



# THE CITY RECORD

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**THE CITY RECORD** **BILL DE BLASIO, Mayor**

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### BROOKLYN PUBLIC LIBRARY

■ PUBLIC HEARINGS

**PLEASE TAKE NOTICE**, that in accordance with Section 201-204 (inclusive) of the New York State Eminent Domain Procedure Law ("EDPL"), a public hearing will be held by the Brooklyn Public Library, on behalf of the City of New York in connection with the acquisition of the branch library located at 6802 Fort Hamilton Parkway (Capital Project LBM12MPSA) in the Borough of Brooklyn. The time and place of the hearing is as follows:

DATE: Friday, February 28, 2014  
 TIME: 10:00 A.M.  
 LOCATION: Brooklyn Public Library - McKinley Park Branch  
 6802 Fort Hamilton Parkway  
 Brooklyn, NY 11219

The purpose of this hearing is to inform the public of the proposed acquisition of this property and to review the public use to be served by the project and the impact on the environment and residents. The scope of this Capital Project includes the acquisition of the existing branch library.

The property proposed to be acquired is located in the Borough of Brooklyn as follows:

6802 Fort Hamilton Parkway;  
 as shown on the Tax Map of the City of New York for the Borough of Brooklyn: Block 5771, Lot 12.

There are no proposed alternate locations.

Any person in attendance at this meeting shall be given a reasonable opportunity to present oral or written statements and to submit other documents concerning the proposed acquisition. Each speaker shall be allotted a maximum of five (5) minutes. In addition, written statements may be submitted to the General Counsel at the address stated below, provided the comments are received by 5:00 P.M. on March 7, 2014 (5 working days from public hearing date).

Brooklyn Public Library  
 Office of General Counsel, 3rd Floor  
 10 Grand Army Plaza  
 Brooklyn, NY 11238

**Please note: Those property owners who may subsequently wish to challenge condemnation of their property via judicial review may do so only on the basis of issues, facts and objections raised at the public hearing.**

### CITY UNIVERSITY

■ PUBLIC HEARINGS

**BOARD OF TRUSTEES**

The annual Brooklyn Borough Hearing will take place on Tuesday, February 18, 2014 at 5:00 P.M. in the Brooklyn Borough Hall Courtroom, 209 Joralemon Street, Brooklyn, New York 11201.

### CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission Scheduling public hearings on the following matters to be held in Spector Hall, 22 Reade Street, New York, NY, on Wednesday, February 19, 2014 at 10:00 A.M.**

#### BOROUGH OF MANHATTAN Nos. 1, 2 & 3 ROCKEFELLER UNIVERSITY EXPANSION No. 1

**CD 8 C 140157 ZSM**  
**IN THE MATTER OF** an application submitted by the Rockefeller University pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-682 of the Zoning Resolution to allow the development of a building within the demapped air space above the Franklin D. Roosevelt Drive\*, and in conjunction therewith, modify the rear yard requirements of Section 24-36 (Minimum required Rear Yards), in connection with the proposed expansion of an existing university, within a large-scale community facility development bounded by York Avenue, the easterly centerline prolongation of East 68th Street, the U.S. Pierhead and Bulkhead line and East 62nd Street and its easterly centerline prolongation (Block 1480, Lots 10 & 9010; and Block 1475, Lots 5 & 9005), within R9 and R10 Districts.

\*Note: Air space above the Franklin D. Roosevelt Drive is proposed to be demapped under a concurrent related application (C 140068 MMM) for a change in the City Map.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

**No. 2 C 140068 MMM**  
**IN THE MATTER OF** an application submitted by Rockefeller University pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of volumes of the FDR Drive between East 64th and East 68th streets; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 30242 dated November 1, 2013 and signed by the Borough President.

**No. 3 C 140068(A) MMM**  
**IN THE MATTER OF** an application submitted by Rockefeller University pursuant to Sections 197-c and 199 of the New York City Charter, Section 5-430 *et seq.* of the New York City Administrative Code and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure for an amendment to the City Map involving:

- the elimination, discontinuance and closing of volumes of the FDR Drive between East 64th and East 68th streets; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 30243 dated February 28, 2014 and signed by the Borough President.

**NOTICE**

**On Wednesday, February 19, 2014, at 10:00 A.M., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning a modification to an existing Large Scale Community Facility Development ("LSCFD") plan, City Map amendments and a special permit, as well as other discretionary approvals, affecting a "superblock" (Block 1480, Lots 10 and 9010; Block 1475, Lots 5 and 9005) bounded by East 62nd Street and the centerline of demapped East 68th Street, between York Avenue and the bulkhead east of the Franklin Delano Roosevelt (FDR) Drive in Manhattan, Community District 8. The proposed actions would facilitate a proposal by the applicant to develop three new community facility buildings comprising a total of approximately 180,000 gross-square-feet (gsf) and privately accessible open space. Written comments on the DEIS are requested and would be received and considered by the Lead Agency through Monday, March 3, 2014. This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 14DCP019M.**

**No. 4 MANHATTAN WEST TEXT AMENDMENT**  
**CD 4 N 140191 ZRM**  
**IN THE MATTER OF** an application submitted by BOP West 31<sup>st</sup> Street LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District), Borough of Manhattan, Community District 4.

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

**Article IX: Special Purpose Districts  
 Chapter 3: Special Hudson Yards District**

**\* \* \***  
**93-221 Maximum floor area ratio in the Farley Corridor Subdistrict B**

(a) Western Blocks Subarea B1

In the Western Blocks Subarea B1 of the Farley Corridor Subdistrict B, #residential use# shall only be permitted on a #zoning lot# with a #commercial floor area ratio# of 12.0 or more, or as provided for

phased developments in Section 93-122 Certification for residential use in Subdistricts A, B and E).

(b) Central Blocks Subarea B2  
In the Central Blocks Subarea B2 of Farley Corridor Subdistrict, #residential use# shall only be permitted on a #zoning lot# with a #commercial floor area ratio# of 15.0 or more, or as provided for phased developments in Section 93-122.

(c) Farley Post Office Subarea B3  
In the Farley Post Office Subarea B3 of Farley Corridor Subdistrict B, no #floor area# increases shall be permitted.

(d) Pennsylvania Station Subarea B4  
In the Pennsylvania Station Subarea B4 of Farley Corridor Subdistrict B, any increase in the #floor area ratio# specified in Row A in the table in Section 93-22 shall be permitted only pursuant to Section 93-35 (Special Permit for Transit Bonus in Pennsylvania Station Subarea) and Section 74-79 (Transfer of Development Rights from Landmark Sites), as modified by paragraph (b) of Section 93-054 (Applicability of Chapter 4 of Article VII).

(e) Transfer of #floor area#  
Notwithstanding any other provision of this Resolution, #floor area# may not be transferred between a #zoning lot# located north of West 31st Street in the Western Blocks Subarea B1 and a #zoning lot# located north of West 31st Street in the Central Blocks Subarea B2.

\* \* \*

**93-70  
PUBLIC ACCESS REQUIREMENTS FOR SPECIAL SITES**

Public access shall be provided for special sites as specified in this Section, inclusive. In the event of a conflict between the provisions of this Section, inclusive, and any underlying regulation, the provisions of this Section shall govern.

No building permit shall be issued for any #development# or #enlargement# on such sites until the Chairperson of the City Planning Commission certifies to the Department of Buildings that the provisions of this Section have been met.

An application for such certification shall be filed with the Chairperson showing the plan of the #zoning lot#; a site plan indicating the area and dimensions of all required public access areas and the location of all proposed #buildings#, and a detailed plan or plans demonstrating compliance with the provisions of this Section. For certifications relating to the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, as set forth in 93-71, paragraph (h), the requirements set forth in such ~~Section~~ Sections shall apply. For certifications relating to 450 West 33<sup>rd</sup> Street, the requirements set forth in Section 93-72(e) shall apply. For certifications relating to the Ninth Avenue Rail Yard, the requirements set forth in Section 93-732 shall apply.

Plans for public access areas shall be set forth in an instrument in a form acceptable to the City, and setting forth such provisions as necessary to ensure compliance with the provisions of this Section. Such instrument shall be filed and duly recorded in the Borough Office of the City Register of the City of New York and indexed against the property. Such filing and recording of the instrument shall be a precondition for the Chairperson's certification under this Section. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

The Chairperson shall allow for the phased development of public access areas upon certification to the Commissioner of Buildings that a plan has been submitted that provides for the development of any public access area that is integral to the #development# of a #building# or #buildings# within each phase. Such plan may provide for the outdoor plaza described in Section 93-71, paragraph (b), to be constructed in phases. Where the public use and enjoyment of a public access area is contingent upon #development# on an adjacent #zoning lot# that has not yet occurred, the Chairperson may allow for the future development of such public access area at the time that the adjacent #zoning lot# is #developed#. For the Eastern Rail Yard Subarea A1, such phased development plan may provide for the outdoor plaza described in paragraph (b) of Section 93-71 to be constructed in phases. For 450 West 33<sup>rd</sup> Street and the Ninth Avenue Rail Yard, such phased development plan shall comply with additional provisions set forth in Sections 93-722 and 93-732.

No temporary certificate of occupancy from the Department of Buildings may be issued for any portion of any #development# or #enlargement# with a #floor area ratio# of 10.0 or more until the Chairperson certifies to the Department of Buildings that the public access area is substantially complete, and the public access area is open to and useable by the public. No permanent certificate of occupancy from the Department of Buildings may be issued for any portion of such #development# or #enlargement# with a #floor area ratio# of 10.0 or more until the Chairperson certifies to the Department of Buildings that the public access area is complete and that all public access requirements of this Section have been met in accordance with the plans for such public access areas. Notwithstanding the foregoing, for #zoning lots# with multiple #buildings# for which the Chairperson has certified that a plan has been submitted that provides for the phased development of public access areas through completion of any public access area that is integral to the #development# of a #building# or #buildings# within each phase, such certifications shall be made with respect to substantial completion or completion of

the public access areas integral to each such phase, except as provided in Section 93-71, paragraph (h) and Section 93-731.

\* \* \*

**93-72  
Public Access Areas at 450 West 33rd Street**

The provisions of this Section shall apply to any #development# or #enlargement# ~~in the area on the #zoning lot# bounded by the eastern #street line# of Tenth Avenue, the northern #street line# of West 31st Street, the Lincoln Tunnel Approach a line 302 feet east of the eastern #street line# of Tenth Avenue and the southern #street line# of West 33rd Street.~~ However, if a special permit has been granted for the #development# of an arena pursuant to Section 74-41 in the area bounded by the western #street line# of Ninth Avenue, the northern #street line# of West 31st Street, a line 498 feet west of the western #street line# of Ninth Avenue ~~the Lincoln Tunnel Approach and the southern #street line# of West 33rd Street,~~ the provisions of this Section may be waived or modified in conjunction with such special permit.

(a) Through block connection

A publicly-accessible through block connection shall be provided within 10 feet of the prolonged center line of West 32nd Street, at an elevation that connects the Tenth Avenue pedestrian bridge required pursuant to paragraph (g) in Section 93-71 with the ~~Lincoln Tunnel Approach bridge~~ Dyer Avenue platform required pursuant to paragraph (b) of this Section and paragraph (e) of Section 93-73 (Public Access Areas on Ninth Avenue Rail Yard). Public access shall also be provided between such through block connection and the Tenth Avenue sidewalk.

For #developments# or #enlargements# where 75 percent or less of the total #floor area# existing on the #zoning lot# on January 19, 2005, has been demolished, such through block connection shall be open or enclosed and have a minimum clear width of 30 feet. If enclosed, at least 75 percent of such through block connection shall have a minimum clear height of 30 feet, and the remainder shall have a minimum clear height of 20 feet.

For #developments# or #enlargements# where more than 75 percent of the total #floor area# existing on the #zoning lot# on January 19, 2005, is demolished, such through block connection shall have a minimum width of 60 feet and a minimum clear path of 20 feet, and have retail uses fronting upon at least 50 percent of its northern and southern boundaries. At least 60 percent of such through block connection shall be enclosed, with an average clear height of 60 feet and a roof of transparent material that allows for natural daylight to enter. Direct access shall be provided to any #building# adjacent to such through block connection. The maximum height of a #building# wall along the southern boundary of the through block connection shall not exceed the average height of the enclosed portion, or the height at which an arched or angled ceiling of the enclosed through block connection begins, whichever is less. Any portion of a #building# that exceeds such height shall be set back at least 20 feet in depth from the southern boundary of the through block connection. Any portion of such through block connection that is open to the sky shall comply with the provisions for #public plazas# set forth in Sections 37-718, 37-726, 37-728, 37-741, 37-742, 37-743, 37-744, 37-75, 37-76 and 36-77.

Notwithstanding the foregoing, an #enlargement# which does not increase the total #floor area# on the #zoning lot# to more than 1,373,700 square feet, shall not be considered an #enlargement# for purposes of this paragraph (a).

(b) Lincoln Tunnel Approach bridge Dyer Avenue platform

A publicly accessible pedestrian bridge shall be provided over the Lincoln Tunnel Approach linking the through block connection required pursuant to paragraph (a) of this Section with the through block passageway required pursuant to Section 93-73 (Public Access Areas on Ninth Avenue Rail Yard) or the covered pedestrian space required pursuant to Section 93-731 (Special requirements for zoning lots with floor area ratios greater than 10). Such bridge may be open or enclosed, and shall have a minimum width of 30 feet. If enclosed, such bridge shall have a minimum clear height of 15 feet.

A permanent easement shall be provided along the eastern edge of the #zoning lot# with a minimum width of 33 feet for the purposes of constructing the Dyer Avenue platform required pursuant to paragraph (d) of Section 93-73 (Public Access Areas on Ninth Avenue Rail Yard). Any amenities required by paragraph (d) of Section 93-73 may be located within such easement.

(c) West 31st Street Passageway

A publicly accessible passageway space, (hereinafter referred to as the "West 31st Street passageway") shall be provided connecting the Tenth Avenue podium required pursuant to paragraph (d) of this Section to the Dyer Avenue platform required paragraph (d) of Section 93-73. The West 31st Street passageway shall be located at the same elevation as the Dyer Avenue platform. Such space shall be located within 35 feet of West 31st Street, have a minimum clear path of ten feet and be visually open to West 31st Street except for

structural elements of the #building# at 450 West 33rd Street.

(d) Tenth Avenue podium

(1) Location and minimum dimensions

A publicly accessible area located at the corner of Tenth Avenue and West 31st Street shall be provided (hereinafter referred to as the "Tenth Avenue podium"). The Tenth Avenue podium shall have a minimum area of 1800 square feet, be located at the same elevation as the Dyer Avenue platform required pursuant to paragraph (d) of Section 93-73, and shall connect to the West 31st Street passageway required pursuant to paragraph (c) of this Section.

(2) Required amenities

The Tenth Avenue podium shall contain a minimum of four trees and be directly accessible from West 31st Street by a staircase and elevator. The stair and the adjoining area shall be open to West 31st Street except for columns and structural elements of the 450 West 33rd Street building.

**93-721  
Design Criteria for Public Access Areas on 450 West 33rd Street**

(a) Design reference standards

The public access areas required by paragraphs (c) and (d) of this Section 93-72 shall comply with the applicable minimum design standards set forth in this paragraph (f) as a minimum design standard.

(i) The aggregate number of litter receptacles in such public access areas shall be two.

(ii) All open spaces within the public access areas shall provide open space signage pursuant to the standards set forth in Section 37-751 (Public Space signage system. A minimum of two directional signs shall be provided.

(iii) The minimum level of illumination shall be 1.5 horizontal foot candles (lumens per foot).

(iv) For the purposes of applying the #sign# regulations to building walls facing public access areas, such public access areas shall be considered #streets#.

(b) Maintenance

The owner or owners shall be responsible for the maintenance of all public access areas, including, but not limited to, litter control, management of pigeons and rodents, maintenance of required lighting levels, and the care and replacement of furnishings and vegetation.

**93-722  
Construction of public access areas**  
For #enlargements# that do not increase the total #floor area# on the #zoning lot# to more than 1,373,700 square feet, in accordance with the provisions of Section 93-732 (Phasing), no temporary or permanent certificate of occupancy shall be issued from the Department of Buildings for more than 3,204,000 square feet of #floor area developed# or #enlarged# on the Ninth Avenue Rail Yard until the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that a phasing plan has been submitted requiring the West 31 Street Passageway required pursuant to paragraph (c) of Section 93-72 and the Tenth Avenue Podium required pursuant to paragraph (d) of Section 93-72 to be substantially complete and open to and useable by the public.

**93-73  
Public Access Areas on Ninth Avenue Rail Yard**

The provisions of this Section shall apply to any #development# or #enlargement# on a #zoning lot# in the area bounded by Ninth Avenue, West 31st Street, the western boundary of the Lincoln Tunnel Approach and West 22nd Street. For such #zoning lots# with a #floor area ratio# greater than 2.0, the following easements shall be required:

(a) ~~\_\_\_\_\_~~ a permanent easement shall be provided within 10 feet of and over the Lincoln Tunnel Approach for the purposes of facilitating the construction of the Lincoln Tunnel Approach bridge required pursuant to paragraph (b) of Section 93-72; and

(b) ~~\_\_\_\_\_~~ a permanent easement with a minimum width of 60 feet shall be provided within 10 feet of the prolonged center line of West 22nd Street connecting the Lincoln Tunnel Approach bridge required pursuant to paragraph (b) of Section 93-72 with Ninth Avenue.

Where the #floor area ratio# on the #zoning lot# exceeds 4.0 but is not greater than 10.0, a publicly accessible through block passageway with a minimum width of 60 feet shall be provided within 10 feet of the prolonged center line of West 22nd Street. Such passageway shall be structurally designed to accommodate and connect the Lincoln Tunnel Approach bridge, required pursuant to paragraph (b) of Section 93-72, with Ninth Avenue.

No #rear yard# regulations shall apply to any #building

~~developed# or #enlarged# pursuant to this Section. Furthermore, the provisions of this Section may be waived or modified in conjunction with the granting of a special permit pursuant to Section 74-41 (Arenas, Auditoriums, Stadiums or Trade Expositions) for the #development# of an arena in the area bounded by Ninth Avenue, West 31st Street, the Lincoln Tunnel Approach and West 33rd Street.~~

~~Any #development# on a #zoning lot# bounded by the western #street line# of Ninth Avenue, the northern #street line# of West 31st Street, a line located 498 feet west of western #street line# of Ninth Avenue and the southern #street line# of West 33rd Street shall provide public access areas in accordance with the provisions of this Section.~~

~~Public access areas~~

~~Public access on the Ninth Avenue Rail Yard shall be comprised of the types of public access areas listed in this Section 93-73. Public access areas shall also include the area of the sidewalk widenings along Ninth Avenue and West 33rd Street required pursuant to Section 93-61 (Pedestrian Circulation Space). All public access areas listed in this Section shall be accessible to the public between the hours of 6:00 A.M. and 1:00 A.M.~~

(a) Entry Plaza

(1) Location and Minimum Dimensions

A publicly accessible space, open to the sky (hereinafter referred to as the "entry plaza"), shall be located within the area bounded by the western #street line# of Ninth Avenue, the southern #street line# of West 33rd Street, a line 168 feet south of and parallel to the southern #street line# of West 33rd Street and a line 60 feet west of and parallel to the western #street line# of Ninth Avenue. The entry plaza shall have a minimum area of 10,080 square feet, shall have a minimum frontage along Ninth Avenue of 168 feet and shall provide a direct connection to the central plaza required pursuant to paragraph (b) of this Section. No more than 50 percent of the entry plaza shall be covered by the permitted obstructions described in paragraph (a) of Section 37-726.

(2) Required Amenities

The entry plaza shall have the following amenities:

- (i) a minimum of eight trees (or other amounts equivalent to a minimum of 32 caliper inches);
- (ii) at least 336 linear feet of seating including a minimum of 48 moveable chairs and 12 moveable tables. At least 50 percent of the seating, including movable seats, shall have backs and no more than 50 percent of the seating with backs shall be movable seating;
- (iii) two or more planting beds which, in the aggregate, occupy an area of at least 800 square feet. No more than 35 percent of the linear feet of the planting beds shall have bounding walls exceeding 18 inches in height above an adjacent walking surface;
- (iv) ground floor transparency, in accordance with the provisions of paragraph (c) of Section 93-14 (Ground Floor Level Requirements), shall apply to at least 70 percent of the length of all #building# walls facing the entry plaza; and
- (v) One clear pedestrian circulation path with a minimum width of 12 feet shall be provided adjacent to the #building# facing the entry plaza and shall extend for the full length of the #building# frontage.

(b) Central Plaza

(1) Location and Minimum Dimensions

A publicly accessible space (hereinafter referred to as the "central plaza"), shall be located within an area bounded by the western #street line# of Ninth Avenue, a line 168 feet south of and parallel to the southern #street line# of West 33rd Street, a line 187 feet north of and parallel to the northern #street line# of West 31st Street and a line 478 feet west of and parallel to the western #street line# of Ninth Avenue. Except as provided in paragraph (b)(3) of this Section, the central plaza shall have a minimum area of 47,800 square feet, and shall have a minimum north-south dimension as measured from the #building# walls of the #buildings# facing onto the central plaza of 100 feet. The central plaza shall be open to the sky, except for the area

(2)

occupied by the pavilion permitted by paragraph (b)(2)(vii) of this Section. Required Amenities

The central plaza shall contain the following features and amenities:

- (i) Landscaped Area  
A landscaped area shall be provided and shall contain a minimum of 44 trees (or other amounts equivalent to a minimum of 176 caliper inches), planting beds which, in the aggregate, occupy an area of at least 7500 square feet.
  - a. Within the area bounded by the western #street line# of Ninth Avenue and a line drawn 45 feet west of the western #street line# of Ninth Avenue, a minimum of 1,000 square feet shall be occupied by planting beds.
- (ii) Seating  
A minimum of 725 linear feet of seating shall be provided, with 120 moveable chairs and 30 moveable tables. At least 50 percent of the required seating shall have backs.
  - b. Within the area bounded by the western #street line# of Ninth Avenue and a line drawn 45 feet west of the western #street line# of Ninth Avenue, a minimum of 50 linear feet of seating shall be provided of which 50 percent shall have backs.
- (iii) Event space  
The portion of the central plaza located beyond a line drawn 295 feet west and parallel to western #street line# of Ninth Avenue may be used for events (hereinafter referred to as the "event space"). Such event space shall have a maximum area of 4,500 square feet and may contain a temporary stage or platform and temporary seating associated with events. When such event space is not being used for an event, it shall contain a minimum of 96 moveable chairs and 24 moveable tables and, during the period April 1 to November 15, 2 moveable food carts within the event space or on the periphery thereof. Such tables and chairs shall be in addition to the amount required for the landscaped area in paragraph (b)(2)(i) of this Section.
- (iv) Circulation Paths  
Circulation paths in the central plaza shall meet the following minimum requirements:
  - a. pedestrian circulation paths extending the full length of the central plaza with an aggregate width of not less than 30 feet shall be provided.
  - b. At least two of the required circulation paths shall be located within 20 feet of the facade of each #building# facing the central plaza with a minimum clear width of twelve feet.
  - c. In addition to the circulation paths required by paragraph (b)(2)(iv)a of this section, at least two circulation paths shall be provided through the landscaped area required by paragraph (b)(2)(i) of this section and which connect with the circulation paths required by paragraph (b)(2)(iv)b of this section.
  - d. All circulation paths shall be unobstructed during events held in the event space permitted by paragraph (b)(2)(iii) of this section.
  - e. A clear path with a minimum aggregate width of at least 20 feet shall be maintained where the entry plaza required pursuant to paragraph (a) of this section and the central plaza required by paragraph (b) of this section intersect and where the art plaza required pursuant to paragraph (c) of this section and the central

plaza required by paragraph (a) of this section intersect, provided that up to eight feet of such required clear path may be located within the entry plaza and within the art plaza respectively.

(v) Transparency

The transparency requirements of paragraph (c) of Section 93-14 (Ground Floor Level Requirements) shall apply to the ground floor level of at least 70 percent of the length of all #building# walls facing each side of the central plaza.

(vi) Retail Continuity

At least 40 percent of the frontage of any #building# fronting on the central plaza shall comply with the retail continuity requirements of paragraph (a) of Section 93-14 (Ground Floor Level Requirements) and at least 50 percent of the aggregate frontage of all buildings fronting on the central plaza shall comply with the retail continuity requirements of paragraph (a) of Section 93-14 (Ground Floor Level Requirements). Such retail space shall have a minimum depth of 30 feet measured perpendicular to the wall adjoining the central plaza.

(vii) Pavilion

A #building# (hereinafter referred to as a "pavilion") containing #uses# listed in Use Groups 6A and 6C may be located within the central plaza, provided that such pavilion (and any seating associated with a use in the pavilion) shall be located at least ten feet west of the prolongation of the east face of the building fronting on the north side of the central plaza. The pavilion shall have a minimum #lot coverage# of 1,000 square feet and a maximum #lot coverage# of 3,000 square feet with a maximum width of 40 feet parallel to Ninth Avenue. Such pavilion shall be no more than one story (except that a story containing only mechanical equipment shall be permitted) or 25 feet in height, provided that permitted obstructions pursuant to Section 33-42 (Permitted Obstructions), restrooms and a food preparation kitchen aggregating no more than 200 square feet in area and no more than ten feet in height may penetrate such height limit. Seating may be provided for the #uses# in the pavilion provided that the total area occupied by the pavilion and such associated seating does not exceed a maximum #lot coverage# of 3,600 square feet and that such associated seating shall not count towards meeting the seating requirements set forth in paragraphs (b)(2)(ii) and (iii) of this Section. Floor space within the pavilion shall not be considered #floor area#. At least 60% of the exterior walls of the pavilion shall be transparent except for structural membranes provided that 100 percent of the east facing wall of the pavilion shall be transparent except for structural membranes.

(3) Alternative Design Option

Notwithstanding the provisions of paragraph (b)(1) of this Section, the minimum north-south width of the central plaza may be reduced to no less than 80 feet for at least 50 percent of the aggregate frontage of the #buildings# fronting on the central plaza, provided that such narrowed portion begins no further than 150 feet from the western #street line# of Ninth Avenue and 295 feet west of the western #street line# of Ninth Avenue provided that the minimum size of the central plaza is not less than 41,382 square feet. The minimum height of a #building# wall fronting upon such narrowed portion shall be 45 feet, and the maximum height of

such #building# wall shall not exceed 85 feet. Above a height of 85 feet, the minimum setback distance shall be 10 feet and the minimum distance between #buildings# fronting on the central plaza shall be 100 feet.

(4) Closing of Event space

The City Planning Commission may allow the closing of the event space for up to 12 events per year pursuant to a restrictive declaration acceptable to the City and recorded in the office of the City Register for New York County and indexed against the property.

(c) Art Plaza

(1) Location and Minimum Dimensions

A publicly accessible space open to the sky (hereinafter referred to as the "art plaza" shall be located in the area bounded by the western #street line# of Ninth Avenue, the northern #street line# of West 31st Street, a line 40 feet west of and parallel to the western #street line# of Ninth Avenue and a line 187 feet north of and parallel to the northern #street line# of West 31st Street. The art plaza shall have a minimum area of 7,480 square feet, a minimum east-west dimension of 40 feet and shall provide a direct connection to the central plaza required pursuant to paragraph (b) of this Section.

(i) Required amenities

The art plaza shall contain the following features and amenities:

- a. a minimum of four trees (or other amounts equivalent to a minimum of 16 caliper inches);
- b. planting beds which, in the aggregate, occupy an area of at least 410 square feet;
- c. a minimum of 45 linear feet of seating;
- d. one or more pieces of artwork. Such artwork may not incorporate addresses, text or logos related to the adjacent #building# or tenants of such #building#; and
- e. the transparency requirements of paragraph (c) of Section 93-14 shall apply to the ground floor level of at least 70 percent of the length of all #building# walls facing the art plaza.

(d) Dyer Avenue Platform

(1) Location and Minimum Dimensions A publicly accessible platform shall be constructed over Dyer Avenue connecting West 33rd Street and West 31st Street (hereinafter referred to as the "Dyer Avenue Platform"). Except for any portion of the Dyer Avenue platform which on [insert effective date of text amendment], was covered by the #building# located at 450 West 33rd Street, the Dyer Avenue platform shall be open to the sky and provide direct access to the West 31st Street connector required pursuant to paragraph (e) of this Section. The Dyer Avenue platform shall have a total area of 24,115 square feet, a minimum east-west dimension of 53 feet and shall include the easement area described in paragraph (b) of Section 93-72, and shall directly connect with the central plaza required by paragraph (b) of this section.

(i) Required Amenities

The Dyer Avenue platform shall contain the following features and amenities which may be located on the portion of the Dyer Avenue platform located within the easement provided under Section 93-72(b) (Public Access Areas at 450 West 33rd Street):

- a. a minimum of sixteen trees (or other amounts equivalent to a minimum of 64 caliper inches), provided that a minimum of twelve trees (or other amounts equivalent to a minimum of 48 caliper inches) shall be located south of the center line of the prolongation of 32nd Street;
- b. planting beds, which in the aggregate, occupy an area of at least 1500 square feet, provided that a minimum of 450 square feet of planting beds shall be located south of the center line of the prolongation of 32nd

Street and a minimum of 250 square feet of planting beds shall be located within 30 feet of the southern street line of 33rd Street. No more than 25 percent of the linear feet of the planting beds shall have bounding walls exceeding 18 inches in height above an adjacent walking surface;

c. a minimum of 350 linear feet of seating shall be provided, of which 50 percent shall consist of seats with backs and with at least 210 linear feet of seating located south of the center line of the prolongation of 32nd Street and a minimum of 50 linear feet of seating located within 30 feet of the southern street line of 33rd Street.

d. the glazing requirements of paragraph (c) of Section 93-14 shall apply to the ground floor level of at least 70 percent of the length of all #building# walls fronting on the eastern edge of the Dyer Avenue platform; and

e. at least two pedestrian circulation paths with a minimum clear path of 8 feet or one circulation path with a minimum clear path of 12 feet shall be provided along the full length of the Dyer Avenue platform, from West 31st to West 33rd Street.

Vertical circulation elements traversing the grade changes of the Dyer Avenue platform shall be considered a part of the Dyer Avenue platform and not an obstruction.

(e) West 31st Street Connector

(1) Location and Minimum Dimensions

A publicly accessible connection (hereinafter referred to as the "West 31st Street connector") between the Dyer Avenue platform required pursuant to paragraph (e) of this Section and West 31st Street shall be provided. The West 31st Street connector shall be located on West 31st Street adjoining the eastern boundary of the Dyer Avenue platform and shall have a minimum area of 450 square feet.

(2) Required Amenities

The West 31st connector shall be directly accessible from West 31st Street by a staircase with a minimum width of 8 feet and by an elevator.

(6) Connection to below-grade passage Where a pedestrian passage extending from the Eighth Avenue Subway beneath West 33rd Street to the west side of Ninth Avenue has been constructed, an entrance within the #development# shall be constructed that connects with such passage.

93-731 Design Criteria for Public Access Areas on Ninth Avenue Rail Yard

(a) Design Criteria

Public access areas on the Ninth Avenue Rail Yard shall comply with the applicable minimum design standards set forth in this Section as a minimum design standard.

- (i) Seating shall meet the minimum and maximum dimensional standards set forth in paragraphs (1) through (7) of Section 37-741 (Seating), inclusive.
- (ii) Where planting areas are provided, they shall meet the soil depth, continuous area, permeable surface and irrigation requirements of Section 37-742 (Planting and trees). Where trees are provided, they shall meet the tree caliper standards (or permitted equivalents), soil requirements and irrigation standards set forth in Section 37-742 (Planting and trees).
- (iii) Steps shall meet the minimum dimensional standards set forth in Section 37-725 (Steps).
- (iv) Kiosks or open air cafes shall meet the operational and service requirements listed in paragraphs (a) and (b) of Section 37-73 (Kiosks and Open Air Cafes) and shall not occupy in the aggregate more than 20 percent of the public access areas required by Section 93-73 (Public Access Areas on Ninth Avenue Rail Yard). Seating provided as part of an open air cafe shall not count towards meeting the seating requirements of a public access

area listed in Section 93-73 (Public Access Areas on Ninth Avenue Rail Yard).

(v) All open spaces within the public access areas shall provide open space signage pursuant to the standards set forth in Section 37-751 (Public Space signage system). A minimum of two directional signs shall be provided.

(vi) Where #buildings# front onto public access areas, canopies, awnings, marquees and sun control devices shall be permitted pursuant to the standards set forth in paragraph (c) of Section 37-726 (Permitted obstructions).

(vii) The aggregate number of litter receptacles in such public access areas shall be 21.

(viii) For the purposes of applying the #sign# regulations to building walls facing public access areas, such public access areas shall be considered #streets#.

(b) Maintenance

The owner or owners shall be responsible for the maintenance of all public access areas, including, but not limited to, litter control, management of pigeons and rodents, maintenance of required lighting levels, and the care and replacement of furnishings and vegetation.

(c) Rear Yards

No #rear yard# or #rear yard equivalent# regulations shall apply to any #building# #developed# or #enlarged# pursuant to this Section. Furthermore, the provisions of this Section may be waived or modified in conjunction with the granting of a special permit pursuant to Section 74-41 (Arenas, Auditoriums, Stadiums or Trade Expositions) for the #development# of an arena in the area bounded by Ninth Avenue, West 31st Street, Dyer Avenue and West 33rd Street.

93-731 Special requirements for zoning lots with floor area ratios greater than 10

The provisions of this Section shall apply to any #development# or #enlargement# on #zoning lots# in the area bounded by Ninth Avenue, West 31st Street, the western boundary of the Lincoln Tunnel Approach and West 33rd Street. Where the #floor area ratio# for any such #zoning lot# exceeds 10.0, paragraphs (a) through (d) of this Section shall apply:

(a) Covered pedestrian space

A publicly accessible covered pedestrian space shall be provided within 10 feet of the prolonged center line of West 32nd Street. Such pedestrian space shall be structurally designed to accommodate and connect the Lincoln Tunnel Approach bridge required pursuant to paragraph (b) of Section 93-72, with Ninth Avenue. Such covered pedestrian space shall:

- (1) be enclosed, with an average clear height of 60 feet, a minimum width of 60 feet and a minimum clear path of 20 feet;
- (2) have a roof of transparent material that allows for natural daylight to enter;
- (3) provide direct access to any #building# adjacent to such covered space; and
- (4) have retail uses fronting upon at least 50 percent of its northern and southern walls.

The maximum height of a #building# wall along the southern boundary of the covered pedestrian space shall not exceed the average height of the covered pedestrian space, or the height at which an arched or angled ceiling of the covered pedestrian space begins, whichever is less. Any portion of a #building# that exceeds such height shall be set back at least 20 feet in depth from the southern boundary of the covered pedestrian space.

Notwithstanding the provisions of this paragraph, (a), up to 40 percent of the area of a covered pedestrian space required pursuant to this paragraph, (a), may be open, provided such open area fronts upon Ninth Avenue and is directly accessible to the plaza required pursuant to paragraph (c) of this Section. Such open area shall be provided in accordance with the standards for #public plazas# set forth in Section 37-70, inclusive.

In the event that such covered pedestrian space is not provided pursuant to this paragraph, (a), concurrently with a #development# or #enlargement# north of such covered pedestrian space, both shall be designed to allow for compliance with the provisions of this Section upon completion.

(b) Through block connection

A publicly accessible through block connection, open to the sky, shall be provided along the eastern edge of the Lincoln Tunnel Approach. Such connection shall have a minimum width of 20 feet and provide a direct connection with the covered

~~pedestrian space required pursuant to paragraph (a) of this Section.~~

(e) ~~Plaza~~

~~A publicly accessible plaza, open to the sky, shall be provided at the intersection of Ninth Avenue and West 33rd Street. Such plaza shall have a minimum area of 11,280 square feet with a minimum frontage of 60 feet along West 33rd Street, and provide a direct connection to the covered pedestrian space or open area required pursuant to paragraph (a) of this Section. Such plaza shall be provided in accordance with the standards for #public plazas# set forth in Section 37-70, inclusive.~~

(d) ~~Connection to below grade passage~~

~~Where a pedestrian passage extending from the Eighth Avenue Subway beneath West 33rd Street to the west side of Ninth Avenue has been constructed, an entrance within the #development# or #enlargement# shall be constructed that connects with such passage.~~

~~No #rear yard# regulations shall apply to any #building developed# or #enlarged# pursuant to this Section. Furthermore, the provisions of this Section may be waived or modified in conjunction with the granting of a special permit pursuant to Section 74-41 for the #development# of an arena in the area bounded by Ninth Avenue, West 21st Street, the Lincoln Tunnel Approach and West 33rd Street.~~

**93-732  
Phasing**

No certification for the phased development of public access areas on the Ninth Avenue Rail Site shall be permitted until a plan has been submitted that provides for the completion of public access areas in accordance with the provisions of this Section. Such plan shall provide, at a minimum, that the entry plaza, required pursuant to paragraph (a) of Section 93-73 (Public Access Areas on Ninth Avenue Rail Yard) will be provided in connection with the construction of a #building# located on the northeast corner of the #zoning lot#, that the art plaza, required pursuant to paragraph (c) of Section 93-73, will be provided in connection with the construction of a #building# located on the southeast corner of the #zoning lot# and that in connection with the construction of a #building# on the southwest corner of the #zoning lot#, the West 31<sup>st</sup> Street connector required by section (e) of Section 93-73 and a 20-foot wide paved area along the eastern edge of Dyer Avenue and extending for the north-south dimension of such #building# will be provided.

An application for certification under this Section shall be filed with the Chairperson of the City Planning Commission and such application shall include: a site plan indicating the area and dimensions of the public access area, or portions thereof and a detailed plan or plans demonstrating compliance with the requirements of Section 93-73 (Public Access Areas in the Ninth Avenue Rail Yard).

Plans for the public access areas shall be set forth in an instrument in a form acceptable to the City, including such provisions as are necessary to ensure compliance with the provisions of this Section. Such instrument shall be filed and duly recorded in the Office of the City Register of the City of New York for New York County and indexed against the property. Such filing and recording of the instrument shall be a precondition for the Chairperson's certification to the Department of Buildings under this Section. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

No temporary certificate of occupancy from the Department of Buildings may be issued for any portion of a #development# within a phase until the Chairperson of the City Planning Commission certifies to the Department of Buildings that the public access area, or portions thereof associated with such phase, is substantially complete and that such public access area, or portions thereof, are open to and useable by the public. No permanent certificate of occupancy from the Department of Buildings may be issued for any portion of such #development# until the Chairperson certifies to the Department of Buildings that the public access areas, or portions thereof, are fully complete, and that all requirements of this Section have been met in accordance with the plans for public access area, or portions thereof associated with such phase.

No temporary or permanent certificates of occupancy from the Department of Buildings may be issued for more than 3,204,000 square feet #developed# or #enlarged# on the #zoning lot# until the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that all public access areas on 450 West 33rd Street required by Section 93-72 (Public Access Areas at 450 West 33rd Street) and that all public access areas on the Ninth Avenue Rail Yard required by Section 93-73 (Public Access Areas on Ninth Avenue Rail Yard) have been substantially completed and are open and usable by the public.

No temporary certificate of occupancy from the Department of Buildings may be issued for more than 3,204,000 square feet #developed# or #enlarged# on the Ninth Avenue Rail Yard #zoning lot# until the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that the public access areas at 450 West 33rd Street required by paragraphs (c) and (d) of Section 93-72 (Public Access Areas at 450 West 33rd Street) and that all public access areas on the Ninth Avenue Rail Yard required by Section 93-73 (Public Access Areas on Ninth Avenue Rail Yard) have been substantially completed and are open and usable by the public. Notwithstanding the foregoing, the Chairperson may, with respect to the public access area required by paragraph

(c) and the elevator required by paragraph (d) of Section 93-72 at 450 West 33rd Street, certify to the Commissioner of Buildings that such temporary certificate of occupancy may be issued absent their substantial completion upon finding that:

(1) the owner of 450 West 33rd Street has submitted proof that all or portions of the area of the 31st Street passageway required by paragraph (c) of Section 93-72 was subject to a lease with an expiration date of December 31, 2019 and that it was not able to obtain control of the areas subject to such lease in time to complete the 31st Street passageway as required by December 31, 2022.

(2) a letter of credit has been posted in accordance with City requirements, and such letter of credit:

(i) is in an amount equal to 150 percent of the estimated cost to construct the public access area required by paragraphs (c) and the elevator required by paragraph (d) of Section 93-72 at 450 West 33rd Street as set forth in a cost estimate prepared by a professional engineer based upon construction documents prepared by a registered architect and submitted with the application; and

(ii) authorizes the City to draw upon the letter of credit if such public access area and elevator have not been substantially completed and are not open and usable by the public by December 31, 2022; and

(3) that an easement agreement has been recorded granting the City access to 450 West 33rd Street and the Ninth Avenue Rail Yard, as may be necessary for purposes of constructing the public access area required by paragraph (c) and the elevator required by paragraph (d) of Section 93-72 if they are not completed by the owner by December 31, 2022.

**93-733  
Certification to modify general requirements of public access areas for ventilation demands**

The Chairperson of the City Planning Commission may modify the general requirements of the public access areas listed in Section 93-73 (Public Access Areas in the Ninth Avenue Rail Yard), provided that the Chairperson certifies to the Commissioner of Buildings that such a change is necessary to accommodate unforeseen ventilation demands within the Ninth Avenue Rail Yard. In addition to the site plan required pursuant to Section 93-731 (Site Plan for Public Access Areas in Ninth Avenue Rail Yard), a mechanical plan shall be provided demonstrating the need to modify such general requirements.

**93-734  
Certification to temporarily modify public access areas for construction staging**

In the event that the applicant demonstrates to the satisfaction of the Chairperson of the City Planning Commission that a public access area will be required for construction staging or similar activities in a future phase of #development#, the application for the site plan approval may be accompanied by a request for approval of a temporary public area which may include fewer than the amenities and other features required as part of a phase of #development# of such public access area pursuant to Section 93-731 (Site Plan for Public Access Areas in Ninth Avenue Rail Yard), as necessary to accommodate such future construction staging or similar activities. Such temporary public access area plan shall be subject to review and approval in the same manner as the site plan pursuant to Section 93-731 and, if approved pursuant thereto, shall be implemented and remain in effect only for the period necessary to accommodate the need for use of the public access area for construction staging or similar activities in a future phase of development. Following the expiration of such period, the site plan shall be implemented.

\* \* \*

**93-821  
Permitted parking when the reservoir surplus is greater than or equal to zero**

When the #reservoir surplus# is greater than or equal to zero, off-street parking spaces may be provided only in accordance with the provisions of this Section.

(a) For #residences#, #accessory# off-street parking spaces may be provided for not more than 30 percent of the total number of #dwelling units#, except that where such #dwelling units# are comprised of #low income floor area#, #moderate income floor area# or #middle income floor area#, as defined in Section 23-911, #accessory# off-street parking spaces may be provided for not more than eight percent of the total number of such #dwelling units#.

(b) For Use Group 5 #transient hotels#, the provisions of Section 13-131 shall apply with respect to the number of permitted #accessory# off-street parking spaces, provided that the number of such spaces does not exceed 0.16 for every 1,000 square feet of #floor area#.

(c) For Use Group 6B offices, not more than 0.16 #accessory# offstreet parking spaces may be provided for every 1,000 square feet of #floor area#.

(d) In the Eastern Rail Yard Subarea A1, paragraphs (a) through (c) of this Section shall not apply, and any #accessory# off-street parking shall comply with the provisions of this paragraph, (d):

(1) for #residences#, #accessory# off-street parking spaces may be provided for not more than 40 percent of the total number of #dwelling units#;

(2) for #commercial# and #community facility uses#, not more than 0.325 #accessory# off-street parking spaces may be provided for every 1,000 square feet of #floor area#, provided that in no event shall the number of off-street parking spaces #accessory# to #commercial# or #community facility uses# exceed 350 spaces; and

(3) in no event shall the total number of #accessory# offstreet parking spaces for all #uses# exceed 1,000.

(e) The Department of Buildings shall not issue a building permit for any #accessory# off-street parking pursuant to paragraphs (a) through (c) of this Section, unless the Chairperson has certified that:

(1) the sum of the following is less than or equal to 5,084 spaces:

- (i) the #reservoir surplus# or zero;
- (ii) the #Hudson Yards development parking supply#; and
- (iii) the number of spaces proposed to be added by the #development# or #enlargement# for which certification is sought; and

(2) the sum of the following is less than or equal to 5,905 spaces:

- (i) all off-street parking spaces in the #Hudson Yards parking applicability area# that have been categorized, in accordance with the definition in Section 93-81, as part of the #reservoir parking supply#, less any such off-street parking spaces that have been categorized as decreasing the #reservoir surplus# in accordance with paragraph (a) of the second part of the definition of #reservoir surplus# in Section 93-81;
- (ii) all off-street parking spaces in the #Hudson Yards parking applicability area# that have been categorized as increasing the #reservoir surplus# in accordance with paragraphs (b) and (c) of the first part of the definition of #reservoir surplus# in Section 93-81;
- (iii) the #Hudson Yards development parking supply#; and
- (iv) the number of spaces proposed to be added by the #development# or #enlargement# for which certification is sought.

(3) Notwithstanding paragraphs (e)(1) and (2) of this Section, if the Chairperson determines that final certificates of occupancy have been issued by the Department of Buildings for all #buildings# shown in the site plan for the Eastern Rail Yard Subarea A1 as required by the provisions of Section 93-70, and that upon the completion of all such #buildings#, fewer than 1,000 #accessory# off-street parking spaces have been provided in such subarea, any difference between the number of #accessory# off-street parking spaces provided in the Eastern Rail Yard Subarea A1, and 1,000, may be added to the limits of 5,084 and 5,905 spaces set forth in paragraphs (e)(1) and (e)(2), respectively.

(4) Any certification granted by the Chairperson, pursuant to this Section, shall lapse after two years if #substantial construction# of the #development# or of the #enlarged# portion of an existing #building#, which includes the subject #accessory# off-street parking spaces, has not occurred. In making a certification pursuant to this Section, the Chairperson shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution. However, for Site 6 as shown on Map 6 of Appendix A, any such certification shall lapse after six years if #substantial construction# of the new #building# which includes the subject #accessory# off-street parking spaces, has not occurred.

**93-822  
Permitted parking when a reservoir deficit exists**

When a #reservoir deficit# exists, additional off-street parking spaces may be provided in accordance with the provisions of this Section. However, this Section shall not apply in the Eastern Rail Yard Subarea A1.

(a) The number of permitted #accessory# off-street parking spaces for Use Group 5 hotels may exceed 0.16 for every 1,000 square feet of #floor area#, up to the number permitted by Section 13-131.

- (b) The number of permitted #accessory# off-street parking spaces for Use Group 6B offices may be increased by up to 33 percent of the number permitted pursuant to Section 93-821, paragraph (b).
- (c) The Department of Buildings shall not issue a building permit for any additional #accessory# off-street parking spaces permitted pursuant to this Section unless the Chairperson has certified that:
  - (1) a #reservoir deficit# exists;
  - (2) the number of #accessory# off-street parking spaces in excess of the number permitted by Section 93-821, proposed to be added by the #development# or #enlargement# for which certification is sought, does not exceed such #reservoir deficit#; and
  - (3) such additional #accessory# off-street parking spaces, when added to the sum of the parking spaces specified in paragraphs (e)(2)(i), (e)(2)(ii) and (e)(2)(iii) of Section 93-821 does not exceed 5,905 spaces, except insofar as the limit of 5,905 spaces set forth in paragraph (e)(2) has been adjusted pursuant to the provisions of paragraph (e)(3) of Section 93-821.
- (d) Any certification granted by the Chairperson pursuant to this Section shall lapse after two years if #substantial construction# of the new #building# or of the #enlarged# portion of an existing #building#, which includes the subject #accessory# off-street parking spaces, has not occurred. In making a certification pursuant to this Section, the Chairperson shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution. However, for Site 6 as shown on Map 6 of Appendix A, any such certification shall lapse after six years if #substantial construction# of the new #building# which includes the subject #accessory# off-street parking spaces, has not occurred.

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

f5-19

**NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission Scheduling public hearings on the following matters to be held in Spector Hall, 22 Reade Street, New York, NY, on Wednesday, February 19, 2014 at 10:00 A.M.**

**No. 1**  
**123 WILLIAM STREET**

**CD 1 N 140267 PXM**  
**IN THE MATTER OF** a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 123 William Street (Block 78, Lot 4) (HRA offices).

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

f5-19

**COMMUNITY BOARDS**

■ PUBLIC HEARINGS

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

**BOROUGH OF THE BRONX**

COMMUNITY BOARD NO. 05 - Wednesday, February 19, 2014 at 6:00 P.M., Sharon Baptist Head Start, 279 East Burnside Avenue, Bronx, NY

The Walison Corp. is proposing a new 13-story building with 40 affordable housing units. Please come out and share with Community Board #5 Housing Committee how you think and feel about this project.

f12-19

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

**BOROUGH OF BROOKLYN**

COMMUNITY BOARD NO. 11 - Thursday, February 13, 2014 at 7:30 P.M., 1740 84th Street, Brooklyn, NY

BSA# 192-96-BZ  
 1832/48 86th Street, Brooklyn, NY  
 Applicant seeks to amend the existing variance to remove the twenty-five (25) year term limitation at the above location.

BSA# 331-13-BZ  
 2005 86th Street, Brooklyn, NY  
 Applicant seeks a special permit to allow the operation of a physical culture establishment (fitness center) at the above location.

f7-13

**EQUAL EMPLOYMENT PRACTICES COMMISSION**

■ MEETING

The next meeting of the Equal Employment Practices Commission will be held in the Commission's Conference

Room/Library at 253 Broadway, Suite 602 on Thursday, February 13, 2014 at 9:15 A.M.

f6-13

**FRANCHISE AND CONCESSION REVIEW COMMITTEE**

■ MEETING

**PUBLIC NOTICE IS HEREBY GIVEN THAT** the Franchise and Concession Review Committee will hold a Public Meeting on Wednesday, February 12, 2014 at 2:30 P.M., at 22 Reade Street, Spector Hall, Borough of Manhattan.

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

f3-12

**TRANSPORTATION**

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday, February 12, 2014. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

**#1** In the matter of a proposed revocable consent authorizing 44 West 106th Street Condominium to continue to maintain and use a planted area with surrounding fence on the south sidewalk of West 106th Street, east of Manhattan Avenue, and on the east sidewalk of Manhattan Avenue, south of West 106th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2013 to June 30, 2023 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period from July 1, 2013 to June 30, 2023 - \$1,335/annum.

the maintenance of a security deposit in the sum of \$3,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#2** In the matter of a proposed revocable consent authorizing 920 Broadway Owner, LLC to construct, maintain and use sidewalk lights and to maintain and use an existing stair, together with railing, on the south sidewalk of East 21st Street, east of Broadway, and on the east sidewalk of Broadway, south of East 21st Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2024 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the date of Approval by Mayor to June 30, 2014 - \$2,625/annum.

- For the period July 1, 2014 to June 30, 2015 - \$2,691
- For the period July 1, 2015 to June 30, 2016 - \$2,757
- For the period July 1, 2016 to June 30, 2017 - \$2,823
- For the period July 1, 2017 to June 30, 2018 - \$2,889
- For the period July 1, 2018 to June 30, 2019 - \$2,955
- For the period July 1, 2019 to June 30, 2020 - \$3,021
- For the period July 1, 2020 to June 30, 2021 - \$3,087
- For the period July 1, 2021 to June 30, 2022 - \$3,153
- For the period July 1, 2022 to June 30, 2023 - \$3,219
- For the period July 1, 2023 to June 30, 2024 - \$3,285

the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#3** In the matter of a proposed revocable consent authorizing A. Trenkmann Estate Inc. to construct, maintain and use a stair, together with railing, in the west sidewalk of Centre Street, south of Broome Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2024 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the date of approval by the Mayor to June 30, 2014 - \$789/annum.

- For the period July 1, 2014 to June 30, 2015 - \$ 811
- For the period July 1, 2015 to June 30, 2016 - \$ 833
- For the period July 1, 2016 to June 30, 2017 - \$ 855
- For the period July 1, 2017 to June 30, 2018 - \$ 877
- For the period July 1, 2018 to June 30, 2019 - \$ 899
- For the period July 1, 2019 to June 30, 2020 - \$ 921
- For the period July 1, 2020 to June 30, 2021 - \$ 943
- For the period July 1, 2021 to June 30, 2022 - \$ 965
- For the period July 1, 2022 to June 30, 2023 - \$ 987
- For the period July 1, 2023 to June 30, 2024 - \$1,009

the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be in the amount of One Million Dollars (1,000,000) per occurrence, and two Million Dollars (\$2,000,000) aggregate.

**#4** In the matter of a proposed revocable consent authorizing Matthew Hansen to construct, maintain and use a stoop on

the south sidewalk of West 51st Street, west of Ninth Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of 10 years from the date of approval by the Mayor to June 30, 2024 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2024 - \$25/annum.

the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#5** In the matter of a proposed revocable consent authorizing Sonia Selinger, Eve Blatt, David Blatt and Cheryl Blatt to construct, maintain and use a stoop, steps and walled-in area on Columbus Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of 10 years from the date of approval by the Mayor to June 30, 2024 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2024 - \$25/annum.

the maintenance of a security deposit in the sum of \$3,000 and the insurance shall be the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#6** In the matter of a proposed modification revocable consent authorizing The Vilcek Foundation, Inc. to construct, maintain and use an electrical receptacle, together with electrical conduit, at the tree pit on the north sidewalk of East 70th Street, west of Madison Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of 10 years from the date of approval by the Mayor to June 30, 2024 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2013 to June 30, 2014 - \$2,635 + \$25/annum.  
 (prorated from the date of Approval by the Mayor)

- For the period July 1, 2014 to June 30, 2015 - \$2,732
- For the period July 1, 2015 to June 30, 2016 - \$2,804
- For the period July 1, 2016 to June 30, 2017 - \$2,876
- For the period July 1, 2017 to June 30, 2018 - \$2,948
- For the period July 1, 2018 to June 30, 2019 - \$3,020
- For the period July 1, 2019 to June 30, 2020 - \$3,092
- For the period July 1, 2020 to June 30, 2021 - \$3,164
- For the period July 1, 2021 to June 30, 2022 - \$3,236
- For the period July 1, 2022 to June 30, 2023 - \$3,308
- For the period July 1, 2023 to June 30, 2024 - \$3,380

the maintenance of a security deposit in the sum of \$3,000 and the insurance shall be the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

j23-f12

**COMMUTER VAN SERVICE AUTHORITY**

**NOTICE IS HEREBY GIVEN THAT** the Department of Transportation has received an application for a new commuter van service authority. The applicant proposes to operate a van service from a residential area in the **Borough of Queens** bounded by 147th Road, from Huxley Street to 259th Street, from 259th Street to 148th Road, from 148th Road to Hook Creek Boulevard, from Hook Creek Boulevard to 149th Avenue, from 149th Avenue to 262nd Street, from 262nd Street to Craft Avenue, from Craft Avenue to Huxley Street, and Huxley Street to 147th Road. To and from said territory to Mass Transit at the 158th Street and Archer Avenue Subway.

There will be a public hearing on Friday, February 21, 2014 at Queens Borough Hall, 120-55 Queens Blvd - Room 213, Part 2, Kew Gardens, NY 11424 from 2:00 PM - 4:00 PM so that you may have an opportunity to voice your position on this application. In addition, written comments in support or in opposition to this application may be sent to Ms. Dorothy Szorc at the New York City Department of Transportation, Division of Traffic and Planning, 55 Water Street -6th Floor, New York, NY 10041 no later than February 21, 2014. Any written comments received after this date may not be considered. Those opposing the application must clearly specify why the proposed additional van service will not meet present and/or future public convenience and necessity.

f12-19

**PROPERTY DISPOSITION**

**CITYWIDE ADMINISTRATIVE SERVICES**

**OFFICE OF CITYWIDE PURCHASING**

■ NOTICE

The Department of Citywide Administrative Services, Office of Citywide Purchasing 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 Purchasing, 1 Centre Street, 18th Floor, New York, NY 10007.

j2-d31

**POLICE**

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

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

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

Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

**INQUIRIES**

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

**FOR MOTOR VEHICLES (All Boroughs):**

- 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

**PROCUREMENT**

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

- Win More Contracts at [nyc.gov/competetowin](http://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) released Fall 2013 and later, 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. To establish this, the City of New York is using the innovative procurement method, as permitted and in accordance with Section 3-12 of the Procurement Policy Board Rules of the City of New York ("PPB Rules"). The new process will remove redundancy by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding will be 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.

RFPs to be managed by HHS Accelerator are listed on the NYC Procurement Roadmap located 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 Deputy Mayor for Health and Human Services, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Client and Community-based Services Agencies: Administration for Children's Services (ACS) Department for the Aging (DFTA) 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](http://www.nyc.gov/hhsaccelerator).

**ADMINISTRATION FOR CHILDREN'S SERVICES**

**■ SOLICITATIONS**

*Human / Client Services*

**NON-SECURE DETENTION GROUP HOMES –** Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06813N0006 – DUE 06-30-15 AT 2:00 P.M. – The Administration for Children's Services, Division of Youth and Family Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Administration for Children's Services, 150 William Street, 9th Floor, New York, NY 10038. Michael Walker (212) 341-3617; Fax: (917) 551-7239; michael.walker@dfa.state.ny.us

o31-a20

**CITYWIDE ADMINISTRATIVE SERVICES**

**OFFICE OF CITYWIDE PURCHASING**

**■ SOLICITATIONS**

*Goods*

**REFRIGERATORS/RANGES - HPD HOUSEHOLD USE**

– Competitive Sealed Bids – PIN# 8571300088 – DUE 03-07-14 AT 10:30 A.M. – A copy of the bid can be downloaded from the City Record Online site at <http://a856-internet.nyc.gov/nycvendronline/home.asp>. Enrollment is free. Vendors may also request the bid by contacting Vendor Relations via email at [dcasdmssbids@dcas.nyc.gov](mailto:dcasdmssbids@dcas.nyc.gov), by telephone at (212) 669-8610 or by fax at (212) 669-7603.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Department of Citywide Administrative Services, 1 Centre Street, 18th Floor South, New York, NY 10007. Lydia Sechter (212) 386-0468; Fax: (212) 313-3186; lsechter@dcas.nyc.gov

City Certified Minority and Women - Owned Business Enterprises (M/WBEs) are encouraged to respond to all DCAS solicitations for competitive Bids/Proposals.

f12

*Services (Other Than Human Services)*

**PUBLIC SURPLUS ONLINE AUCTION – Other –** PIN# 0000000000 – DUE 12-31-14.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Department of Citywide Administrative Services, 66-26 Metropolitan Avenue, Queens Village, NY 11379. Donald Lepore (718) 417-2152; Fax: (212) 313-3135; dlepor@dcas.nyc.gov

s6-f25

**■ AWARDS**

*Goods*

**SHELF STABLE FRUITS, VEG., FISH, DESSERTS/ DOC**

– Competitive Sealed Bids – PIN# 8571400148 – AMT: \$545,374.32 – TO: Robbins Sales Company, Inc., P.O. Box 251, Syosset, NY 11791.

● **SHELF STABLE FRUITS, VEG., FISH, DESSERTS/ DOC** – Competitive Sealed Bids – PIN# 8571400148 – AMT: \$65,815.50 – TO: Metropolitan Foods Inc. dba Driscoll Foods, 174 Delawanna Avenue, Clifton, NJ 07014.

● **SHELF STABLE FRUITS, VEG., FISH, DESSERTS/ DOC** – Competitive Sealed Bids – PIN# 8571400148 – AMT: \$442,935.04 – TO: H. Schrier and Company, Inc., 4901 Glenwood Road, Brooklyn, NY 11234.

f12

**SHELF STABLE FRUITS, VEG., FISH, DESSERTS - DOC**

– Competitive Sealed Bids – PIN# 8571400148 – AMT: \$574,366.48 – TO: Atlantic Beverage Company, Inc., 3775 Park Avenue, Edison, NJ 08820.

f12

**■ VENDOR LISTS**

*Goods*

**EQUIPMENT FOR DEPARTMENT OF SANITATION –** In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:

- A. Collection Truck Bodies
- B. Collection Truck Cab Chassis
- C. Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Mr. Edward Andersen, Procurement Analyst, Department of Citywide Administrative Services, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8509.

j2-d31

**DESIGN & CONSTRUCTION**

**■ SOLICITATIONS**

*Construction / Construction Services*

**RESIDENT ENGINEERING INSPECTION SERVICES –** Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 8502014HW0066P – DUE 03-13-14 AT 4:00 P.M. – HWMP2020, Resident Engineering Inspection Services for the reconstruction of 9th Avenue/Gansevoort Area, Borough of Manhattan. All qualified and interested firms are advised to download the Request for Proposal at <http://ddcftp.nyc.gov/rfpweb/> from February 13, 2014 or contact the person listed for this RFP. The contract resulting from this Request for Proposal will be subjected to Local Law 1 of 2013, Minority-Owned and Women-Owned Business Enterprise (M/WBE) Program. The submission date is indicated above.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Department of Design and Construction, 30-30 Thomson Avenue, 4th Floor, Long Island City, NY 11101. Belkis Palacios (718) 391-1866; Fax: (718) 391-1807; palaciob@ddc.nyc.gov

f12

**■ AWARDS**

*Construction / Construction Services*

**QED1001, RESIDENT ENGINEERING INSPECTION SERVICES FOR WATER MAIN WORK IN VARIOUS LOCATIONS, QUEENS –** Competitive Sealed Proposals –

Judgment required in evaluating proposals - PIN# 8502013WM0013P – AMT: \$4,156,193.60 – TO: URS Corporation - New York, One Penn Plaza, Suite 600, New York, NY 10119.

f12

**EDUCATION**

**CONTRACTS AND PURCHASING**

**■ INTENT TO AWARD**

*Human / Client Services*

**NEGOTIATED SERVICE – Other –** PIN# E1700040 – DUE 02-19-14 AT 5:00 P.M. – The Department of Education (DOE), Division of Contracts and Purchasing, has been asked for approval to enter into a contract with the BELL Foundation, Inc., for a term of 2/4/13 through 4/11/13, at a total contract cost of \$37,964, to provide after-school tutoring in ELA and Math to students of The Eagle School. Other organizations interested in providing these services to the DOE in the future are invited to indicate their ability to do so in writing to Jay G. Miller, NYC Department of Education, 65 Court Street, Room 1201, Brooklyn, New York 11201. Responses should be received no later than Wednesday, February 19, 2014.

The New York City Department of Education (DOE) strives to give all businesses, including Minority and Women-Owned Business Enterprises (M/WBEs), an equal opportunity to compete for DOE procurements. The DOE's mission is to provide equal access to procurement opportunities for all qualified vendors, including M/WBEs, from all segments of the community. The DOE works to enhance the ability of M/WBEs to compete for contracts. DOE is committed to ensuring that M/WBEs fully participate in the procurement process.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Department of Education, 65 Court Street, Room 1201, Brooklyn, NY 11201. Vendor Hotline (718) 935-2300; vendorhotline@schools.nyc.gov

f12

**NEGOTIATED SERVICE – Other –** PIN# E1699040 –

DUE 02-19-14 AT 5:00 P.M. – The Department of Education (DOE), Division of Contracts and Purchasing, has been asked for approval to enter into a contract with the Urban Arts Partnership, for a term of 7/1/12 through 6/30/13, at a total contract cost of \$67,083.40, to provide studio arts education programming, including studio for drumming, music production, photography, theater, visual arts and poetry to the students of The Facing History School. Other organizations interested in providing these services to the DOE in the future are invited to indicate their ability to do so in writing to Jay G. Miller, NYC Department of Education, 65 Court Street, Room 1201, Brooklyn, New York 11201. Responses should be received no later than Wednesday, February 19, 2014.

The New York City Department of Education (DOE) strives to give all businesses, including Minority and Women-Owned Business Enterprises (M/WBEs), an equal opportunity to compete for DOE procurements. The DOE's mission is to provide equal access to procurement opportunities for all qualified vendors, including M/WBEs, from all segments of the community. The DOE works to enhance the ability of M/WBEs to compete for contracts. DOE is committed to ensuring that M/WBEs fully participate in the procurement process.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Department of Education, 65 Court Street, Room 1201, Brooklyn, NY 11201. Vendor Hotline (718) 935-2300; vendorhotline@schools.nyc.gov

f12

## ENVIRONMENTAL PROTECTION

### WASTEWATER TREATMENT

#### ■ SOLICITATIONS

*Services (Other Than Human Services)*

**SERVICE AND REPAIR OF BOILERS AT VARIOUS WATER POLLUTION CONTROL PLANTS AND ASSOCIATED DEP FACILITIES, SOUTH REGION –** Competitive Sealed Bids – PIN# 826141371BLR – DUE 03-06-14 AT 11:30 A.M. – Project Number: 1371-BLR. Document Fee: \$80.00. Project Manager is Saied Islam (718) 595-4823. Please be advised this contract is subject to the Project Labor Agreement and this project is also subject to the Local Law 1 M/WBE requirements.

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

*Department of Environmental Protection,  
59-17 Junction Blvd., 17th Floor, Flushing, NY 11373.  
Fabian Heras (718) 595-4472; fheras@dep.nyc.gov*

✦ f12

## HEALTH AND HOSPITALS CORPORATION

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

j2-d31

## HEALTH AND MENTAL HYGIENE

#### ■ AWARDS

*Human / Client Services*

**ASTHMA-OPEN AIRWAYS TRAINING –** Renewal – PIN# 10CR007601R1X00 – AMT: \$468,600.00 – TO: American Lung Association of the Northeast, Inc., 700 Veterans Memorial Highway, Hauppauge, NY 11788.

✦ f12

## HOMELESS SERVICES

#### ■ SOLICITATIONS

*Human / Client Services*

**EMPLOYMENT AND RETURN TO THE COMMUNITY PROGRAM –** Negotiated Acquisition – PIN# 07114N0006 – DUE 02-20-14 AT 2:00 P.M. – The Department of Homeless Services (DHS) is seeking appropriately qualified providers to operate a program linking families in DHS shelters to employment and helping them use their earnings to exit the shelter system and into permanent housing. DHS is seeking up to one (1) provider that have the experience, capability and creative approach to place homeless families in jobs and housing through a combination of counseling and direct services. The provider will provide services in the Brooklyn/Queens services area. The services are being sought to augment existing job placement and housing search assistance offered to families in shelter by the Human Resources Administration employment placement contracts and DHS shelters. The services provided under this Competitive Negotiated Acquisition will not replace or duplicate these existing services. Rather, the service provider would complement currently available services and link the efforts between employment and shelter exit.

This solicitation will be conducted via a Negotiated Acquisition method pursuant to Section 3-04 (B)(2)(ii) of the Procurement policy Board Rules.

The term of this proposed contract will be from April 1, 2014 to June 30, 2015 and may include a renewal option of up to two years. The services provided will not replace or duplicate existing services.

The anticipated funding for the contract awarded from this Competitive Negotiated Acquisition will not exceed \$400,000 for the 15 month period. The payment structure for the proposed contract will be 100 percent performance based.

Qualified vendors that are interested in providing these services must submit an Expression of interest (EOI), and complete the Budget Template (see attachment A) prior to the start of negotiations including contact name, phone number and e-mail address by Thursday 2:00 P.M., February 20, 2014 to: Kayona Wall, Director, Competitive Sealed Proposals, Department of Homeless Services, 33 Beaver St., 13th Floor, NY, NY 10004 or e-mail kwall@dhs.nyc.gov

*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.*

*Homeless Services, 33 Beaver Street, New York, N.Y. 10004.  
Kayona Wall (212) 361-8439; Fax: (917) 637-7074;  
Kwall@dhs.nyc.gov*

f6-12

## HOUSING AUTHORITY

### PURCHASING

#### ■ SOLICITATIONS

*Goods & Services*

**SMD FURNISHING KALAMIEN DOORS AND METAL DOOR BUCKS –** Competitive Sealed Bids – RFQ# 60462 – DUE 02-20-14 AT 10:35 A.M. – Interested firms may obtain a

copy and submit it on NYCHA's website: Doing Business with NYCHA.

<http://www.nyc.gov/html/nycha/html/business/business.shtml>.  
<http://www.nyc.gov/html/nycha/html/business/sellingtonycha.shtml>

Vendors are instructed to access the "Register Here" line for "New Vendor;" if you have supplied goods or services to NYCHA in the past and you have your log-in credentials, click the "Log into iSupplier" link under "Existing Upon access, reference applicable RFQ number per solicitation.

Vendor electing to submit a non-electronic bid (paper document) will be subject to a \$25.00 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested. Obtain receipt and present it.

*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, Supply Management Dept.,  
90 Church Street, 6th Floor, New York, NY 10007.*

*Bid documents available via internet ONLY:*

*[http://www.nyc.gov/html/nycha/html/business/goods\\_materials.shtml](http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml) Marjorie Flores (212) 306-4728;*

*Marjorie.Flores@nycha.nyc.gov*

✦ f12

## HUMAN RESOURCES ADMINISTRATION

### AGENCY CHIEF CONTRACTING OFFICER

#### ■ AWARDS

*Human / Client Services*

**SHARED SERVICES/SAVE AUDITS OF HHS CONTRACTS –** Competitive Sealed Proposals/Pre-Qualified List – Judgment required in evaluating proposals - PIN# 06914H085509 – AMT: \$343,750.00 – TO: Sobel and Co., LLC, 293 Eisenhower Parkway, Suite 290, Livingston, NJ 07039. TERM: 12/1/2013-11/30/2016. E -PIN: 09613P0003016.

● **SHARED SERVICES/AUDITS OF HHS CONTRACTS –** Competitive Sealed Proposals/Pre-Qualified List – Judgment required in evaluating proposals - PIN# 06914H085507 – AMT: \$343,750.00 – TO: Nawrocki Smith LLP, 290 Broad Hollow Road, Suite 115E, Melville, NY 11747. - TERM: 12/1/2013-11/30/2016. E -PIN: 09613P0003014.

● **HCSP AUDITS FOR CITY FY 2012-2014 - LOT 4 –** Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 09610P0026003 – AMT: \$119,200.00 – TO: Allan S. Joseph, CPA, 5 Hanover Square, Suite 902, New York, NY 10004. TERM: 1/1/2014-12/31/2016. PIN: 06914H075310.

● **SHARED SERVICES/SAVE AUDITS OF HEALTH AND HUMAN SERVICES CONTRACT - TIER I –** Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 09613P0003001 – AMT: \$1,767,858.00 – TO: BCA Watson Rice LLP, 5 Penn Plaza, 15th Floor, New York, NY 10001. TERM: 12/1/2013-11/30/2016. PIN: 06914H085513.

● **CITY COUNCIL DISCRETIONARY AWARD –** BP/City Council Discretionary – PIN# 09614L0010001 – AMT: \$150,000.00 – TO: Food Bank for New York City, 39 Broadway, 10th Floor, New York, NY 10006. TERM: 7/1/2013-6/30/2014. PIN: 14LGEE100501.

● **SHARED SERVICES/SAVE-AUDITS OF HHS CONTRACTS-TIER II –** Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 09613P0003015 – AMT: \$343,750.00 – TO: Padilla and Company LLP, 175-61 Hillside Avenue, Suite 200, Jamaica, NY 11432. TERM: 12/1/2013-11/30/2016. PIN: 06914H085508.

✦ f12

### CONTRACT MANAGEMENT

#### ■ AWARDS

*Services (Other Than Human Services)*

**CONSULTANTS SERVICES –** Intergovernmental Purchase – Judgment required in evaluating proposals - PIN# 09613G0023001 – AMT: \$1,737,775.20 – TO: Universal Technologies LLC, 194 Washington Avenue, Suite 610, Albany, NY 12210. The contract term shall be from 7/1/13 to 6/30/16 and the internal PIN number is 14GPEMI01701.

✦ f12

## PARKS AND RECREATION

#### ■ SOLICITATIONS

*Goods & Services*

**BLOCK PRUNING IN MANHATTAN –** Competitive Sealed Bids – PIN# 84614B0068 – DUE 03-12-14 AT 3:30 P.M.

● **BLOCK PRUNING IN BROOKLYN –** Competitive Sealed Bids – PIN# 84614B0069 – DUE 03-12-14 AT 2:30 P.M.

● **BLOCK PRUNING IN STATEN ISLAND –** Competitive Sealed Bids – PIN# 84614B0070 – DUE 03-12-14 AT 3:00 P.M.

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

*Parks and Recreation, 24 West 61st Street, 3rd Floor,  
New York, NY 10023. Melissa Marx (212) 830-7979;  
Fax: (917) 849-6476; melissa.marx@parks.nyc.gov*

✦ f12

### CAPITAL PROJECTS

#### ■ VENDOR LISTS

*Construction / Construction 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 –** 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 DPR parks and playgrounds projects not exceeding \$3 million per contract ("General Construction").

By establishing contractor's qualifications and experience in advance, DPR will have a pool of competent contractors from which it can draw to promptly and effectively reconstruct and construction its parks, playgrounds, beaches, gardens and green-streets. DPR will select contractors from the General Construction PQL for non-complex general construction reconstruction site work of up to \$3,000,000 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 contractors by making them more competitive in their pursuit of 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.

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 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 on-line at: <http://a856-internet.nyc.gov/nycvendronline/home.asp>; 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, Room 60,  
Flushing Meadows-Corona Park, Flushing, NY 11368.  
Charlette Hamangian (718) 760-6789; Fax: (718) 760-6781;  
charlette.hamangian@parks.nyc.gov*

f10-d31

## SANITATION

### AGENCY CHIEF CONTRACTING OFFICER

#### ■ AWARDS

*Construction / Construction Services*

**CORRECTION: SECTION 1/9 - MULDOON AVENUE CORRIDOR AND MOUND FINAL COVER AND CLOSURE CONSTRUCTION, FRESH KILLS LANDFILL, STATEN ISLAND, N.Y. –** Competitive Sealed Bids – PIN# 82711WD00041 – AMT: \$55,650,645.00 – TO: Tully Construction, Inc., 127-50 Northern Boulevard, Flushing, New York 11368. Contract Awarded December 19, 2013.

✦ f12

## TRANSPORTATION

### FRANCHISES

#### ■ SOLICITATIONS

*Goods*

**MANAGE AND OPERATE AN OUTDOOR FOOD AND BEVERAGE SUBCONCESSION ON THE GARMENT DISTRICT PLAZAS –** Request for Proposals – PIN# 84114MNAD808 – DUE 02-21-14 AT 5:00 P.M.

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

*Department of Transportation, 209 West 38th Street,  
2nd Floor, New York, New York 10018.  
Gerald Scupp (212) 764-9600; jscupp@garmentdistrictnyc.gov*

j30-f12

## AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

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

## MAYOR'S OFFICE OF CONTRACT SERVICES

#### ■ PUBLIC HEARINGS

**MAYOR'S OFFICE OF CONTRACT SERVICES**

**NOTICE**

**CONTRACT PUBLIC HEARING**

**THURSDAY, FEBRUARY 13, 2014 - 10:00 AM**

**HAS BEEN RESCHEDULED TO**

**TUESDAY, FEBRUARY 18, 2014 - 10:00 AM**

**SPECTOR HALL, 22 READE STREET, MAIN FLOOR  
BOROUGH OF MANHATTAN**

✦ f12-18

## AGENCY RULES

### FIRE

#### NOTICE

#### Notice of Public Hearing and Opportunity to Comment on Proposed Rules

**What are we proposing?** The Fire Department is proposing to amend two rules. One relates to Fire Department notice of violation, certification of correction and stipulation procedures. The other relates to consolidation of Administrative Code provisions for enforcement purposes.

**When and where is the hearing?** The Fire Department will hold a public hearing on the proposed rule. The public hearing will take place at 10:30 A.M. on Friday, March 14, 2014. The hearing will be in the Fire Department Auditorium at 9 MetroTech Center, Brooklyn, NY 11201.

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

- **Website.** You can submit comments to the Fire Department through the NYC rules website at <http://rules.cityofnewyork.us>, or through the Fire Department's website at <http://www.nyc.gov/fdny> (use the "FDNY Rules" link).
- **Mail.** You can mail written comments to Code Revision Unit, Bureau of Legal Affairs, New York City Fire Department, 9 MetroTech Center, 4th Floor, Brooklyn, NY 11201.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak at the hearing. The time that you can speak may be limited.

**Is there a deadline to submit written comments?** Yes, you must submit written comments by Friday, March 14, 2014.

**Do you need assistance to participate in the hearing?** You must notify the Bureau of Legal Affairs if you need a sign language interpreter or other reasonable accommodation for a disability at the hearing. Write to us at the address above or telephone us at (718) 999-2040. You must notify us by Friday, February 28, 2014.

**Can I review the comments made on the proposed rules?** You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us>. A few days after the hearing, a record of the hearing and copies of the written comments will be available to the public at the Bureau of Legal Affairs.

**What authorizes the Fire Department to make this rule?** Sections 489 and 1043 of the New York City Charter and Section FC102.6.3 of the New York City Fire Code, Title 29 of Administrative Code of the City of New York, authorize the Fire Department to propose this rule. This proposed rule was not included in the Fire Department's regulatory agenda for this Fiscal Year because the need for it arose upon enactment of Local Law No. 148 of 2013 on December 30, 2013.

**Where can I find the Fire Department rules?** The Fire Department rules are codified in Title 3 of the Rules of the City of New York.

**What rules govern the rulemaking process?** The Fire Department must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made in accordance with the requirements of Section 1043(b) of the City Charter.

#### Statement of Basis and Purpose of Proposed Rule Amendments

The Fire Department is proposing to amend two Fire Department rules, 3 RCNY §109-01 entitled "Notice of Violation, Certification of Correction and Stipulation Procedures", and 3 RCNY 109-02, entitled "Consolidation of Administrative Code Provisions For Enforcement Purposes."

The amendments to 3 RCNY §109-01 are proposed to reflect the current unit within the Fire Department to which certificates of correction of violations should be directed.

The amendments to 3 RCNY §109-02 are proposed as a result of the enactment of Local Law No. 148 of 2013, which amended the New York Fire Code, effective March 30, 2014. The proposed amendments to Section 109-02 would apply to ECB Notices of Violation issued by the Fire Department with a date of occurrence on or after March 30, 2014.

The proposed amendments to Section 109-02 would incorporate the new or amended Fire Code section numbers into the rule and delete the section numbers that have been repealed or renumbered. In addition, the violation categories set forth in Section 109-02 are proposed to be amended as follows:

- Violation Category 5 is amended to limit its application to recordkeeping violations, with posting of permits moved to Violation Category 6 ("Signs, Postings, Notices and Instructions");
- Violation Category 8 is amended to include storage of combustible material;
- Violation Category 9 is amended to include rooftop access; and
- Violation Category 30 is amended to include

emergency preparedness for all buildings and occupancies subject to emergency preparedness requirements, not just office buildings, hotels and motels, and to include the preparation of an emergency preparedness plan (formerly referenced in Violation Category 19).

Terms used in the proposed rule that are defined in the Fire Code or elsewhere in the Fire Department's rules are indicated by *italics*.

New material is underlined. Material to be deleted is in [brackets].

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

1. Subdivision (c) of §109-01 of Title 3 of the Rules of the City of New York is proposed to be amended as follows:

#### § 109-01 Notice of Violation, Certification of Correction and Stipulation Procedures

- |     |  |   |
|-----|--|---|
| *   | *  | * |
| (c) | Certification of Correction of Violations  |   |
|     | *  | * |
| (3) | The signed and notarized certificate of correction shall be directed to:   |   |
|     | <u>Administrative Enforcement Unit</u><br><u>Bureau of [Fire Prevention] Legal Affairs</u><br><u>New York City Fire Department</u><br><u>9 MetroTech Center</u><br><u>Brooklyn, NY 11201-3857</u>  |   |
| (4) | The certificate of correction must be received by the <u>Administrative Enforcement Unit</u> of the Bureau of [Fire Prevention] <u>Legal Affairs</u> no later than the close of business on the 35th calendar day from the date of offense set forth on the notice of violation. Both the date of offense and the date for certification of correction are indicated on the face of the violation. |   |
|     | *  | * |
| 2.  | Section 109-02 of Title 3 of the Rules of the City of New York is proposed to be amended as follows:   |   |

#### § 109-02 Consolidation of Administrative Code Provisions For Enforcement Purposes

- (a) Scope. This section establishes violation categories for the purpose of enforcing the provisions of the New York City Fire Code (FC) (Title 29 of the Administrative Code); Title 15 of the Administrative Code (Fire Prevention and Control); the New York City Construction Codes (Title 28 of the Administrative Code); the *rules* promulgated by the Department and codified in Title 3 of the Rules of the City of New York (3 RCNY); and/or other laws, *[rule] rules* and regulations enforced by the *Department*. These violation categories will be cited by *Department* personnel in connection with the issuance of notices of violations returnable before the New York City Environmental Control Board, in lieu of citation to a particular code or *rule* section.
- (b) Violation Categories. The following violation categories are established for the aforementioned enforcement purposes:

#### Violation Category 1: Portable Fire Extinguishers and Fire Hoses

Failure to provide and/or maintain required portable fire extinguishers, fire hoses or other portable fire extinguishing devices, in violation of FC 303.5; [304.4;] 307.4; 307.5; [308.6;] 309.4; 309.7; 315.3; [316.5;] 317.5; 319.6; 603.3; 609.6; 901.4; [904.11;] 906.1; 906.2; 906.3; 1105.2[;]; 1105.3[;]; 1105.4[;]; 1105.5[;]; 1105.6[;]; 1107.7; 1110.6; 1208.4; 1407.3; 1415.1; 1417.3; 1418.1; 1504.4; 1504.5; [1504.6;] 1505.5; 1506.4; [1507.10] 1510.1; 1908.8; 1909.5; 2003.5; 2106.3; 2205.5; 2208.7; 2210.6; 2211.6; 2306.10; 2404.12; 2404.13; 2508.2; 2604.2; 2707.9; 2903.6; 2906.6; 3309.9; 3403.2; 3404.3; 3405.4; 3406.2; 3406.4; 3406.8; 3506.5; and 3808.2; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

#### Violation Category 2: Combustible Waste Containers

Failure to provide a required container for *combustible waste* and/or store *combustible waste* in a required container, in violation of FC 304.3; 310.6; 1404.2; 1503.4; 1509.3; [1511.8] 2204.1; 2210.5; 2211.2; 2903.1; and 4204.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

#### Violation Category 3: Permits

Failure to obtain, renew or otherwise possess a *Department permit* required for any material, operation or *facility* regulated by the Fire Code, in violation of FC105.6; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

#### Violation Category 4: Unlawful Quantity or Location of Regulated Material

Manufacturing, storing, *handling*, using, transporting, selling or possessing *hazardous materials*, combustible materials, or other materials regulated by the Fire Code in an amount in excess of the quantity authorized by *Department permit* and/or the quantity or location restrictions for such materials set forth in the Fire Code or the *rules*, in violation of FC 105.1; 303.7; 309.1; 313.3; 315.5; 1206.2; 1206.3; 1406.3; 1406.4; 1406.5; 2210.2; 2306; 2307; 2308; [2904; 2905;] 2703.1; 2703.11; 2706.6; 2806.2; 2806.3; 2806.4; 2806.5; 2904; 2905; 3404.3; 3404.4; 3405.3; 3504.1; 3504.2; [3507.3;] 3508.3; 3805.3; 3809.12; and 4204.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

#### Violation Category 5: [Posting of Permits and] Recordkeeping

Failure to [post a *permit* and/or] maintain and/or produce required recordkeeping, including records of inspections, tests, servicing, fire watch, emergency preparedness drills and other operations and maintenance, in violation of FC 105.3; 107.2; 107.7; 311.5; [316.5;] 317.5; 401.3.6.1 (incorporating by reference former FC 405.5); 401.4; 401.5; 401.7; 401.8; [405.5;] 604.3; 606.1; 606.14; 609.7; 901.6; 901.7; 901.9; 904.11; 906.2; 907.20; 909.1; 909.2; 910.2; 1106.5; 1201.4; 1205.4; 1408.1; [2201.9;] 2201.10; 2204.3; 2204.4; 2206.2; 2208.1; 2208.2; [2208.7;] 2209.1; 2210.3; 2603.5; 2604.3; 2707.5; 3008.8; 3303.2; and 3307.16; and/or such other Fire Code or *rule* sections as provide therefor.

#### Violation Category 6: Signs, Postings, Notices and Instructions

Failure to provide and/or maintain required signs, postings, notices, and/or instructions, in violation of FC 105.3; 310.3; 310.5; 316.2; 401.2; 401.3.6.1 (incorporating by reference former FC 408.8; 408.9; 408.11; 408.14; 401.6; 405.5; 406.2; [408.8; 408.9; 408.11; 408.14;] 410.4; 501.4; 503.2; [503.3; 503.7;] 504.4; 505.2; 505.5; [507.2;] 510.1; 605.3; 606.7; [606.9;] 607.2; [608.6;] 608.7; 609.3; [609.8;] 703.2; 903.5; 904.3; 904.8; 904.10; 904.11; 906.6; 907.19; 912.4; 1027.7; 1103.2; 1105.7; 1106.3; 1204.2; 1205.1; 1404.1; 1405.4; 1406.2; 1409.1; 1418.1; 1503.2; [1506.9;] 1507.4; 1510.6; 1607.1; 1703.3; 2107.1; 2204.1; 2204.2; [2204.3;] 2205.4; [2206.12;] 2208.1; 2208.8; 2209.1; 2210.5; 2210.6; 2211.8; 2305.3; 2404.6; 2603.6; 2609.3; 2609.5; 2703.5; 2703.6; 2703.7; 2703.11; 2704.3; 2906.5; 2906.6; 3003.2; 3008.8; 3304.6; 3307.3; 3307.13; 3403.5; 3404.2; 3404.3; 3405.4; 3406.2; 3406.4; 3406.8; 3503.1; 3705.3; 3807.2; 3903.3; 4003.3; 4006.2; 4006.6 and 4303.3; Administrative Code sections 28-103.1 and 15-127(c)(3); and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

#### Violation Category 7: Labels and Markings

Failure to provide and/or maintain a required and/or approved label, or other marking, in violation of FC 112.3; 309.1; 313.5; 504.4; 505.1; 505.3; 505.4; 510.4; 512.4; 603.6; 605.7; [606.9;] 609.3; 803.1; 803.2; [803.5;] 1403.1; 1406.2; 1606.1; 2107.2; 2206.7; 2208.2; 2211.5; 2211.8; 2404.2; 2703.5; 2703.7; 2803.2; 3003.2; 3203.4; [3203.4;] 3403.5; 3404.2; 3404.3; 3405.4; 3406.4; and 3704.2; [and 4106.1;] Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

#### Violation Category 8: Storage, Accumulation and Removal of Combustible Material and Waste

[Failure] Storage of combustible material, failure to timely remove *combustible waste* from the *premises*, and/or allowing the accumulation of *combustible waste* and/or vegetation upon a *premises*, in violation of FC 304.1; 304.2; 307.5; 311.3; 311.5; 315; [316.5;] 317.5; 318.3; 319.3; [408.1;] 606.10; 1027.3; 1027.4; 1103.3; 1106.4; 1205.1; 1404.2; 1405.3; 1605.1; 2210.5; 2404.5; 2503.3; 2604.1; [2604.1] 2604.3; 2609.4; 2703.12; 2704.11; 2705.3; 2903.1; 3003.5; [3203.6;] 3204.3; 3304.7; 3404.4; 3406.2; 3504.2; 3604.3; 3807.3; 4203.2; and 4204.1; Administrative Code Section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

#### Violation Category 9: Rooftop Access and Means of Egress

Failure to provide required rooftop access to, or required *means of egress* from, any *premises* or part thereof, free from obstructions or impediments, including unobstructed passage across the building parapet, unobstructed landing areas, and unobstructed clear paths, and overcrowding by reason of the presence of persons in locations that obstruct or impede egress, and/or failure to maintain rooftop access or means of egress, in violation of FC 315.2; 504; 801.6; 1001.2; 1027; [1207.2] 1411.1; 1411.2; [1504.1;] 1504.3; 2404.4; 2404.18; 2804.3; 3003.3; 3404.3; 3406.4; 3506.3; 3809.4; and 4203.3; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

#### Violation Category 10: Overcrowding

Failure to limit the number of persons in a *premises* or any part thereof, in violation of FC 107.6; 202; 403.2; and 1027.3; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

#### Violation Category 11: General Maintenance

Failure to maintain devices, equipment, systems, *facilities* or *premises*, or part thereof, in good

working order (except as otherwise provided in Violation Categories 6[, and 7[, 12, 13, 14, 15, 16 and 20]), in clean condition, or in compliance with other general maintenance or housekeeping requirements, in violation of FC 107.1; 304.1; 609; [904.11;] 1027.6; 1303.2; 1405.3; [2205.7;] 2211.2; and 3304.8; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 12: Fire Protection Systems

Failure to provide and/or maintain fire protection systems, including sprinkler systems and other fire extinguishing systems, standpipe systems, fire pumps, fire alarm systems, and/or other devices, and equipment associated with fire protection systems, or to prevent unnecessary alarms and unwarranted alarms, in violation of FC 901.6; 901.7; 901.9; 903.5; 903.6; 904.5; 904.6; 904.7; 904.8; 904.9; 904.10; 904.12; 904.13; 905.12; 907.20; 908.10; 909.1; 909.2; 910.2; [910.5;] 912.6; 913.5; 914.2; and 3406.4; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 13: Flame-Resistant Materials

Failure to provide and/or maintain flame-resistant materials, in violation of FC 306.3; 805; 2404.2; and 2706.11; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 14: Fire-Rated Doors and Windows

Failure to provide, protect and/or maintain a required door or window, including fire-rated doors, self-closing doors, access doors, or fire-rated glass, in violation of FC 703.2; 703.4; 2306.6; 2604.1; and 2804.6; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 15: Fire-Rated Construction

Failure to provide and/or maintain required fire-rated construction, including walls and other partitions, in violation of FC [304.4;] 311.2; 311.5; 315.2; 703.1; 1404.8; 1803.14; 2306.3; 2604.1; 2706.6; 2904; and 3006.2; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 16: Ventilation

Failure to provide and/or maintain required and/or approved natural or mechanical ventilation, including required devices, equipment or systems, in violation of FC 309.1; 309.3; [608.5;] 608.6; 609; 904.11; 1204.2; 1205.2; 1205.3; 1405.2; [1504.1;] 1504.2; 1504.3; 1504.4; 1504.5; [1505.2;] 1505.3; 1505.4; 1506.3; [1506.10;] 1507.3; [1507.4;] 1509.2; [1510.3;] 1510.5; [1511.5;] 1803.14; 2005.5; 2211.4; 2211.7; 3006.2; 3007.2; 3008.5; 3404; 3405; 3406; 3506.3; and 3803.2; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 17: Certificates of Fitness and Certificates of Qualification

Failure to obtain and/or produce a certificate of fitness and/or certificate of qualification for the supervision and/or operation of materials, operations and/or facilities, in violation of FC 303.4; 306.2; 307.6; 313.5; [316.3;] 317.3; 401.3; 401.3.6.1 (incorporating by reference former FC 401.6; 401.7; 403.1; 401.4; 401.5; [401.6; 401.7;] 403.1; 404.3; 405.3; 405.4; 407.2; 407.3; 601.4; 603.1; 606.1; 609.4; 801.7; 901.6; 901.7; 905.1; 914.3; 1110.6; 1201.4; 1403.6; 1404.5; 1406.2; 1408.1; 1418.1; 1501.4; 1701.4; 2201.7; 2201.8; 2211.1; 2404.20; 2603.4; 2604.2; 2706.4; 2707.7; 2801.3; 2906.4; 2906.8; 3001.4; 3101.4; 3201.4; 3301.5; 3401.6; 3406.2; 3406.4; 3501.4; 3510.3; 3601.4; 3701.5; 3801.5; 3901.5; 4001.4; 4101.5; 4201.5; 4301.5; and 4401.5; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 18: Certificates of Approval, Certificates of License and Company Certificates

Failure to obtain and/or produce a certificate of approval, certificate of license or company certificate, in violation of FC 801.8; 901.4; 901.6; 1025.5; 1501.5; [1504.1;] 1701.4; [2201.8;] 2201.9; 2601.7; 3301.5; [and] 3401.8; and 3507.3; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 19: Affidavits, Design and Installation Documents and Other Documentation

Failure to prepare, produce, file with the Department and/or submit for Department approval affidavits, applications, certifications, design and installation documents and/or other required documentation, in violation of FC 105.2; 105.3; 105.4; [404.2;] 407.4; [606.1; 2206.2;] 2703.4; and 3406.4; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 20: Inspection and Testing

Failure to conduct a required initial or periodic inspection or test of any device, equipment, system, facility or premises, in violation of FC 105.4; [401.8;] 508.4; 508.5; 511.2; 604.4; 606.6; 903.5; 903.6; 904.1; 904.11; 905.12; 912.6; 913.5; 1106.19; 1107.6; 2206.9; 3403.6; 3404.2; and 3406.4; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 21: Portable Containers

Failure to provide or use a required container, in violation of FC 2204.1; [2204.4;] 2210.3; 3003.1; 3203.1; 3404.3; [and] 3405.2; and 3406.2; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 22: Stationary Tanks

Failure to provide a required stationary tank storage system, including aboveground or underground flammable or combustible liquid storage tank systems, and devices and equipment associated with such systems, in violation of FC 1207.3; 2009.2; 2206.2; and 3404; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 23: Storage Facilities

Failure to provide a required storage facility, including storage cabinets, enclosures, rooms or vaults, in violation of FC 609.2; [904.11] 1406.3; 1406.4; 2703.8; 2706.8; 2904; 3003.5; 3104; 3404.3; 3504; 3604; 3703; 3809; 3904; 4004; 4104; 4204; 4304; and 4404; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 24: Racks and Shelf Storage

Failure to provide required racks and shelf storage, and/or failure to store hazardous materials, commodities or other goods thereupon in an approved manner, in violation of FC 2307; 2308; and 3404.3; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 25: Electrical Hazards

Failure to provide and/or maintain required electrical devices and/or equipment (except as otherwise provided in Violation Category 27 for electrical lighting hazards), and/or allow electrical hazards to exist, in any facility or premises, in violation of FC 603.1; 604.1; 605; 606.15; 804.3; [804.4;] 904.3; 1106.3; 1106.5; 1204.2; 1404.7; 1503.2; [1504.1;] 1504.4; 1504.5; [1504.7;] 1505.7; [1505.10; 1506.2;] 1506.4; [1507.3;] 1510.3; [1510.5;] 1604.2; 1703.2; 2004; 2005.6; 2201.5; 2204.1; [2204.7;] 2208.1; 2208.8; 2209.2; 2211.3; 2211.8; 2606; 2703.8; 2704.7; 2705.1; 3003.6; 3008.5; 3203.6; [3203.7;] 3403.1; 3405.3; 3406.5; 3406.8; 3504.2; 3704.2; 3809.14; [3809.15;] 3904.1; and 3904.2; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 26: Heating and Refrigerating Equipment and Systems

Failure to provide and/or maintain required heating and/or refrigerating systems and/or devices and equipment associated with such equipment or systems, in violation of FC 313.6; 315.2; [315.2.3;] 603.5; 605.10; 606.5; 606.8; 606.9; 606.11; 606.12; 908.6; 1204.2; [1204.2.2;] 1303.1; 1403.5 1503.2; 1504.3; [1504.7] 2005.6; 2201.6; 2210.2; 2404.15; 3304.6; 3405.3; 3406.4; and 4204.4; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 27: Electrical Lighting Hazards

Failure to provide and/or maintain required lighting devices or equipment and/or protection therefor, in violation of FC 605.2; 605.9; 605.11; 1504.3; [1504.5;] 1604.4; 2404.9; 2705.1; 3203.10; [3203.11;] and 4203.4; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 28: Open Fires, Open Flames and Sparks

Causing or allowing an open fire, open flame or sparking device or equipment to be built, kindled, lit, maintained, operated or used, and/or failure to provide protection therefor, in violation of FC 307.1; 307.5; 307.6; 308; 309.1; 309.5; 309.6; [316.2;] 317.2; 319.3; 804.3; [904.11;] 1104.6; 1106.10; 1303.1; 1404.3; 1503.2; 1606.2; 1703.2; 2003.6; 2005.6; 2204.1; [2204.7;] 2208.1; [2208.7;] 2210.5; 2504.1; 2604; 2605.5; 2703.7; 2904.6; 3304.7; and 3309.11; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 29: Designated Handling and Use Rooms or Areas

Failure to provide a required room or area for handling and/or use of materials, operations or other activity regulated by the Fire Code, in violation of FC 310.2; [1504.1; 1504.1; 1504.1;] 1504.2; 1504.5; 2601.3; 2705; 3105.1; 3405.3; [3405.3;] 3505.1; 3605.1; 3703; 3905.1; 4005.1;

4105.1; 4204.1; 4305.1; and 4405.1; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

#### Violation Category 30: [Fire Safety in Office Buildings, Hotels and Motels] Emergency Planning and Preparedness

Failure to comply with [the fire safety requirements for office buildings, hotels and/or motels] emergency planning and preparedness requirements (except as otherwise provided in Violation Categories 5, 6 and 17), in violation of FC [401.8 and 404] Chapter 4, including 401.3.6.1 (incorporating by reference former FC 404); and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

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

#### CERTIFICATION / ANALYSIS PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Fire Code Conforming Amendments

REFERENCE NUMBER: FDNY-1

RULEMAKING AGENCY: FDNY

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

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

January 31, 2014  
Date

NEW YORK CITY LAW DEPARTMENT  
DIVISION OF LEGAL COUNSEL  
100 CHURCH STREET  
NEW YORK, NY 10007  
212-356-4028

#### CERTIFICATION PURSUANT TO CHARTER §1043(d)

RULE TITLE: Fire Code Conforming Amendments

REFERENCE NUMBER: 2014 RG 002

RULEMAKING AGENCY: New York City Fire Department

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

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

/s/ STEVEN GOULDEN  
Acting Corporation Counsel

Date: January 31, 2014

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## SPECIAL MATERIALS

### HOUSING PRESERVATION & DEVELOPMENT

#### NOTICE

#### REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT

Notice Date: February 11, 2014

To: Occupants, Former Occupants, and Other Interested Parties

Property	Address	Application#	Inquiry Period
210 West 136th Street, Manhattan		1/14	January 3, 2011 to Present
328 West 23rd Street, Manhattan		3/14	January 6, 2011 to Present
42 West 126th Street, Manhattan		6/14	January 24, 2011 to Present
3 East 3rd Street, Manhattan		8/14	January 28, 2011 to Present
239 West 120th Street, Manhattan		9/14	January 28, 2011 to Present

127 Lefferts Place, Brooklyn 5/14 January 24, 2011 to Present  
125 Lefferts Place, Brooklyn 10/14 January 29, 2011 to Present

**Authority: SRO, Administrative Code §27-2093**

Before the Department of Buildings can issue a permit for the alteration or demolition of a single room occupancy multiple dwelling, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call **(212) 863-5277 or (212) 863-8211**.

**REQUEST FOR COMMENT  
REGARDING AN APPLICATION FOR A  
CERTIFICATION OF NO HARASSMENT**

**Notice Date: February 11, 2014****To: Occupants, Former Occupants, and Other Interested Parties**

Property: Address	Application#	Inquiry Period
145 North 4th Street, Brooklyn	7/14	October 4, 2004 to Present

**Authority: Greenpoint-Williamsburg Anti-Harassment Area, Zoning Resolution §§23-013, 93-90**

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call **(212) 863-5277 or (212) 863-8211**.

**REQUEST FOR COMMENT  
REGARDING AN APPLICATION FOR A  
CERTIFICATION OF NO HARASSMENT**

**Notice Date: February 11, 2014****To: Occupants, Former Occupants, and Other Interested Parties**

Property: Address	Application#	Inquiry Period
812 10th Avenue, Manhattan	4/14	January 13, 1999 to Present

**Authority: Special Clinton District, Zoning Resolution §96-110**

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call **(212) 863-5277 or (212) 863-8211**.

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**MAYOR'S OFFICE OF CONTRACT  
SERVICES**

## ■ NOTICE

Notice of Intent to Issue New Solicitation(s) Not Included in FY 2014 Annual Contracting Plan and Schedule

**NOTICE IS HEREBY GIVEN** that the Mayor will be issuing the following solicitation(s) not included in the FY 2014 Annual Contracting Plan and Schedule that is published pursuant to New York City Charter § 312(a):

Agency: Department of Information Technology & Telecommunications  
Nature of services sought: City-Wide Standby Information Technology and Telecommunications Consulting Services 01  
Start date of the proposed contract: 7/1/14  
End date of the proposed contract: 6/30/15  
Method of solicitation the agency intends to utilize: Negotiated Acquisition Extension  
Personnel in substantially similar titles within agency: To be determined in task order(s)  
Headcount of personnel in substantially similar titles within agency: TBD

Agency: Department of Information Technology & Telecommunications  
Nature of services sought: City-Wide Standby Information Technology and Telecommunications Consulting Services 02  
Start date of the proposed contract: 7/1/14  
End date of the proposed contract: 6/30/15  
Method of solicitation the agency intends to utilize: Negotiated Acquisition Extension  
Personnel in substantially similar titles within agency: To be determined in task order(s)  
Headcount of personnel in substantially similar titles within agency: TBD

Agency: Department of Information Technology & Telecommunications  
Nature of services sought: City-Wide Standby Information Technology and Telecommunications Consulting Services 03  
Start date of the proposed contract: 7/1/14  
End date of the proposed contract: 6/30/15  
Method of solicitation the agency intends to utilize: Negotiated Acquisition Extension  
Personnel in substantially similar titles within agency: To be determined in task order(s)  
Headcount of personnel in substantially similar titles within agency: TBD

Agency: Department of Information Technology & Telecommunications  
Nature of services sought: City-Wide Standby Information Technology and Telecommunications Consulting Services 04  
Start date of the proposed contract: 7/1/14  
End date of the proposed contract: 6/30/15  
Method of solicitation the agency intends to utilize: Negotiated Acquisition Extension  
Personnel in substantially similar titles within agency: To be determined in task order(s)  
Headcount of personnel in substantially similar titles within agency: TBD

Agency: Department of Information Technology & Telecommunications  
Nature of services sought: City-Wide Standby Information Technology and Telecommunications Consulting Services 05  
Start date of the proposed contract: 7/1/14  
End date of the proposed contract: 6/30/15  
Method of solicitation the agency intends to utilize: Negotiated Acquisition Extension  
Personnel in substantially similar titles within agency: To be determined in task order(s)  
Headcount of personnel in substantially similar titles within agency: TBD

Agency: Department of Information Technology & Telecommunications  
Nature of services sought: City-Wide Standby Information Technology and Telecommunications Consulting Services 06  
Start date of the proposed contract: 7/1/14  
End date of the proposed contract: 6/30/15  
Method of solicitation the agency intends to utilize: Negotiated Acquisition Extension  
Personnel in substantially similar titles within agency: To be determined in task order(s)  
Headcount of personnel in substantially similar titles within agency: TBD

Agency: Department of Information Technology & Telecommunications  
Nature of services sought: City-Wide Standby Information Technology and Telecommunications Consulting Services 07  
Start date of the proposed contract: 7/1/14  
End date of the proposed contract: 6/30/15  
Method of solicitation the agency intends to utilize: Negotiated Acquisition Extension  
Personnel in substantially similar titles within agency: To be determined in task order(s)  
Headcount of personnel in substantially similar titles within agency: TBD

Agency: Department of Information Technology & Telecommunications  
Nature of services sought: City-Wide Standby Information Technology and Telecommunications Consulting Services 08  
Start date of the proposed contract: 7/1/14  
End date of the proposed contract: 6/30/15  
Method of solicitation the agency intends to utilize: Negotiated Acquisition Extension  
Personnel in substantially similar titles within agency: To be determined in task order(s)  
Headcount of personnel in substantially similar titles within agency: TBD

Agency: Department of Information Technology & Telecommunications  
Nature of services sought: City-Wide Standby Information Technology and Telecommunications Consulting Services 09  
Start date of the proposed contract: 7/1/14  
End date of the proposed contract: 6/30/15  
Method of solicitation the agency intends to utilize: Negotiated Acquisition Extension  
Personnel in substantially similar titles within agency: To be determined in task order(s)

Headcount of personnel in substantially similar titles within agency: TBD

Agency: Department of Information Technology & Telecommunications  
Nature of services sought: City-Wide Standby Information Technology and Telecommunications Consulting Services 10  
Start date of the proposed contract: 7/1/14  
End date of the proposed contract: 6/30/15  
Method of solicitation the agency intends to utilize: Negotiated Acquisition Extension  
Personnel in substantially similar titles within agency: To be determined in task order(s)  
Headcount of personnel in substantially similar titles within agency: TBD

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**PARKS AND RECREATION**

## ■ NOTICE

Office of Management and Budget (OMB)  
New York City Economic Development Corporation (NYCEDC)  
New York City Department of Parks and Recreation (DPR)

**COMMUNITY DEVELOPMENT BLOCK GRANT  
DISASTER RECOVERY (CDBG-DR)**

**COMBINED FINDING OF NO SIGNIFICANT IMPACT AND  
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

This Notice shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of New York.

REQUEST FOR RELEASE OF FUNDS

The New York City Office of Management and Budget (NYCOMB) is the Responsible Entity (RE) for environmental reviews conducted under the CDBG-DR Program. On or about February 17, 2014, the City will submit a request to the U. S. Department of Housing and Urban Development (HUD) for the release of CDBG-DR funds authorized by the "Disaster Relief Appropriations Act, 2013" (Public Law 113-2) to undertake the reconstruction of the Rockaway Beach Boardwalk and related improvements in the borough of Queens, New York City. In October 2012, Hurricane Sandy damaged most of the approximately 4.7-mile length of the Rockaway Boardwalk. The New York City Department of Parks and Recreation would reconstruct the boardwalk between Beach 20th and Beach 126th Streets, would provide structured access to the beach between Beach 126th and Beach 149th Streets over new dunes currently being constructed by the United States Army Corps of Engineers, and would restore and enhance existing dunes between Beach 9th and Beach 20th Streets, including constructing at-grade access through the dunes.

FINDING OF NO SIGNIFICANT IMPACT

The City has determined that the proposed project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) and Environmental Assessment (EA) on file with Mr. Calvin Johnson, Assistant Director, New York City Office of Management and Budget, 255 Greenwich Street, 7th Floor, New York, NY 10007, (212) 788-6024 and may be examined or copied weekdays 10:00 A.M. to 5:00 P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments to NYCOMB at the address listed above. All comments received before February 16, 2014 will be considered by OMB prior to authorizing submission of a request for release of funds. Those wishing to comment should specify which part of this Notice they are addressing.

RELEASE OF FUNDS

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

OBJECTIONS TO RELEASE OF FUNDS

HUD will consider objections to its release of funds and the NYCOMB's certification for a period of fifteen days following its actual receipt of the request only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of OMB; (b) OMB has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient or other participants in the project have committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to: Tennille Parker, Disaster Recovery and Special Issues Division, Office of Block Grant Assistant, HUD, 451 7th Street SW, Rm. 7272, Washington, DC 20410. Potential objectors should contact HUD to verify the actual last day of the objection period.

City of New York, Office of Management and Budget,  
Dean Fuleihan, Director  
Date: January 31, 2014

j31-f14

## READER'S GUIDE

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

### NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

### CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION-RELATED SERVICES

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

### VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$17 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. Registration for these lists is free of charge. To register for these lists, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application, which can be found online at [www.nyc.gov/selltonyc](http://www.nyc.gov/selltonyc). To request a paper copy of the application, or if you are uncertain whether you have already submitted an application, call the Vendor Enrollment Center at (212) 857-1680.

### SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services at 110 William Street, New York, NY 10038. Sessions are convened on the second Tuesday of each month from 10:00 A.M. to 12:00 P.M. For more information, and to register, call (212) 618-8845 or visit [www.nyc.gov/html/sbs/nycbiz](http://www.nyc.gov/html/sbs/nycbiz) and click on Summary of Services, followed by Selling to Government.

### PRE-QUALIFIED LISTS

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstances. When an agency decides to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR. Information and qualification questionnaires for inclusion on such lists may be obtained directly from the Agency Chief Contracting Officer at each agency (see Vendor Information Manual). A completed qualification questionnaire may be submitted to an Agency Chief Contracting Officer at any time, unless otherwise indicated, and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings (OATH). Section 3-10 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists. For information regarding specific pre-qualified lists, please visit [www.nyc.gov/selltonyc](http://www.nyc.gov/selltonyc).

### NON-MAYORAL ENTITIES

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

### PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 9:30 A.M. to 5:00 P.M., except on legal holidays. For more information, contact the Mayor's Office of Contract Services at (212) 341-0933 or visit [www.nyc.gov/mocs](http://www.nyc.gov/mocs).

### ATTENTION: NEW YORK CITY MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES

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

### PROMPT PAYMENT

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

### PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City's website at [www.nyc.gov/selltonyc](http://www.nyc.gov/selltonyc)

### COMMON ABBREVIATIONS USED IN THE CR

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

ACCO	Agency Chief Contracting Officer
AMT	Amount of Contract
CSB	Competitive Sealed Bid including multi-step
CSP	Competitive Sealed Proposal including multi-step
CR	The City Record newspaper
DP	Demonstration Project
DUE	Bid/Proposal due date; bid opening date
EM	Emergency Procurement
FCRC	Franchise and Concession Review Committee
IFB	Invitation to Bid
IG	Intergovernmental Purchasing
LBE	Locally Based Business Enterprise
M/WBE	Minority/Women's Business Enterprise
NA	Negotiated Acquisition
OLB	Award to Other Than Lowest Responsive Bidder/Proposer
PIN	Procurement Identification Number
PPB	Procurement Policy Board
PQL	Pre-qualified Vendors List
RFEI	Request for Expressions of Interest
RFI	Request for Information
RFP	Request for Proposals
RFQ	Request for Qualifications
SS	Sole Source Procurement
ST/FED	Subject to State and/or Federal requirements

### KEY TO METHODS OF SOURCE SELECTION

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

CSB	Competitive Sealed Bidding including multi-step <i>Special Case Solicitations/Summary of Circumstances:</i>
CSP	Competitive Sealed Proposal including multi-step
CP/1	Specifications not sufficiently definite
CP/2	Judgement required in best interest of City
CP/3	Testing required to evaluate
CB/PQ/4	
CP/PQ/4	CSB or CSP from Pre-qualified Vendor List/ Advance qualification screening needed
DP	Demonstration Project
SS	Sole Source Procurement/only one source
RS	Procurement from a Required Source/ST/FED
NA	Negotiated Acquisition <i>For ongoing construction project only:</i>
NA/8	Compelling programmatic needs
NA/9	New contractor needed for changed/additional work
NA/10	Change in scope, essential to solicit one or limited number of contractors

NA/11	Immediate successor contractor required due to termination/default <i>For Legal services only:</i>
NA/12	Specialized legal devices needed; CSP not advantageous
WA	Solicitation Based on Waiver/Summary of Circumstances ( <i>Client Services/CSB or CSP only</i> )
WA1	Prevent loss of sudden outside funding
WA2	Existing contractor unavailable/immediate need
WA3	Unsuccessful efforts to contract/need continues
IG	Intergovernmental Purchasing (award only)
IG/F	Federal
IG/S	State
IG/O	Other
EM	Emergency Procurement (award only): An unforeseen danger to:
EM/A	Life
EM/B	Safety
EM/C	Property
EM/D	A necessary service
AC	Accelerated Procurement/markets with significant short-term price fluctuations
SCE	Service Contract Extension/insufficient time; necessary service; fair price <i>Award to Other Than Lowest Responsible &amp; Responsive Bidder or Proposer/Reason (award only)</i>
OLB/a	anti-apartheid preference
OLB/b	local vendor preference
OLB/c	recycled preference
OLB/d	other: (specify)

### HOW TO READ CR PROCUREMENT NOTICES

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

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

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

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

## SAMPLE NOTICE:

### POLICE

#### DEPARTMENT OF YOUTH SERVICES

#### ■ SOLICITATIONS

*Services (Other Than Human Services)*

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

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

*NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.*

☛ m27-30

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