidates anticipated to appear on the general election ballot on the date that the general election print edition goes to press, based on the Board's assessment of information available from the Board of Elections, will have their print statements included in [In the case of] printed editions of the Voter Guide[, print statements of candidates anticipated to appear on the general election ballot on the date that the general election print edition goes to press shall be included, based on the Board's assessment of information available from the Board of Elections]. Candidates running unopposed in the general election [shall] will be included in general election editions of the Voter Guide, except where the only election being covered is uncontested, in which case the Board [shall] will not produce or distribute print or video editions of the Voter Guide, but [shall] will produce an online Voter Guide.

(C) If a candidate in the general election was included in the primary election Voter Guide, then that candidate's primary election Voter Guide statement [shall] will be included in the general election Voter Guide, unless the candidate submits a general election Voter Guide statement on or before the deadline set by the Board. [No modifications or additions to the original statement shall be accepted.]

(D) Candidates' print statements [shall] will be included in the primary and general election online editions [in accordance with] following the requirements [set forth] in paragraphs (i), (ii), and (iii).

(E) The Board [shall] will not accept a candidate print or video statement unless it is submitted in [a manner provided] the form required by the Board, [includes] including any signatures or notarizations [as may be required by the Board], and unless the candidate has verified that the contents of the submission are true to the best of [such] the candidate's knowledge. The Board may[, at its discretion,] reject any portion of a [candidate] candidate's print or video statement[, or portions thereof,] that it decides [it deems to contain matter that] is obscene, libelous, slanderous, defamatory, or otherwise in violation of these rules.

(iv) Candidate statements must not exceed the length and space limitations provided by the Board. The Board may[, at its discretion,] require that candidate print statements follow a consistent format, and may edit statements to [achieve uniformity of] make them similar in presentation[, conformance with] and length [and space limitations,] and [consistency] consistent

with existing law. Candidate video statements that exceed their allotted statement time, as determined by the Board, [shall] will be cut off at the time limit.

(v) A candidate print statement or video script is a written instrument which[, when filed,] becomes part of the Board's records when filed. A candidate may not include any false information in the [such candidate's] print statement or video script. The candidate must verify that [such candidate's] the print statement and video script are true, to the best of [such] the candidate's knowledge. [Knowingly filing a written instrument that contains a false statement or false information is a Class A misdemeanor under New York State Penal Law § 175.30.]

(vi) [With each candidate print statement, the] The Board [shall] will publish one of the following notices with each candidate print statement:

(A) In the case of a participant: "Participant in the Campaign Finance Program" or similar language [to like effect].

(B) In the case of a non-participant: "Not a participant in the Campaign Finance Program" or similar language [to like effect].

(c) Ballot proposals

(i) The print and online editions of the Voter Guide for a general election in which a city ballot proposal is anticipated to appear on the ballot [shall] will contain: (A) the form of each ballot proposal as it will appear on the ballot in the general election; (B) a plain-language abstract of each ballot proposal; and (C) to the extent feasible, [the] clearly-labeled major arguments for and against the passage of each ballot proposal[, clearly labeled as such]. If feasible, the Board [shall] will solicit [and accept from the] public statements for and against passage of each ballot proposal for possible inclusion in the Voter Guide for the general election.

(ii) A public statement [shall] will not be accepted by the Board unless it: (A) is submitted in a form [and manner provided by the Board and includes] the Board requires, including any signatures [required by the Board]; (B) conforms to the length and space limitations [provided by the Board]; (C) identifies the organization, if any, on whose behalf the statement is made; and (D) clearly argues for or against passage of the proposal. No person may submit more than one statement per ballot proposal [pursuant to this paragraph].

(iii) Board determines whether to publish statements for and against ballot proposals. With respect to statements for or against passage of ballot proposals, the Board[, at its discretion,] may determine: (A) not to publish any such statements; (B) not to publish any statement submitted pursuant to paragraph (i) of subdivision (c); (C) to publish any portion of a statement submitted pursuant to paragraph (i) of subdivision (c); and (D) to compose and publish such statements as it deems appropriate.

(iv) State ballot proposals. The Board [shall] will include information about state ballot proposals in Voter Guides for a covered office or a city ballot proposal. [At its discretion, the] The Board may produce an online Voter Guide to provide information about state ballot proposals during an election for which no print Voter Guide is produced.

§ [17-03] 16-03 Voter Guide publication and distribution.

(a) The Board [shall] will publish printed Voter Guides in English and Spanish, and in [such] other languages [as may be] required by law. The Voter Guide [shall] will be distributed by mail to each city household in which there is at least one registered voter eligible to vote in the primary or general election, as applicable.

(b) The Board [shall] will produce an online Voter Guide in English and make the translated versions of the printed editions available online.

(c) The Board [shall] may [make all reasonable efforts to] produce a video edition of the Voter Guide for citywide elections[, and shall,]. The Board will seek partners for the production, marketing, and broadcasting of video editions of the Voter Guide. The Board [shall] will post online the scripts provided pursuant to section [17-02(b)(ii)(C)] 16-02(b)(ii)(C), along with translations of those scripts into Spanish and [such] other languages [as may be] required by law.

(d) Any conflicts related to the submission or public release of candidate print or video statements [shall] will be decided by the Board.

(e) All decisions made by the Board with respect to any edition of the Voter Guide, including resolution of conflicts, are final.

(f) The Board [retains] has ownership of[, and distribution rights to,] all Voter Guide content, including candidate statements. Unedited candidate statements may be republished or broadcast with the Board's permission.

§ [17-04] 16-04 Elections not held as scheduled. Notwithstanding any other provision of this chapter, the Board [shall] will take such actions as are practicable to prepare, publish, and distribute a Voter

Guide in a timely manner for an election that is not held as initially scheduled.

§ 45. Chapter 18 of title 52 of the rules of the city of New York is amended to read as follows:

Chapter [18] 17: Public Access to Information

§ [18-01] 17-01 Records available to the public. The New York State Freedom of Information Law (FOIL) (Public Officers Law, Article 6, § 84 et seq.) governs public access to the Board's records. The Board may deny access to records or portions of records that are exempted from disclosure by state or federal law.

§ [18-02] 17-02 Records access officer. The Board's records access officer is designated by the Executive Director and is responsible for ensuring appropriate agency response to public requests for access to records.

§ [18-03] 17-03 Requesting records

(a) A candidate may request access to records such candidate submitted to the Board by contacting the Candidate Guidance and Policy Unit, which may[, at its discretion,] provide access to such records without a FOIL request.

(b) To request access to Board records, a member of the public must:

- (i) make a written FOIL request in person, by mail, or by email, addressed to the Board's records access officer;
(ii) reasonably describe the records sought;
(iii) provide the requestor's name and mailing or email address; and
(iv) specify preference for inspection of records or copies of records.

(c) Within five business days of receipt of a FOIL request made in accordance with subdivision (b) above, the Board will:

- (i) grant or deny the request, in whole or in part, in writing; or
(ii) provide:
(A) a written acknowledgment of the request and state the approximate date on which the request will be granted or denied; or
(B) where circumstances prevent granting or denying the request within 20 business days of the written acknowledgment,

- (1) a written statement of the reasons for the delay in making a determination; and
(2) a date, within a reasonable period depending on the circumstances, when the request will be granted or denied.

(d) Where the Board is unable to locate records responsive to the request, the Board, upon request, will certify that:

- (i) the Board is not the custodian of such records; or
(ii) such records cannot be found after a diligent search.

(e) Where the request is granted, the Board will:

- (i) make records available for inspection:
(A) between the hours of 10:00 a.m. and 4:00 p.m., on business days, Monday through Friday;
(B) at the offices of the Board or another location chosen by the Board;
(C) in quantities that may be limited to the amount available at the time; and
(D) contingent on the requester's promise that the records will not be removed, damaged, marked, or changed in any way during the inspection; or
(ii) make copies of records available in the medium requested, where practicable, upon payment of fees as described in this Chapter, and provide, on request, a certification that the copies are true copies;

(f) Where a request is denied, the Board will explain the reasons for the denial in writing and set forth the right to appeal.

§ [18-04] 17-04 Appealing a denial of access to records

(a) To appeal a denial of access to records, the requester must, within 30 days of the denial, submit a written appeal to the Board's General Counsel including:

- (i) a copy of the original request;
(ii) a reasonable description of the records to which access was denied; and
(iii) the name and address of the requester.

(b) Upon receipt of an appeal, the Board's General Counsel shall, within 10 business days:

(i) decide the appeal and send a copy of the written decision to the requester; and

(ii) send a copy of the appeal and a copy of the written decision to the Committee on Open Government of the Department of State of the State of New York.

§ [18-05] 17-05 Fees. The Board may require payment for copies of records, as follows:

- (a) 25 cents per page for photocopies not exceeding 8-1/2 inches by 14 inches; or
(b) the actual cost of reproducing any other record, in accordance with § 87 of the New York Public Officers Law.

◀ m22

OFFICE OF THE MAYOR

■ NOTICE

EMERGENCY EXECUTIVE ORDER NO. 114

May 19, 2020

EMERGENCY EXECUTIVE ORDER

WHEREAS, on March 7, 2020, New York State Governor Andrew Cuomo declared a State disaster emergency for the entire State of New York to address the threat that COVID-19 poses to the health and welfare of New York residents and visitors; and

WHEREAS, Emergency Executive Order No. 98, issued March 12, 2020, and extended by Emergency Executive Order 112, issued May 9, 2020, contains a declaration of a state of emergency in the City of New York due to the threat posed by COVID-19 to the health and welfare of City residents, and such declaration remains in effect; and

WHEREAS, this Order is given because of the propensity of the virus to spread person-to-person and also because the actions taken to prevent such spread have led to property loss and damage; and

WHEREAS, measures taken to combat the spread of COVID-19 may prevent individuals, businesses and other entities from meeting legally imposed deadlines for the filing of certain documents or for the completion of other required actions; and

WHEREAS, this Order is given in order to ensure that the Governor's orders are enforced; and

NOW, THEREFORE, pursuant to the powers vested in me by the laws of the State of New York and the City of New York, including but not limited to the New York Executive Law, the New York City Charter and the Administrative Code of the City of New York, and the common law authority to protect the public in the event of an emergency:

Section 1. I hereby direct that section 1 of Emergency Executive Order No. 113, dated May 14, 2020, is extended for five (5) days.

§ 2. I hereby suspend section 3-703(1)(n) of the New York City Administrative Code relating to the requirement that as a precondition of eligibility to receive public funds in a future covered election, candidates must satisfy any claim made by the Campaign Finance Board for the payment of civil penalties or repayment of public funds that remain outstanding from a prior covered election.

§ 3. This Order incorporates any and all relevant provisions of Governor Executive Order No. 202 and subsequent orders issued by the Governor of New York State to address the State of Emergency declared in that Order pursuant to his powers under section 29-a of the Executive Law.

§ 4. I hereby direct the Fire Department of the City of New York, the New York City Police Department, the Department of Buildings, the Sheriff, and other agencies as needed to immediately enforce the directives set forth in this Order in accordance with their lawful enforcement authorities, including but not limited to Administrative Code sections 15-227(a), 28-105.10.1, and 28-201.1, and section 107.6 of the New York City Fire Code. Violations of the directives set forth in this Order may be issued as if they were violations under the New York City Health Code, title 24 Rules of the City of New York sections 3.07 and 3.11, and may be enforced as such by the Department of Health and Mental Hygiene or any other agency named in this section.

§ 5. This Emergency Executive Order shall take effect immediately, and shall remain in effect for five (5) days unless it is terminated or modified at an earlier date.

Bill de Blasio, Mayor

◀ m22