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THE CITY RECORD

ERIC L. ADAMS

Mayor

DAWN M. PINNOCK

Commissioner, Department of
Citywide Administrative Services

JANAE C. FERREIRA

Editor, The City Record

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PUBLIC HEARINGS AND MEETINGS

See Also: *Procurement; Agency Rules*

BOROUGH PRESIDENT - MANHATTAN

MEETING

The January 2023 Manhattan Borough Board Meeting, will be held on Thursday, January 19th, at 8:30 A.M., on Zoom. To register, please visit https://us06web.zoom.us/webinar/register/WN_mrSlp21zS82dklqBqYg2kg. After registering, you will receive a confirmation email containing information about joining the webinar.

cc

• j18-19

CITY COUNCIL

NOTICE

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

The Subcommittee on Zoning and Franchises will hold a public hearing, accessible remotely and in person in the Committee Room, 14th Floor, 250 Broadway, New York, NY 10007, on the following matters commencing at 10:00 A.M., on January 24, 2023. The hearing will be live-streamed on the Council's website, at <https://council.nyc.gov/live/>. Please visit, <https://council.nyc.gov/land-use/>, in advance for information about how to testify and how to submit written testimony.

213-227 WEST 28TH STREET PARKING SPECIAL PERMITS

MANHATTAN CB - 5

C 200012 ZSM

Application submitted by 215 West 28th Street Property Owner LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits, pursuant to Sections 13-45 (Special Permits for additional parking spaces) and 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an automated accessory parking garage with a maximum capacity of 41 spaces on portions of the ground floor, cellar and sub-cellar levels 1, 2 and 3, of a proposed mixed-use building at 213-219 West 28th Street (Block 778, Lot 31), on a zoning lot located at 213-227 West 28th Street (Block 778, Lots 25 & 31), in an M1-6D District.

213-227 WEST 28TH STREET PARKING SPECIAL PERMITS

MANHATTAN CB - 5

C 200013 ZSM

Application submitted by 225 West 28th Street Property Owner LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits, pursuant to Sections 13-45 (Special Permits for additional parking spaces) and 13-451 (Additional parking

spaces for residential growth) of the Zoning Resolution to allow an automated accessory parking garage with a maximum capacity of 36 spaces on portions of the ground floor, cellar and sub-cellar levels 1, 2 and 3, of a proposed mixed-use building at 221-227 West 28th Street (Block 778, Lot 25), on a zoning lot located at 213-227 West 28th Street (Block 778, Lots 25 & 31), in an M1-6D District.

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

Accessibility questions: SNICOLAS@COUNCIL.NYC.GOV, by: Thursday, January 19, 2023, 3:00 P.M.



• j18-24

CITY PLANNING COMMISSION

NOTICE

The City Planning Commission, will hold a public hearing accessible both in-person and remotely via the teleconferencing application Zoom, at 10:00 A.M. Eastern Daylight Time, on Wednesday, January 18, 2023, regarding the calendar items listed below. The public hearing will be held in person in the NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY. Anyone attending the meeting in-person is encouraged to wear a mask.

The meeting will be live streamed through Department of City Planning's (DCP's) website and accessible from the following webpage, which contains specific instructions on how to observe and participate, as well as materials relating, to the meeting: https://www.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/427776/1

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

877 853 5247 US Toll-free
888 788 0099 US Toll-free

253 215 8782 US Toll Number
213 338 8477 US Toll Number

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

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

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

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

BOROUGH OF THE BRONX
No. 1

OTIS ELEVATOR BUILDING - 260 ELEVENTH AVENUE
CD 4 N 230045 ZRM

IN THE MATTER OF an application submitted by Circle 1 LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying provisions of the Special West Chelsea District.

Matter underlined is new, to be added;
Matter struck out is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution.

ARTICLE IX
Special Purpose Districts
Chapter 8
Special West Chelsea District

* * *

98-20
FLOOR AREA AND LOT COVERAGE REGULATIONS

* * *

98-24

Special Floor Area Rules for Zoning Lots Divided by District Boundaries

* * *

98-242
Located partially within Subarea C and partially within M1-5 Districts

For #zoning lots# existing prior to June 23, 2005, and located partially within an M1-5 District and partially within a C6-3 District in Subarea C, the permitted #floor area ratio# for the C6-3 District portion of the #zoning lot# may be increased, to the #floor area ratio# existing in the C6-3 District portion on June 23, 2005, up to a maximum #floor area ratio# of 7.5, provided that the Chairperson of the City Planning Commission has certified that a payment has been made, to the #High Line# Improvement Fund, established under Section 98-25, to be used, at the discretion of the Chairperson to assure that the #High Line# is restored and reused as a public accessible open space. The amount of such contribution shall be determined in the manner prescribed in Section 98-35 (High Line Transfer Corridor Bonus). No building permit for any #development# or #enlargement# may be issued for any #building or other structure# on the #zoning lot# that will contain #floor area# made available, to the #zoning lot# as a result of the application of this Section unless and until such certification has been made.

* * *

98-40
SPECIAL YARD, HEIGHT AND SETBACK, AND MINIMUM DISTANCE BETWEEN BUILDINGS REGULATIONS

* * *

98-42
Special Height and Setback Regulations

* * *

98-423
Street wall location, minimum and maximum base heights and maximum building heights

The provisions set forth in paragraph (a) of this Section shall apply to all #buildings or other structures#. Such provisions are modified for certain subareas as set forth in paragraphs (b) through (h) of this Section.

(a) For all #buildings#

(1) #Street wall# location provisions

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line# and extend along such entire #street# frontage of the #zoning lot# up to, at least the minimum base height specified in the table in this Section. On #narrow street# frontages, beyond 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line# and extend along, at least 70 percent of the #narrow street# frontage of the #zoning lot# up to, at least the minimum base height specified in the table in this Section.

Where #street walls# are required to be located on the #street line#, recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required, to provide access, to the #building#. Above a height of 12 feet, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#, provided any such recesses deeper than 10 feet along a #wide street#, or 15 feet along a #narrow street#, are located within an #outer court#. Furthermore, no recesses shall be permitted within 30 feet of the intersection of two #street lines# except that, to allow articulation of #street walls#, at the intersection of two #street lines#, the #street wall# may be located anywhere within an area, bounded by the two #street lines# and a line connecting such #street lines#, at points 15 feet from their intersection.

For #developments# that occupy the entire #block# frontage of a #street# and provide a continuous sidewalk widening along such #street line#, the boundary of the sidewalk widening shall be considered to be the #street line# for the purposes of this Section.

The #street wall# location provisions of this Section shall not apply along that portion of any #street# frontage:

- (i) over which the #High Line# passes;
(ii) occupied by existing #buildings# to remain, unless such #buildings# are vertically #enlarged#; or
(iii) between the #High Line# and a #side lot line#, where such frontage measures less than 20 feet.

(2) Maximum #building# heights

- (i) For C6-2A and C6-3A Districts

In C6-2A and C6-3A Districts, the maximum base height, maximum #building# height and the maximum number of #stories# shall be as set forth in Section 23-662 (Maximum height of buildings and setback regulations) for the residential equivalent of an R8A and R9A District, respectively. For #buildings# meeting the criteria set forth in paragraph (a) of Section 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), such maximum heights and number of #stories# may be modified in accordance with the provisions of paragraph (b) of Section 23-664 for such districts' applicable residential equivalent. Separate maximum #building# heights are set forth within such Sections for #Quality Housing buildings# with #qualifying ground floors# and for those with #non-qualifying ground floors#.

(ii) For all other districts

All portions of #buildings or other structures# that exceed the applicable maximum base height specified in the table in this Section shall provide a setback, at a height not lower than the applicable minimum base height. A setback with a depth of, at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of, at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except such dimensions may include the depth of permitted recesses in the #street wall#.

No #building or other structure# shall exceed the maximum #building# height specified in the table in this Section.

* * *

(c) Subareas C, F and G

In Subareas C, F and G, for #zoning lots# with #wide# and #narrow street# frontage, no #street wall# is required beyond 50 feet of a #wide street#. Furthermore, for any #development# or #enlargement# that occupies, at least one corner of the Tenth Avenue #block# front and extends along the Tenth Avenue frontage of the #zoning lot# for, at least 170 feet, exclusive of existing #buildings# to remain, a lowered #street wall# shall be provided for any #building# that exceeds 45 feet in height. Such lowered #street wall# shall have a maximum height of 45 feet and a minimum height of 35 feet and extend along the Tenth Avenue frontage for a width not less than 25 percent and not more than 30 percent of the #aggregate width of street walls# facing Tenth Avenue. Such lowered #street wall# portion of the Tenth Avenue frontage shall be located, at the intersection of Tenth Avenue and a #narrow street#. Such lowered #street wall# shall extend along such #narrow# #street line# for a distance of, at least 50 feet from Tenth Avenue. Beyond 50 feet of Tenth Avenue, excluding the #High Line frontage# of a #building#, such portion of the #building# shall not exceed a height of 45 feet.

The provisions of this Section, relating, to the location and height of the lowered #street wall# portion of the Tenth Avenue frontage of a #building# are illustrated in Diagram 1 (Street Wall and High Line Frontage Regulations in Subareas C, F and G) in Appendix C of this Chapter.

In Subarea C, for #zoning lots# with Tenth Avenue frontage between West 24th Street and West 28th Street, the maximum #building# height shall be 125 feet.

In Subarea C, for any #enlargement# on a #zoning lot# that is subject, to the provisions of Section 98-242 (Located partially within Subarea C and partially within M1-5 Districts) and located in a Historic District designated by the Landmarks Preservation Commission, the minimum base height shall be the height of the existing #street wall# of the #building# to be #enlarged# and no #street wall# shall be required above such minimum base height.

* * *

BOROUGH OF BROOKLYN

No. 2

FLATBUSH AVENUE BID EXPANSION

CDs 9 and 14

N 230160 BDK

IN THE MATTER OF an application submitted by New York City Department of Small Business Services, pursuant to Section 25-405(a) of Chapter 4 of Title 25 of the Administrative Code of the City of New York, as amended, concerning amending of the Flatbush Avenue Business Improvement District, Borough of Brooklyn, Community Districts 9 and 14.

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

Accessibility questions: (212) 720-3508, AccessibilityInfo@planning.nyc.gov, by: Wednesday, January 11, 2023, 5:00 P.M.



j3-18

The City Planning Commission will hold a public hearing accessible both in-person and remotely, via the teleconferencing application Zoom, at 10:00 A.M. Eastern Daylight Time, on Wednesday, February 1, 2023, regarding the calendar items listed below. The public hearing will be held in person in the NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY. Anyone attending the meeting in-person is encouraged to wear a mask.

The meeting will be live streamed through Department of City Planning's (DCP's) website and accessible from the following webpage, which contains specific instructions on how to observe and participate, as well as materials relating to the meeting: <https://www.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/427777/1>.

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

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

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

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

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

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

BOROUGH OF BROOKLYN
Nos. 1 & 2
58 NIXON COURT REZONING
No. 1

CD 13

C 210170 ZMK

IN THE MATTER OF an application submitted by SLG Assets, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28c:

1. changing from an R5 District to an R7X District property bounded by Murdock Court, Ocean Parkway, Shore Parkway (northerly portion), and a line 460 feet easterly of West Street; and
2. establishing within a proposed R7X District, a C2-4 District bounded by Nixon Court, Ocean Parkway, Shore Parkway (northerly portion), and a line 460 feet easterly of West Street;

as shown on a diagram (for illustrative purposes only), dated October 24, 2022, and subject to the conditions of CEQR Declaration E-697.

No. 2

CD 13

N 210171 ZRK

IN THE MATTER OF an application submitted by SLG Assets, Inc. pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution.

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *

Brooklyn Community District 13

* * *

Map 3 – [date of adoption]



Mandatory Inclusionary Housing Area see Section 23-154(d)(3)
Area # — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 13, Brooklyn

* * *

No. 3 MELROSE PARKSIDE HISTORIC DISTRICT

CD 9 N 230177 HKK

IN THE MATTER OF a communication dated December 22, 2022, from the Executive Director of the Landmarks Preservation Commission regarding the Melrose Parkside Historic District designation, designated by the Landmarks Preservation Commission on December 13, 2022. (Designation List No. 530/LP-2664). The Melrose Parkside Historic District consists of the properties bounded by a line beginning at the northwest corner of Parkside Avenue and Bedford Avenue, continuing northerly along the western curblines of Bedford Avenue to a point on a line extending easterly from the northern property line of 413 Parkside Avenue (aka 1996 Bedford Avenue), westerly along said line and the northern property lines of 413 Parkside Avenue (aka 1996 Bedford Avenue) through 397-399 Parkside Avenue; northerly along part of the eastern property line of 393-395 Parkside Avenue; westerly along the northern property lines of 393-395 and 389-391 Parkside Avenue; southerly along part of the western property line of 389-391 Parkside Avenue; westerly along the northern property lines of 385-387 Parkside Avenue through 377-379 Parkside Avenue; northerly along part of the eastern property line of 375 Parkside Avenue; westerly along the northern property lines of 375 through 357 Parkside Avenue; southerly along the western property line of 357 Parkside Avenue and a line extending southerly to the southern curblines of Parkside Avenue; westerly along the southern curblines of Parkside Avenue to a point on a line extending northerly from the western property line of 290 Parkside Avenue; southerly along said line and the western property line of 290 Parkside Avenue; easterly along the southern property lines of 290 through 302 Parkside Avenue and part of the southern property line of 304 Parkside Avenue; southerly along part of the western property line of 304 Parkside Avenue; easterly along part of the southern property line of 304 Parkside Avenue and the southern property lines of 350-352 Parkside Avenue through 366-368 Parkside Avenue and part of the southern property line of 370-372 Parkside Avenue; northerly along part of the eastern property line of 370-372 Parkside Avenue; easterly along part of the southern property line of 370-372 Parkside Avenue and the southern property line of 374-376 Parkside Avenue; southerly along the western property line of 378-380 Parkside Avenue; easterly along the southern property lines of 378-380 Parkside Avenue through 386-388 Parkside Avenue; northerly along the eastern property line of 386-388 Parkside Avenue and a line extending northerly to the northern curblines of Parkside Avenue; easterly along the northern curblines of Parkside Avenue to the place of beginning.

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

Accessibility questions: (212) 720-3508, AccessibilityInfo@planning.nyc.gov, by: Thursday, January 26, 2023, 5:00 P.M.



j18-fl

COMMUNITY BOARDS

PUBLIC HEARINGS

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 18 - Wednesday, January 18, 2023, 7:00 P.M., Board Office Meeting Room, 1097 Bergen Avenue, and via WebEx for participants who wish to participate online.

A Public Hearing on the NYC Department of Transportation's Kings Highway to Avenue K to Ocean Avenue Capital Improvement Project. Some of the proposed features will include median landscaping and beautification, ADA-accessibility upgrades for median bus stops, curb extensions, pedestrian islands, and other pedestrian safety improvements.

Please Note:

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

REGULAR MONTHLY BOARD MEETING - January 18, 2023, 7:00 P.M.

Event address for attendees: https://nycb.webex.com/nycb/onstage/g.php?MTID=ee15c5015044e8de70fe82292616a69fd

Date and time: Wednesday, January 18, 2023, 7:00 P.M. Eastern Standard Time (New York, GMT-05:00)

Duration: 2 hours

Event number: 2331 341 0723

Event password: 3yMe6MZvuE2

Video Address: 23313410723@webex.com

You can also dial 173.243.2.68 and enter your meeting number.

For internal <sitename> users, dial <Pilot Number>

Audio conference: United States Toll

+1-408-418-9388

Show all global call-in numbers

Access code: 2331 341 0723



j12-18

COMPTROLLER

MEETING

The City of New York Audit Committee Meeting, is scheduled for Wednesday, January 25, 2023, at 9:30 A.M., via video conference call. The meeting will be open to the general public.

j18-25

BOARD OF EDUCATION RETIREMENT SYSTEM

MEETING

Our next Executive Committee Meeting will be held virtually via Webex on Thursday, January 19, 2023, from 1:00 P.M. - 3:00 P.M. If you would like to attend this meeting, please reach out to Antonio Rodriguez, at Arodriguez254@bers.nyc.gov.

j10-19

The Board of Education Retirement System Board of Trustees Meeting will be held on Wednesday, January 18, 2023, from 4:00 P.M. - 6:00 P.M. via Webex. If you would like to attend this meeting, please contact BERS Executive Director, Sanford Rich, at Srich4@bers.nyc.gov.

j9-18

HOUSING AUTHORITY

NOTICE

The next Board Meeting of the New York City Housing Authority is scheduled for Thursday, January 26, 2023, at 10:00 A.M. in the Ceremonial Room on the 5th Floor of 90 Church Street, New York, NY (unless otherwise noted). Copies of the Calendar will be available on

NYCHA's website or may be picked up, at the Office of the Corporate Secretary, at 90 Church Street, 5th Floor, New York, NY, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes will also be available on NYCHA's website or may be picked up, at the Office of the Corporate Secretary no earlier than 3:00 P.M. on the Thursday following the Board Meeting.

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

The meeting is open to the public. Pre-registration, at least 45 minutes before the scheduled Board Meeting, is required by all speakers. Comments are limited to the items on the Calendar. Speaking time will be limited to three minutes. The public comment period will conclude upon all speakers being heard or, at the expiration of 30 minutes allotted by law for public comment, whichever occurs first.

The meeting will be streamed live on NYCHA's YouTube Channel at <https://www.youtube.com/c/nycha> and NYCHA's website at <https://www1.nyc.gov/site/nycha/about/board-meetings.page>.

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

Accessibility questions: Office of the Corporate Secretary (212) 306-6088, by: Thursday, January 19, 2023, 4:00 P.M.



j10-26

OFFICE OF LABOR RELATIONS

■ MEETING

The New York City Deferred Compensation Board, will hold its next Deferred Compensation Board Hardship meeting, on Thursday, January 19, 2023, at 1:00 P.M. The meeting will be held remotely via conference call.

j12-19

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, January 31, 2023, at 9:30 A.M., a public hearing will be held in the public hearing room, at 1 Centre Street, 9th Floor, Borough of Manhattan, and will also be live-streamed and open to public participation by teleconference, with respect to the following properties, and then followed by a public meeting.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. An overflow room is located outside of the primary doors of the public hearing room. Virtual attendance by the public is encouraged given the continuing presence of COVID and the desire to facilitate social distancing. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting. Members of the public not attending in person can observe the meeting on LPC's YouTube channel, at www.youtube.com/nyclpc, and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, under the "Hearings" tab, <https://www1.nyc.gov/site/lpc/hearings/hearings.page>, on the Monday before the public hearing.

11-15 East 26th Street - Madison Square North Historic District
LPC-23-04408 - Block 856 - Lot 9, 7503 - **Zoning:** C5-2
CERTIFICATE OF APPROPRIATENESS

A Neo-Gothic style store and loft building, designed by Rouse & Goldstone and built in 1912-13. Application is to install storefront infill, a revolving door and a marquee, remove interior lot-line walls, reconstruct and alter the parapets and install railings, construct rooftop additions and install mechanical equipment.

• j18-31

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York

(Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, January 24, 2023, at 9:30 A.M., a public hearing will be held in the public hearing room, at 1 Centre Street, 9th Floor, Borough of Manhattan, and will also be live-streamed and open to public participation by teleconference, with respect to the following properties, and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. An overflow room is located outside of the primary doors of the public hearing room. Virtual attendance by the public is encouraged given the continuing presence of COVID and the desire to facilitate social distancing. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting. Members of the public not attending in person can observe the meeting on LPC's YouTube channel, at www.youtube.com/nyclpc, and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, under the "Hearings" tab, <https://www1.nyc.gov/site/lpc/hearings/hearings.page>, on the Monday before the public hearing.

398 Pacific Street - Boerum Hill Historic District
LPC-22-08821 - Block 190 - Lot 7 - **Zoning:** R6B
CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse, built in 1851-52, and a vacant lot. Application is to construct rooftop and rear yard additions, and construct a new building.

36 Pierrepont Street - Brooklyn Heights Historic District
LPC-23-03552 - Block 241 - Lot 36 - **Zoning:** R6
CERTIFICATE OF APPROPRIATENESS

A Gothic Revival house, built in 1845. Application is to install railings and modify an opening.

Prospect Park - Scenic Landmark
LPC-23-05673 - Block 1117 - Lot 1 - **Zoning:** Parkland
ADVISORY REPORT

A naturalistic park, designed by Frederick Law Olmsted and Calvert Vaux and, built in 1866-73. Application is to install pathways and a railing.

34-18 88th Street - Jackson Heights Historic District
LPC-23-04918 - Block 1448 - Lot 15 - **Zoning:** R5
CERTIFICATE OF APPROPRIATENESS

An Anglo-American Garden style attached house, designed by C.L. Varrone and built-in 1925-26. Application is to legalize a fence installed without Landmarks Preservation Commission permit(s).

3 Hillcrest Avenue - Douglaston Historic District
LPC-22-11971 - Block 8093 - Lot 33 - **Zoning:** R1-2
CERTIFICATE OF APPROPRIATENESS

A Colonial Revival style freestanding house built c. 1925. Application is to modify a masonry opening and replace a door.

36 Little West 12th Street - Gansevoort Market Historic District
LPC-23-05850 - Block 644 - Lot 40 - **Zoning:** M1-5
CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style market building, designed by James Stroud and built-in 1880, with a metal canopy added in 1941. Application is to install signage.

836-838 Broadway, aka 72-74 East 13th Street - Individual Landmark
LPC-23-02123 - Block 564 - Lot 39 - **Zoning:** C6-1
CERTIFICATE OF APPROPRIATENESS

A Neo-Grec/Second Empire style store and loft building, designed by Stephen Decatur Hatch and, built in 1876. Application is to replace storefront infill.

130 Pitt Street - Individual Landmark
LPC-23-05176 - Block 340 - Lot 1 - **Zoning:** Parkland
BINDING REPORT

A Beaux-Arts style park pavilion, designed by Carrère & Hastings and built c. 1898 - 1900. Application is to regrade and install barrier-free access ramps abutting the building.

11-15 East 26th Street - Madison Square North Historic District
LPC-23-04408 - Block 856 - Lot 9, 7503 - **Zoning:** C5-2
CERTIFICATE OF APPROPRIATENESS

A Neo-Gothic style store and loft building, designed by Rouse & Goldstone and built-in 1912-13. Application is to install storefront infill, a revolving door and a marquee, remove interior lot-line walls, reconstruct and alter the parapets and install railings, construct rooftop additions and install mechanical equipment.

61 West 70th Street - Upper West Side/Central Park West Historic District
LPC-23-00406 - Block 1123 - Lot 105 - **Zoning:** R8B
CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style rowhouse with Queen Anne style elements built in 1890-91. Application is to construct a rooftop addition and alter the front façade and areaway.

**177 East 104th Street - Individual Landmark
LPC-22-08398 - Block 1632 - Lot 30 - Zoning: R7B
CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival and neo-Grec style police precinct station house with Rundbogenstil elements, designed by Nathaniel D. Bush and, built in 1892-93. Application is to install a barrier-free access lift and alter openings and areaway railings.

j10-24

BOARD OF STANDARDS AND APPEALS

■ PUBLIC HEARINGS

**February 6th, 2023, and February 7th, 2023,
10:00 A.M. and 2:00 P.M.**

NOTICE IS HEREBY GIVEN of teleconference public hearings, Monday, February 6th, 2023, at 10:00 A.M. and 2:00 P.M., and Tuesday February 7th, 2023, at 10:00 A.M. and 2:00 P.M., to be streamed live through the Board's website (www.nyc.gov/bsa), with remote public participation, on the following matters:

SPECIAL ORDER CALENDAR

295-57-BZ

APPLICANT – Jung H. Choi, for Aronoff Limited Partnership, owner.
SUBJECT – Application August 17, 2021 – Extension of Term (§11-411) for the continued operation of an Automotive Service Station (UG 16B) which expired on August 7, 2021. C1-2/R4 zoning district.
PREMISES AFFECTED – 146-15 Union Turnpike, Block 6672, Lot 80, Borough of Queens.

COMMUNITY BOARD #8Q

820-67-BZ

APPLICANT – Eric Palatnik, P.C., for Alaska Street Holdings LLC, owner.
SUBJECT – Application July 6, 2022 – Extension of Term (§11-411) of a previously approved variance permitting the operation of an automotive service repair facility (UG 16B) which expired on November 8, 2021; Waiver of the Board's Rules of Practice and Procedures. R3A zoning district.

PREMISES AFFECTED – 41 Barker Street, Block 197, Lot 34, Borough of Staten Island.

COMMUNITY BOARD #1SI

212-00-BZII

APPLICANT – Glen V. Cutrona, AIA, for Showraka LLC-Manny Shurka, owner; Tamir Gay, lessee.
SUBJECT – Application April 16, 2021 – Extension of Term of a previously approved Variance (§72-21) which permitted the operation of an Automotive Service Station (UG 16B) with accessory uses which expired on April 17, 2021. C1-2/R5 zoning district.

PREMISES AFFECTED – 640/666 South Conduit Boulevard, Block 4239, Lot 1, Borough of Brooklyn.

COMMUNITY BOARD #3BK

324-14-BZII

APPLICANT – Vassalotti Associates AIA, for Two Brothers Corner, LLC, owners.
SUBJECT – Application August 8, 2022 – Extension of Term (§11-411) of a previously approved variance permitting the operation of an Automotive Service Facility (UG 16B) which expires on August 18, 2025, Waiver of the Board's Rules of Practice and Procedures. C2-2/R5 zoning district.

PREMISES AFFECTED –198-30 Jamaica Avenue, Block 10829, Lot 56, Borough of Queens.

COMMUNITY BOARD #1Q

APPEALS CALENDAR

2021-84-A

APPLICANT – David L. Businelli, for Pleasant Plains Estates, owner; Diane Rivela, President; lessee.
SUBJECT – Application December 8, 2021– Proposed construction of a one story and cellar retail building (UG6) with the widening line of Amboy Road contrary to General City Law Section 35 in an C1-1 in R3X SRD.

PREMISES AFFECTED – 6301 Amboy Road, Block 7533, Lot 142, Borough of Staten Island.

COMMUNITY BOARD #3SI

Shampa Chanda, Chair/Commissioner



j17-18

TEACHERS' RETIREMENT SYSTEM

■ MEETING

Please be advised that the next Board Meeting of the Teachers' Retirement System of the City of New York (TRS) has been scheduled for Thursday, January 19, 2023, at 3:30 P.M.

The remote Zoom meeting link will be available approximately one hour before the start of the meeting at:
<https://www.trsnyc.org/memberportal/About-Us/ourRetirementBoard>

The meeting is open, to the public. However, portions of the meeting, where permitted by law, may be held in executive session.

j5-19

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing will be held remotely commencing on Thursday January 26, 2023, at 2:00 P.M., via the WebEx platform and in person, on the following petitions for revocable consent.

WebEx: Meeting Number (access code): 2634 456 1699

Meeting Password: HUHheWn9n95

The hearing will be held in person, at 55 Water St, BID ROOM, in the Borough of Manhattan. Masks are required to be worn to enter the building and during the hearing.

#1 IN THE MATTER OF a proposed revocable consent authorizing 520 Townhouse LLC to construct, maintain and use an enclosure for trash receptacles on the north sidewalk of West 85th Street, east of West End Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from Date of Approval by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2601**

From the Approval Date to June 30, 2033 - \$135/per annum

with the maintenance of a security deposit in the sum of \$1,150 the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#2 IN THE MATTER OF a proposed revocable consent authorizing 50 HYMC Owner LLC to construct, maintain and use security bollards, at 415 10th Avenue, along the south sidewalk of West 34th Street, the west sidewalk of 10th Avenue, and the north sidewalk of West 33rd Street, in the Borough of Manhattan The proposed revocable consent is for a term of ten years from Date of Approval by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2573**

There shall be no compensation required for this Consent in accordance with Title 34 Section 7-04(a)(33) of the Rules of the City of New York

with the maintenance of a security deposit in the sum of \$197,764 the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#3 IN THE MATTER OF a proposed revocable consent authorizing Hudson Boulevard Sliver Owner LLC to construct, maintain and use security bollards, at 522 West 34th Street, along the east sidewalk of Hudson Boulevard East, between West 33rd Street and West 34th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from Date of Approval by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2574**

There shall be no compensation required for this Consent in accordance with Title 34 Section 7-04 (a) (33) of the Rules of the City of New York

with the maintenance of a security deposit in the sum of \$58,531 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two

Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#4 IN THE MATTER OF a proposed revocable consent authorizing 636 West End, LLC, to continue to maintain and use a fenced-in area and a stair on the east sidewalk of West End Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2022 to June 30, 2032 and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 1810**

For the period from July 1, 2022 to June 30, 2032 - \$25/per annum

with the maintenance of a security deposit in the sum of \$3,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations

#5 IN THE MATTER OF a proposed revocable consent authorizing 1325 Avenue of the Americas, L.P., to continue to maintain and use a clock and an address directional sign on the sidewalk of the northwest corner of West 53rd Street and Avenue of the Americas, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2022 to June 30, 2032 and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 1380**

For the period from July 1, 2022 to June 30, 2032 - \$300/per annum

with the maintenance of a security deposit in the sum of \$2,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations

#6 IN THE MATTER OF a proposed revocable consent authorizing Bruno Lane Homeowners Association Inc., to continue to maintain and use a force main, together with a manhole, under and along Joline Avenue, between Bruno Lane and Hylan Boulevard, in the Borough of Staten Island. The proposed revocable consent is for a term of ten years from July 1, 2022 to June 30, 2032 and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 1841**

For the period July 1, 2022 to June 30, 2023 - \$16,799
 For the period July 1, 2023 to June 30, 2024 - \$17,105
 For the period July 1, 2024 to June 30, 2025 - \$17,411
 For the period July 1, 2025 to June 30, 2026 - \$17,717
 For the period July 1, 2026 to June 30, 2027 - \$18,023
 For the period July 1, 2027 to June 30, 2028 - \$18,329
 For the period July 1, 2028 to June 30, 2029 - \$18,635
 For the period July 1, 2029 to June 30, 2030 - \$18,941
 For the period July 1, 2030 to June 30, 2031 - \$19,247
 For the period July 1, 2031 to June 30, 2032 - \$19,553

with the maintenance of a security deposit in the sum of \$20,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations

#7 IN THE MATTER OF a proposed revocable consent authorizing Jane Korach, to continue to maintain and use a stoop, an areaway and a planted area on the north sidewalk of West 89th Street, west of West End Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2020 to June 30, 2030 and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 1744**

From the period July 1, 2020 to June 30, 2030 - \$25/per annum.

with the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations

#8 IN THE MATTER OF a proposed revocable consent authorizing Ocean 26 Realty LLC to construct, maintain and use a force main, together with two cleanouts and a manhole, under, across and along Bragg Street, south of Emmons Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2590**

From the Approval Date to June 30, 2023 - \$3,324/per annum
 For the period July 1, 2023 to June 30, 2024 - \$3,386
 For the period July 1, 2024 to June 30, 2025 - \$3,448
 For the period July 1, 2025 to June 30, 2026 - \$3,510

For the period July 1, 2026 to June 30, 2027 - \$3,572
 For the period July 1, 2027 to June 30, 2028 - \$3,634
 For the period July 1, 2028 to June 30, 2029 - \$3,696
 For the period July 1, 2029 to June 30, 2030 - \$3,758
 For the period July 1, 2030 to June 30, 2031 - \$3,820
 For the period July 1, 2031 to June 30, 2032 - \$3,882
 For the period July 1, 2032 to June 30, 2033 - \$3,944

with the maintenance of a security deposit in the sum of \$10,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations

#9 IN THE MATTER OF a proposed revocable consent authorizing Trustees of Columbia University in the City of New York, to continue to maintain and use conduits under and across Amsterdam Avenue, north of West 116th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2021 to June 30, 2031 and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 711**

For the period July 1, 2021 to June 30, 2022 - \$ 7,779
 For the period July 1, 2022 to June 30, 2023 - \$ 7,921
 For the period July 1, 2023 to June 30, 2024 - \$ 8,063
 For the period July 1, 2024 to June 30, 2025 - \$ 8,205
 For the period July 1, 2025 to June 30, 2026 - \$ 8,347
 For the period July 1, 2026 to June 30, 2027 - \$ 8,489
 For the period July 1, 2027 to June 30, 2028 - \$ 8,631
 For the period July 1, 2028 to June 30, 2029 - \$ 8,773
 For the period July 1, 2029 to June 30, 2030 - \$ 8,915
 For the period July 1, 2030 to June 30, 2031 - \$ 9,057

with the maintenance of a security deposit in the sum of \$9,100 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations

#10 IN THE MATTER OF a proposed revocable consent authorizing 26 East 78th Street LLC to construct, maintain and use a fenced-in area, including steps and accessible wheelchair lift on the south sidewalk of East 78th Street, between Madison Avenue and Fifth Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2581**

From the Approval Date to June 30, 2033 - \$25/per annum

with the maintenance of a security deposit in the sum of \$10,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations

#11 IN THE MATTER OF a proposed revocable consent authorizing 319 West 84th Street LLC to construct, maintain and use a stoop and a fenced-in areaway on the north sidewalk of West 84th Street, between Riverside Drive and West End Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2567**

From the Approval Date to June 30, 2033 - \$25/per annum

with the maintenance of a security deposit in the sum of \$6,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations

#12 IN THE MATTER OF a proposed revocable consent authorizing 640 Broadway Owners Subsidiary II LLC, to continue to maintain and use a stair, together with railing on the south sidewalk of Bleecker Street, east of Broadway, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2020 to June 30, 2030 and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2110**

For the period July 1, 2020 to June 30, 2021 - \$1,554/per annum
 For the period July 1, 2021 to June 30, 2022 - \$1,579
 For the period July 1, 2022 to June 30, 2023 - \$1,604
 For the period July 1, 2023 to June 30, 2024 - \$1,629
 For the period July 1, 2024 to June 30, 2025 - \$1,654
 For the period July 1, 2025 to June 30, 2026 - \$1,679
 For the period July 1, 2026 to June 30, 2027 - \$1,704
 For the period July 1, 2027 to June 30, 2028 - \$1,729

For the period July 1, 2028 to June 30, 2029 - \$1,754
For the period July 1, 2029 to June 30, 2030 - \$1,779

with the maintenance of a security deposit in the sum of \$2,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations

#13 IN THE MATTER OF a proposed revocable consent authorizing **CSC 2045 Madison LLC** to construct, maintain and use an accessible ramps and planters on the south sidewalk of East 130th Street, between Madison Avenue and Park Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from Approval Date by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2580**

From the Approval Date to June 30, 2033 - \$100/per annum.

with the maintenance of a security deposit in the sum of \$2,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations

#14 IN THE MATTER OF a proposed revocable consent authorizing **RLM TH LLC** to construct, maintain and use a fenced-in area, with retaining wall and steps including trash enclosure and planting on the east sidewalk of East 70th Street, between Lexington Avenue and Third Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2577**

From the Approval Date to June 30, 2033 - \$25/per annum

with the maintenance of a security deposit in the sum of \$20,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations

#15 IN THE MATTER OF a proposed revocable consent authorizing **The New York Public Library Astor, Lenox and Tilden Foundations** to construct, maintain and use an accessible ramp with steps on the south sidewalk of East 125th Street, between Third Avenue and Second Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2569**

From the Approval Date to June 30, 2033 - \$25/per annum.

with the maintenance of a security deposit in the sum of \$0.00 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations

#16 IN THE MATTER OF a proposed revocable consent authorizing **Caroline H. Van Scheltinga** to construct, maintain and use a fenced-in area, including planters and steps on the south sidewalk of West 83rd Street, between Columbus Avenue and Central Park West, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2582**

From the Approval Date to June 30, 2033 - \$25/per annum.

with the maintenance of a security deposit in the sum of \$6,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations

#17 IN THE MATTER OF a proposed revocable consent authorizing **MKAP LLC** to construct, maintain and use a snowmelt system on the north sidewalk of East 70th Street, between 3rd Avenue and Lexington Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2598**

From the Approval Date to June 30, 2033 - \$25/per annum.

with the maintenance of a security deposit in the sum of \$25,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One

Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations

#18 IN THE MATTER OF a proposed revocable consent authorizing **West Farms Estates Company LP** to construct, maintain and use a new accessible ramp on the east sidewalk of West Farms Road, between Freeman Street and Boone Avenue, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2597**

From the Approval Date to June 30, 2033 - \$25/per annum.

with the maintenance of a security deposit in the sum of \$10,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations

#19 IN THE MATTER OF a proposed revocable consent authorizing **New York University**, to continue to maintain and use two (2) conduits under, across and along East 12th Street, east of Fifth Avenue, and ducts in the existing facilities of the Empire City Subway Company (Limited), in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2022 to June 30, 2032 and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 1436**

- For the period July 1, 2022 to June 30, 2023 - \$50,438
- For the period July 1, 2023 to June 30, 2024 - \$51,357
- For the period July 1, 2024 to June 30, 2025 - \$52,276
- For the period July 1, 2025 to June 30, 2026 - \$53,195
- For the period July 1, 2026 to June 30, 2027 - \$54,114
- For the period July 1, 2027 to June 30, 2028 - \$55,033
- For the period July 1, 2028 to June 30, 2029 - \$55,952
- For the period July 1, 2029 to June 30, 2030 - \$56,871
- For the period July 1, 2030 to June 30, 2031 - \$57,790
- For the period July 1, 2031 to June 30, 2032 - \$58,709

with the maintenance of a security deposit in the sum of \$59,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations

j5-26

PROPERTY DISPOSITION

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

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

CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

The City of New York in partnership with IAAI.com posts vehicle and heavy machinery auctions online every week at:

<https://iaai.com/search?keyword=dcas+public>
All auctions are open to the public and registration is free.

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

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

jy29-j17

ENVIRONMENTAL PROTECTION

NOTICE

NOTICE OF PROJECT AVAILABILITY

Project Information/Description: Bid Solicitation for the Sale of Timber and Firewood in the Town of Neversink, NY. The City of New York will sell approximately 302,805 board feet (International 1/4" Rule) of sawtimber and 682 cords of hardwood cordwood through Forest Management Project ID #5177. The products included in this sale are on NYCDEP land located east of Shields Road in Neversink, NY.

Availability of Bid Information: Bid solicitation information and Bid Packages are available by calling Nathan Hart, DEP Forester, at 845-334-7125, or requesting via e-mail at nhart@dep.nyc.gov. Bid Packages can also be collected at one of the Bid Showings.

Show Dates: Prospective bidders are recommended to attend one of the public showings which will be held on Thursday, February 2, 2023, at 1:00 P.M., and Friday, February 3, 2023, at 9:00 A.M. Participants should park and gather on the paved portion of Shields Road.

All prospective attendees must notify the DEP Forester of the representatives they will be sending to the showing at least 24 hours in advance.

Required Contractor Qualification:

- 1. The Contractor must maintain the required Workers Compensation and Disability Benefits Coverage.
2. The Contractor shall furnish and maintain Commercial General Liability & Commercial Auto Insurance Policies.
3. The Contractor must have demonstrated experience, ability and equipment to assure removal of timber under terms of the agreement.

Bid Due Date: All bid proposals must be received by Nathan Hart, PO Box 358, Grahamsville, NY 12740 (845-334-7125), NO LATER THAN Tuesday, February 21, 2023, at 4:00 P.M., local time.

Opening of Bids: Sealed bids will be publicly opened at the DEP Office, 16 Little Hollow Road, Grahamsville, NY, on Wednesday, February 22, 2023, at 9:00 A.M., local time. The projected date for awarding the bid is on or around Wednesday, March 22, 2023.

j17-18

PROCUREMENT

"Compete To Win" More Contracts!

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

- Win More Contracts, at nyc.gov/competetowin

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

HHS ACCELERATOR PREQUALIFICATION

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York ("PPB Rules"), vendors must first complete and submit an electronic HHS Accelerator Prequalification Application using the City's PASSPort system. The

PASSPort system is a web-based system maintained by the City of New York for use by its Mayoral Agencies to manage procurement. Important business information collected in the Prequalification Application is required every three years. Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete. Prequalification applications will be reviewed to validate compliance with corporate filings and organizational capacity. Approved organizations will be eligible to compete and would submit electronic proposals through the PASSPort system. The PASSPort Public Portal, which lists all RFPs, including HHS RFPs that require HHS Accelerator Prequalification, may be viewed, at https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public. All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding. For additional information about HHS Accelerator Prequalification and PASSPort, including background materials, user guides and video tutorials, please visit https://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page.

AGING

AWARD

Human Services/Client Services

ELDER JUSTICE SERVICES - Competitive Sealed Proposals/ Pre-Qualified List - PIN# 12523P0001003 - AMT: \$1,680,000.00 - TO: Metropolitan New York Coordinating Council on Jewi, 77 Water Street, 26th Floor, New York, NY 10005.

The NYC Department for the Aging (NYC Aging), has contracted with community-based organizations, to provide direct services, to elder abuse victims and their families and conduct elder abuse prevention activities. NYC Aging currently maintains five contracts - one in each borough - to provide these services.

During the second quarter of FY21, NYC Aging has issued a concept paper for these services. NYC Aging is now releasing the RFP for contracts, to begin on January 1, 2023. The RFP will result in eight contracts across the five boroughs.

j12-19

CITYWIDE ADMINISTRATIVE SERVICES

OCP-CSH OPERATIONS

INTENT TO AWARD

Services (other than human services)

ONLINE SURPLUS AUCTIONING SERVICES - Negotiated Acquisition - Other - PIN# 85623N0003 - Due 1-18-23 at 5:00 A.M.

In accordance with Section 3-04(b)(2)(D) of the Procurement Policy Board Rules, the Department of Citywide Administrative Services is seeking to use the Negotiated Acquisition Method to extend its current contract with The Public Group LLC, to provide Online Surplus Auctioning Services. The contract term is from October 1, 2022 to October 1, 2023.

This advertisement is for informational purposes only.

j11-18

ENVIRONMENTAL PROTECTION

CUSTOMER SERVICES

INTENT TO AWARD

Services (other than human services)

82623Y0312-MARS-23: TEST BENCH FOR WATER METERS - Request for Information - PIN# 82623Y0312 - Due 1-25-23 at 4:00 P.M.

The bureau of Customer Services (BCS) Meter Testing Facility uses three benches to test the accuracy and efficiency of water meters for the entire system. The bench assists in letting NYC DEP know when water meters should be removed from the system by using data of the water meters tested each day vs. the meter age and type in our system. BCS is able to determine failure rate of water meters and can gauge water meter removal needs based on these findings. Any firm which believes it can also provide the required service IN THE FUTURE is invited to so, indicated by letter which must be received, no later than January 25, 2023, 4:00 P.M. at: Department of Environmental Protection, Agency Chief Contracting Office, 59-17 Junction Boulevard,

17th Floor, Flushing, NY 11373, Attn: Glorivee Roman, glroman@dep.nyc.gov.

j11-18

ENGINEERING, DESIGN AND CONSTRUCTION

SOLICITATION

Construction Related Services

NR-115A-DES: DESIGN VALIDATION, DESIGN AND DESIGN SERVICES DURING CONSTRUCTION FOR THE RECONSTRUCTION OF THE POWER DISTRIBUTION EQUIPMENT AT THE NORTH RIVER WASTEWATER RESOURCE RECOVERY FACILITY - Competitive Sealed Proposals - Other - PIN#82623P0025 - Due 2-23-23 at 4:00 P.M.

This Request for Proposal ("RFx"), is being released through PASSPort, New York City's online procurement portal. Responses to this RFx should be submitted via PASSPort. To access the solicitation, vendors should visit the PASSPort Public Portal, at https://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page, and click on the "Search Funding Opportunities in PASSPort" blue box. This will take you to the Public Portal of all procurements in the PASSPort system. To quickly locate the RFx, insert the EPIN 82623P0025, into the Keywords search field. If you need assistance submitting a response, please contact MOCS help desk, at https://mocsupport.atlassian.net/servicedesk/customer/portal/8.

Pre-Bid conference location -Virtual: find link in "Pre-proposal Conference Link Document". Join the meeting by link or call in (audio only) +1 347-921-5612, Conf ID: 308 189 644# Queens, NY 11373. Mandatory: yes Date/Time - 2023-01-27 11:00:00

j18

SUSTAINABILITY

SOLICITATION

Services (other than human services)

BEPA-GIPS: SUPPORT SERVICES FOR GI PROGRAM - Competitive Sealed Proposals - Other - PIN#82623P0009 - Due 2-27-23 at 4:00 P.M.

BEPA-GIPS: Professional services to support the implementation of the Green Infrastructure Program including support for technical drainage analysis, cost benefit analysis (market analysis for designs and bids), benefit and impact analysis, conceptual design support and review, construction site inspections and green infrastructure planning and analysis support.

This Request for Proposal ("RFx"), is being released through PASSPort, New York City's online procurement portal. Responses to this RFx should be submitted via PASSPort. To access the solicitation, vendors should visit the PASSPort Public Portal, at https://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page, and click on the "Search Funding Opportunities in PASSPort" blue box. This will take you to the Public Portal of all procurements in the PASSPort system. To quickly locate the RFx, insert the EPIN 82623P0009, into the Keywords search field. If you need assistance submitting a response, please contact MOCS help desk, at https://mocsupport.atlassian.net/servicedesk/customer/portal/8.

Pre-Bid conference location -Virtual: find link in "Pre-proposal Conference Link Document". Join the meeting by link or call in (audio only) +1 347-921-5612, Conf ID: 837 690 311# Queens, NY 11373. Mandatory: no Date/Time - 2023-01-26 11:00:00

j18

WASTEWATER TREATMENT

INTENT TO AWARD

Goods

CHESTERTON MECHANICAL SEALS AND SUPPORT SYSTEMS - Request for Information - PIN#82623Y0310 - Due 1-25-23 at 4:00 P.M.

DEP, intends to enter into a Sole Source Agreement with Corrosion Products & Equipment Inc, for CMS-1: Chesterton Mechanical Seals and Support Systems. The Bureau of Wastewater Treatment (BWT) has a large number of Chesterton mechanical seals and support systems installed, at various pumping systems in its Wastewater Resource Recovery Facilities (WRRF) and Collection Facilities. These Chesterton@ Mechanical Seals and Support Systems are used exclusively by DEP and has no further function citywide. Any firm which believes it can also provide the required service IN THE FUTURE is invited to so, indicated by letter. to: Department of Environmental Protection, Agency Chief Contracting Office, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373, Attn: Glorivee Roman, glroman@dep.nyc.gov

j11-18

82623Y0311-BWT HOWDEN ROOTS BLOWER 3XC00314 - Request for Information - PIN#82623Y0311 - Due 1-27-23 at 2:00 P.M.

Pursuant to Procurement Policy Board Rule Section 3-05, Department of Environmental Protections, intends to enter into a sole source agreement with Envirolutions LLC for Howden Roots blower. DEP has determined, Envirolutions LLC, is the sole authorized source for these goods. Any firm which believes it is authorized to provide such goods are welcome to submit an expression of interest. All related inquiries should be sent via the Discussion Forum in PASSPort or to Noah Shieh at noahs@dep.nyc.gov

j12-19

FIRE DEPARTMENT

FISCAL SERVICES

INTENT TO AWARD

Services (other than human services)

BLOOD AND URINE SPECIMEN STORAGE SERVICES

- Negotiated Acquisition - Other - PIN#05723N0005 - Due 1-20-23 at 4:00 P.M.

In accordance with Section 3-04(b)(2)(iii) of the New York City Procurement Policy Board Rules, New York City Fire Department, intends to utilize Negotiated Acquisition method, to extend the existing contract with Bioreference Health LLC, from 11/14/2022 to 11/13/2027, for the provision of blood and urine specimen storage services for World Trade Center health program. Vendors that are interested in expressing interest in similar procurements in the future may contact, contracts@fdny.nyc.gov.

There is compelling need to extend the current contract beyond the cumulative twelve-month limit, and the extension is for the minimum time necessary to meet the need.

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.

Fire Department, 9 Metrotech Center, 5W-18K, Brooklyn, NY 11201. Tetyana Sydoruk (718) 999-2333; tetyana.sydoruk@fdny.nyc.gov

j13-20

HEALTH AND MENTAL HYGIENE

INTENT TO AWARD

Goods

81623Y0340- MIFEPRISTONE TABLETS - Request for Information - PIN#81623Y0340 - Due 1-30-23 at 12:00 A.M.

DOHMH, intends to enter into a Sole Source agreement with Dixon-Shane LLC R&S Northeast LLC., for the purchase of FDA approved Mifepristone Tablets, 200 mg abortion medication. In accordance with purchasing by DOHMH's Bureau of Public Health Clinics (BPHC), in order to mitigate the threat to public health posed by the recent supreme court decision that overturned Roe vs Wade, which provided a constitutional right to abortion. Mifepristone is used, together with another medication called misoprostol, to end early pregnancy. DOHMH has determined, that Dixon-Shane LLC R & S Northeast LLC is an exclusive distributor of Mifepristone tablets, and it is the only product listed for Marketing.

Any vendor who believes that they may also be able to provide this goods product in the future, is welcome to submit an expression of interest, via email, Mnapolitano@health.nyc.gov. Any questions regarding this Sole Source contract should be addressed in writing to the contracting officer identified below.

Health and Mental Hygiene, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132. Marcella Napolitano (347) 396-6680; Fax: (347) 396-6759; mnapolitano@health.nyc.gov.

j12-19

HUMAN RESOURCES ADMINISTRATION

■ INTENT TO AWARD

Human Services/Client Services

CORRECTION: HOMELESS PREVENTION LAW PROJECT CONTRACTS (HPLP) - Negotiated Acquisition - Other - PIN# 06923N0010 - Due 1-23-23 at 3:00 P.M.

The Human Resources Administration (HRA) Office of Civil Justice (OCJ) intends to enter the Negotiated Acquisition Extension (NAE), for 23 Homelessness Prevention Law Project (HPLP) contracts from July 1, 2023 to June 30, 2024, to ensure the continuity of services in the City's effort to protect tenants from displacement, preserve affordable housing, and stabilize neighborhoods.

Under this NAE, the following vendors will continue to provide services for HPLP: Brooklyn Legal Services Corporation A, Camba Legal Services Inc. (2), Housing Conservation Coordinators Inc., Legal Services NYC DBA Legal Services for New York City (5), Mobilization for Justice Inc., Neighborhood Association for Inter-Cultural Affairs Inc., New York Legal Assistance Group Inc. (3), Northern Manhattan Improvement Corporation, RiseBoro Community Partnership Inc., The Bronx Defenders, The Legal Aid Society (5), Urban Justice Center. This NAE will allow critical services provided by these providers to continue until new RFP's are processed.

If you have any questions, please email, ACCOContractPlanning@dss.nyc.gov, with the subject line "06923N0010 - NAE Homelessness Prevention Law Project". Please indicate your interest by responding to the PSR EPIN: 06923N0010 in PASSPort.

This is a negotiated acquisition extension for 12 incumbent providers to maintain the continuity of critical services to clients for one year until new RFP's can be awarded.

j13-20

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

■ INTENT TO AWARD

Services (other than human services)

GRAMMY MUSEUM FOUNDATION - Negotiated Acquisition - Other - PIN#85823N0004 - Due 1-23-23 at 1:00 P.M.

OTI, acting on behalf of the Mayor's Office of Media and Entertainment ("MOME"), will be proceeding with a Negotiated Acquisition, pursuant to PPB Rules Section 3-04(b)(2)(ii), to contract with the GRAMMY Museum Foundation, Inc., to provide public programming of interviews and performances.

There are no other vendors that offer the services of the Program. The selected vendor is an affiliate of The Recording Academy, a membership-run organization created to promote the professions of musicians, producers, recording engineers, and other musical-related professions. In theory, other vendors could provide interviews and performances by musicians. However, qualitatively, it is highly unlikely that any other vendor could provide both the high-level of celebrity talent that the GRAMMY Museum has access to and the brand association with the GRAMMYs that will attract viewers to the television broadcast of the shows. Because the public is so familiar with the GRAMMY name, we anticipate the broadcast will attract new viewers to the City's broadcast television station.

j13-20

LAW DEPARTMENT

■ INTENT TO AWARD

Services (other than human services)

02523Y0047-PCIS CLAIMSVISION SOFTWARE, 02523X001188 - Request for Information - PIN#02523Y0047 - Due 1-26-23 at 5:00 P.M.

It is the intent of the New York City Law Department ("Department") to enter into a contract, commencing on July 1, 2023 and terminating on June 30, 2028, with P&C Insurance Systems, Inc. ("PCIS"), pursuant to Procurement Policy Board ("PPB") Rules Section 3-05. Under the terms of the contract, PCIS will provide system updates and monthly maintenance to the workers' compensation division's claim administration software (ClaimsVISION), pursuant to Section 3-05(a) of the PPB Rules, PCIS was determined to be the only source available, to provide the system updates and maintenance as it is the creator and

sole owner of ClaimsVISION and is the only vendor capable of providing service to the software, including but not limited to, all programming and maintenance services.

Firms that believe they are qualified to perform these services and wish to be considered for future awards of similar contracts please send an expression of interest to the office of the Department's ACCO, at the following address: Jared Bretas, Senior Counsel, New York City Law Department, 100 Church Street, Room 5-209, New York, NY 10007; Phone (212) 356-1121; Email jrbretas@law.nyc.gov.

To respond in PASSPort, please complete the Acknowledgment tab and submit a response in the Manage Responses tab. If you have questions about the details of the RFx, please submit through the Discussion with Buyer tab. If you have questions about functionality of PASSPort, please use the "Contact MOCS" tab located at, <https://www.nyc.gov/site/mocs/index.page>.

j11-18

NYC HEALTH + HOSPITALS

SUPPLY CHAIN

■ SOLICITATION

Human Services/Client Services

WATER MANAGEMENT SERVICES - Request for Proposals - PIN#2660 - Due 2-9-23 at 5:00 P.M.

NYC Health + Hospitals, is seeking a vendor for Water Management Services, which are comprised of water monitoring and analysis, documentation maintenance, and satisfaction of legionella requirements – all per City and State requirements. The vendor will also perform an Environmental Assessment of the 11 Acute Care Hospitals "Hospital", and 6 Post-Acute Care/Skilled Nursing Facilities (we should send them an attachment with a list of facilities in scope). This includes preparing and implementing a sampling and management plan for potable water systems to test for Legionella. The plan should also include instituting control measures in the event of a Legionella exceedance. NYC Health + Hospitals requests a contract for a term of five years with two one (1) year renewal options at the discretion of NYC Health + Hospitals. In the initial three years NYC Health + Hospitals may terminate with cause, and after year three NYC Health + Hospitals may terminate without cause with 180-days' notice.

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.

NYC Health + Hospitals, 50 Water Street, 5th Floor, New York, NY 10004. Nishant Kondamudi (332) 215-1558; kondamun@nychhc.org

j18

POLICE DEPARTMENT

CONTRACT ADMINISTRATION

■ SOLICITATION

Services (other than human services)

NYPD ARTERIAL TOW - Other - PIN#01092023 - Due 1-24-23 at 5:00 P.M.

NYPD ARTERIAL TOW: A Request for Applications will be issued by the New York City Police Department ("NYPD"). Department of Consumer and Workers Protection ("DCWP") licensed TOW COMPANIES who are interested in servicing disabled vehicles throughout the NYC highway system will be eligible to receive a Request for Applications. Licensed Tow Companies may apply for a Permit to assist disabled vehicles in one or several sections of Arterial Highways. The chosen Tow Company will have exclusive towing rights for designated section(s) of NYC Arterial Highway. The Request for Applications will require an applicant to submit a Technical Proposal and a Price Proposal. An Administrative Fee will be required to be paid by the chosen Tow Company who is permitted to service the particular section of Arterial Highway. Licensed and interested Tow Companies are instructed to contact the NYPD – Contract Administration Section and submit a Notice of Interest by sending an email to contracts@nypd.org. The email shall let the NYPD know of its interest and provide a Company / Entity name, current individual contact name(s)/ titles, email address(es), and phone numbers. If an interested Tow Company currently holds an Arterial Tow permit, that Tow Company must submit a notice of interest to be considered for a new Arterial Tow Permit. The Request for Applications will not be available in PASSPort

but will be emailed to interested Tow Companies. The chosen Tow Company will be issued a Permit for Five years, subject to Renewal/ Extension. The Permit will be revocable if Administrative Fees are not paid. Only Tow Companies not in arrears of Arterial Tow administrative fees, taxes, or licensing fees will be considered for being issued a Permit.

This Procurement is not subject to the New York City Procurement Policy Board (PPB) Rules.

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. Police Department, 375 Pearl Street, Room 15-207, New York, NY 10038. Jordan Glickstein (718) 610-8623; jordan.glickstein@nypd.org

j9-23

CONTRACT AWARD HEARINGS

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



ENVIRONMENTAL PROTECTION

■ PUBLIC HEARINGS

THIS PUBLIC HEARING HAS BEEN CANCELLED

NOTICE IS HEREBY GIVEN that a Public Hearing will be held at the Department of Environmental Protection Offices, 59-17 Junction Boulevard, Flushing, NY 11373 on January 19, 2023, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and Century Geophysical LLC, 1223 S. 71 Street East Avenue, Tulsa, Oklahoma 74112 for DRIVESAFE: EF Trucking Simulator for Training Employees for Crash Avoidance, Backing, Parking, Night Driving, Adverse Weather Conditions, Oversize and Overweight. The Contract term shall be 365 consecutive calendar days from the date of the written notice to proceed. The Contract amount shall be \$105,000.00—Location: Borough of Queens: EPIN: 82623Y0269.

This contract was selected by Sole Source pursuant to Section 3-05of the PPB Rules.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DEP does not receive, by January 10th, 2023, from any individual a written request to speak at this hearing, then DEP need not conduct this hearing. Written notice should be sent to Ms. Jeanne Schreiber, NYCDEP, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373 or via email to jschreiber@dep.nyc.gov.

Note: Individuals requesting Sign Language Interpreters should contact Ms. Jeanne Schreiber, Office of the ACCO, 59-17 Junction Boulevard, 17th Floor, Flushing, New York 11373, (718) 595-3456, no later than FIVE(5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

◀ j18

AGENCY RULES

BUSINESS INTEGRITY COMMISSION

■ PUBLIC HEARINGS

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The New York City Business Integrity Commission (the “Commission” or “BIC”) is proposing changes to its rules. First, the Commission is authorizing the Hearings Division of the New York City Office of Administrative Trials and Hearings (OATH) to adjudicate BIC summonses. Second, the Commission is adopting a penalty schedule for trade waste violations. The Commission will vote on the final rule before it is promulgated.

When and where is the hearing? BIC will hold a public hearing on the proposed rule. The public hearing will take place via Microsoft Teams Meeting at 11:30 A.M. on February 22, 2023, using the following link and meeting information:

Microsoft Teams Meeting

Join on your computer, mobile app or room device

Click here to join the meeting

https://teams.microsoft.com/l/meetup-join/19%3ameeting_NDQzYThmODUtOTA4ZC00ZWEzLTg5MDgtODgyNzRhY2Y3NGE5%40thread.v2/0?context=%7b%22Tid%22%3a%2232f56fc7-5f81-4e22-a95b-15da66513bef%22%2c%22Oid%22%3a%22174443ef-91ea-48bf-9471-18a8de9e66f2%22%7d

Meeting ID: 237 132 767 17

Passcode: c9Jyju

Download Teams | Join on the web

Or call in (audio only)

+1 646-893-710,570442759# United States, New York City

Phone Conference ID: 570 442 759#

Find a local number | Reset PIN

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

- **Website.** You can submit comments to BIC through the NYC rules website at <http://rules.cityofnewyork.us>.
- **E-mail.** You can e-mail written comments to nmathias@bic.nyc.gov.
- **Mail.** You can mail written comments to Business Integrity Commission, 100 Church Street, 20th Floor, New York, NY 10007.
- **Fax.** You can fax written comments to BIC at (646) 500-7113.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by emailing nmathias@bic.nyc.gov by February 21, 2023, at 5:00 P.M. While you will be given the opportunity during the hearing to indicate that you would like to provide comments, we prefer that you sign up in advance. You can speak for up to three minutes.

Is there a deadline to submit written comments? Yes, you must submit written comments by February 21, 2023.

What if I need assistance to participate in the hearing? You must contact the Business Integrity Commission if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at 100 Church Street, 20th Floor, New York, NY 10007. You may also tell us by telephone at 212-437-0523 or e-mail at nmathias@bic.nyc.gov. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by February 17, 2023.

This location has the following accessibility option(s) available: Audio only access.

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 NYC rules website at <http://rules.cityofnewyork.us>. A few days after the hearing, a transcript of the hearing and copies of the written comments will be available to the public on BIC's website.

What authorizes BIC to make this rule? Sections 1043 and 2101(b) of the City Charter and Section 16-518 of the Administrative Code authorize BIC to make these proposed rules. This proposed rule was included in BIC's published regulatory agenda.

Where can I find BIC's rules? BIC's rules are in Title 17 of the Rules of the City of New York.

What laws govern the rulemaking process? BIC must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the City Charter.

Statement of Basis and Purpose of Proposed Rule

BIC is responsible for enforcing Title 16-A of the Administrative Code (Commercial Waste Removal) and Title 17 of the Rules of City of New York ("RCNY") by issuing summonses to entities that violate these laws.

This proposed rule would allow BIC's summonses to be adjudicated in OATH's Hearings Division. This proposed rule would also add a trade waste penalty schedule to BIC's rules, which will detail the different penalties and their amounts for violations of BIC's trade waste laws and will be used in the adjudication of related BIC summonses at OATH. Finally, this proposed rule makes conforming changes to other sections of BIC's rules to ensure consistency and clarity.

BIC's authority for these rules is found in Sections 1043(a) and 2101(b) of the New York City Charter.

New material is underlined.

[Deleted material is in brackets.]

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of the Commission, unless otherwise specified or unless the context clearly indicates otherwise. Section 1. Section 1-01 of title 17 of the rules of the city of New York is amended by adding the following definitions in alphabetical order:

§ 1-01 Definitions.

For the purposes of this chapter, the following terms have the following meanings:

Administrative law judge. The term "administrative law judge" means any person designated by the Commission, by the Office of Administrative Trials and Hearings, or by any other administrative tribunal of competent jurisdiction to conduct a hearing pursuant to Section 1-03 of this subchapter, including a hearing officer as defined in 48 RCNY § 6-01.

Default penalty. The penalty imposed when the respondent fails to appear at the hearing in response to a summons or otherwise respond to a summons.

First violation penalty. The penalty imposed for the first violation of a provision of law or rule committed by the respondent within a two-year period.

Mitigated penalty. The reduced penalty imposed for violations that may be eligible for a lower penalty or zero penalty, provided that the respondent establishes and the Commission accepts that the violating condition has been corrected on or before the hearing date listed on the summons or the due date marked on a Commission order. Violations that are eligible for mitigated penalties and the corresponding penalty amounts are indicated on the penalty schedule.

Penalty schedule. The term "penalty schedule" means the schedule adopted by the Commission that sets forth the penalties to be imposed for violations of chapter 1 of title 16-A of the Code or chapter 1 of title 17 of the RCNY.

Repeat violation penalty. The penalty imposed for the second and each subsequent violation committed by the same respondent, in relation to the same provision of law or rule, within a two-year period of a prior violation. For violations of subdivisions a or b of section 16-505, repeat penalties will be imposed, in addition to any actions taken by the Commission pursuant to 17 RCNY § 1-04.

Respondent. The term "respondent" means the person or entity against whom the charges alleged in a summons have been filed.

Summons. The term "summons" means a document, including a notice of violation, issued by the Commission to a Respondent, which specifies the charges forming the basis of an adjudicatory proceeding before an administrative law judge.

§ 2. Subdivision (a) of section 1-03 of title 17 of the rules of the city of New York is amended to read as follows:

§ 1-03 Hearings.

(a) A hearing conducted pursuant to this chapter may be conducted by the Commission or, in the discretion of the Commission, by an administrative law judge employed or designated by the Commission, by the Office of Administrative Trials and Hearings (OATH) or by other administrative tribunal of competent jurisdiction. All such hearings shall be conducted following the procedures set forth in the rules of OATH (such as 48 RCNY §§ 1-01 et seq. or §§ 6-01 et seq.). If a hearing is conducted by an administrative law judge employed or designated by the Commission, by OATH, or by other administrative tribunal, such administrative law judge shall make recommended findings of fact and a recommended decision to the Commission, which shall make the final determination.

§ 3. Subdivisions (a), (b), (d), and (f) of section 1-04 of title 17 of the rules of the city of New York are amended, and a new subdivision (g) is added to such section, to read as follows:

§ 1-04 Penalties.

In addition to any other penalty provided by law:

(a) Except as otherwise provided in subdivision b or subdivision c of this section, any person who violates any provision of [17 RCNY §§ 2-05 or 2-06 or any provision of subchapters E, F or G of] this chapter or of chapter 1 of Title 16-A of the Code shall be liable for a civil penalty which shall not exceed ten thousand dollars (\$10,000) for each such violation. Such civil penalty may be recovered in a civil action or pursuant to the provisions of subdivision a of 17 RCNY § 1-03.

(b) [(1)] Any person who violates subdivision a of section 16-505 [or section 16-524] of the Code shall, upon conviction thereof, be punished for each violation by a criminal fine of not more than ten thousand dollars for each day of such violation or by imprisonment not exceeding six months, or both; and any such person shall be subject to a civil penalty of not more than five thousand dollars (\$5,000) for each day of such violation which may be recovered in a civil action or pursuant to the provisions of subdivision a of 17 RCNY § 1-03; and

(d) [*Specific Penalties.* If there are specific penalties for violating a Rule, such penalties are shown at the end of the Rule and must be applied.] Specific penalties for violations of this chapter and title 16-A of the Code are listed in the penalty schedule in Appendix A to this subchapter.

(f) (1) In addition to any other penalty prescribed in this section for the violation of subdivisions a or b of section 16-505 [or subdivision a of section 16-524] of the Code, or when there have been three or more violations of the provisions herein within a three year period, the Commission shall, after notice and the opportunity to be heard have been provided, be authorized: to order any person in violation of such provisions immediately to discontinue the operation of such activity at the premises from which such activity is operated; to order that any premises from which activity in violation of such provisions is operated shall be sealed, provided that such premises are used primarily for such activity; and to order that any vehicles or other devices or instrumentalities utilized in the violation of such provisions shall be removed, sealed, or otherwise made inoperable. An order pursuant to this paragraph shall be mailed to and posted at the premises from which activity in violation of such provisions occurs.

(2) Ten days after the posting of an order issued pursuant to paragraph (1) of this subdivision, this order may be enforced by any person so authorized by section 16-517 of the Code.

(3) Any vehicle or other device or instrumentality removed pursuant to the provisions of this section shall be stored in a garage, pound or other place of safety and the owner or other person lawfully entitled to the possession of such item may be charged with reasonable costs for removal and storage payable prior to the release of such item.

(4) A premise ordered sealed or a vehicle or other device or instrumentality removed pursuant to this section shall be unsealed or released upon payment of all outstanding fines and all reasonable costs for removal and storage and, where the underlying violation is for unlicensed or unregistered activity or unauthorized activity in a special trade waste district, that a license has been obtained or a business registered or proof satisfactory to the Commission that such premise or item will not be used in violation of subdivision a or b of section 16-505 [or subdivision a of section 16-524] of the Code.

(5) It shall be a misdemeanor for any person to remove the seal from any premises or remove the seal from or make operable any vehicle or other device or instrumentality sealed or otherwise made inoperable in accordance with an order of the Commission.

(6) A vehicle or other device or instrumentality removed pursuant to this section that is not reclaimed within ninety days of such removal by the owner or other person lawfully entitled to reclaim such item shall be subject to forfeiture upon notice and judicial determination in accordance with provisions of law. Upon forfeiture, the Commission shall, upon a public notice of at least five days, sell such item at public sale. The net proceeds of such sale, after deduction of the lawful expenses incurred, shall be paid into the general fund of the City.

(g) Notwithstanding the penalties provided in this section, violating provisions of this chapter may be grounds for a refusal to issue a license or registration pursuant to section 16-509 of the Code or

revocation or suspension of a license or registration pursuant to section 16-513 or 16-514 of the Code.

§ 4. Section 1-05 of title 17 of the rules of the city of New York is amended to read as follows:

§ 1-05 Liability for Violations.

A business required to be licensed or registered pursuant to section 16-505 of the Code shall be liable for violations of any of the provisions of chapter 1 of Title 16-A of the Code [or section 2-05 or 2-06 or any provisions of subchapters D, E, F or G] or any provision of this chapter committed by any of its employees or agents.

§ 5. Paragraph (2) of subdivision (a) of section 2-05 of title 17 of the rules of the city of New York is amended to read as follows:

§ 2-05 Notification of Arrest, Conviction, Civil and Administrative Determinations, Vehicle Crashes, Suspension or Revocation of Driver's License, Traffic Violation, or Material Change in Information; Addition of New Principal or Employee.

(a)(2) An applicant for a license or a licensee must notify the Commission within ten (10) business days of any determination by any Federal, State, or Local governmental agency or authority against such licensee[, registrant] or applicant, including but not limited to any judgment, decree, order, finding by or settlement agreement with such governmental agency or authority.

§ 6. Section 5-13 of title 17 of the rules of the city of New York is amended, by deleting the table following such section, to read as follows:

§ 5-13 Heavy Duty Trade Waste Vehicle Decal Requirement for Licensees.

(a) Every licensee that owns or operates a heavy duty trade waste hauling vehicle that has a pre-2007 engine and utilizes "best available retrofit technology" or "BART" as defined in § 24-163.11(a) of the Administrative Code shall notify the New York City Department of Environmental Protection (DEP) of the best available retrofit technology installation by completing a Trade Waste Compliance Reporting form. If DEP approves the best available retrofit technology, DEP will issue a decal to the licensee for each vehicle that has a pre-2007 engine and utilizes BART.

(b) A valid DEP decal must at all times be affixed to a visible part of the driver's or passenger's side door of the vehicle cab.

[Code / Rule Section]	[Description]	[Penalty]
[§ 5-13]	[Failure to have proper decal displayed.]	[Maximum penalty of \$200.] [Licensees must obtain a decal from the Department of Environmental Protection (DEP) and affix it to the vehicle within two weeks of receiving the summons in order to mitigate the penalty to zero.]

§ 7. Subdivisions (a) and (b) of Section 7-03 of title 17 of the rules of the city of New York are amended to read as follows:

§ 7-03 Vehicle Specifications and Inspections.

(a) Upon issuance of a registration, the Commission shall issue to a registrant who removes trade waste generated in the course of

operation of his or her business and to a registrant exempt from the licensing requirements of this chapter two (2) license plates for each vehicle that will transport trade waste, pursuant to such registration and for which a fee has been paid to the Commission, pursuant to 17 RCNY § 2-07. Beginning on January 1, 2020, the Commission will not issue license plates for any vehicle that does not comply with the requirements set forth in § 24-163.11(b) of the Administrative Code. A registrant shall not permit a vehicle to be used in the course of collecting, removing, or disposing of waste that has not been identified and covered by the registration and for which a fee has not been paid. A license plate issued by the Commission for such a covered and identified vehicle must not be transferred to any other vehicle. Upon the sale or dissolution of the business of a registrant, or upon the suspension, revocation, or expiration of a Commission-issued registration, such plates must be immediately surrendered to the Commission. All license plates issued by the Commission are the property of the Commission, and the Commission reserves the right to reclaim such plates at any time. Notwithstanding any other provision of this chapter, the penalty for violation of this [section] subdivision shall not exceed five thousand dollars (\$5,000) for each such violation.

(b) Each vehicle must have the name and business address of the registrant lettered legibly in letters and figures not less than eight (8) inches in height, in a color that contrasts with the color of the vehicle, on each side of the vehicle body or upon each door of the vehicle cab, in a manner prescribed by the Commission, at all times. Notwithstanding any other provision of this chapter, the penalty for violation of this subdivision shall not exceed five thousand dollars (\$5,000) for each such violation.

§ 8. Section 7-07 of title 17 of the rules of the city of New York is amended, by deleting the table following such section, to read as follows:

§ 7-07 Heavy Duty Trade Waste Vehicle Decal Requirement for Registrants.

(a) Every registrant that owns or operates a heavy duty trade waste hauling vehicle that has a pre-2007 engine and utilizes "best available retrofit technology" or "BART" as defined in § 24-163.11(a) of the Administrative Code shall notify the New York City Department of Environmental Protection (DEP) of the best available retrofit technology installation by completing a Trade Waste Compliance Reporting form. If DEP approves the best available retrofit technology, DEP will issue a decal to the registrant for each vehicle that has a pre-2007 engine and utilizes BART.

(b) A valid DEP decal must at all times be affixed to a visible part of the driver's or passenger's side door of the vehicle cab.

[Code / Rule Section]	[Description]	[Penalty]
[§ 7-07]	[Failure to have proper decal displayed.]	[Maximum penalty of \$200.] [Registrants must obtain a decal from the Department of Environmental Protection (DEP) and affix it to the vehicle within two weeks of receiving the summons to comply with the Rule in order to mitigate the penalty to zero.]

§ 9. Chapter 1 of title 17 is amended to add an Appendix A at the end of Subchapter A to read as follows:

APPENDIX A

TITLE 16-A CHAPTER 1 ADMINISTRATIVE CODE VIOLATIONS

Section	Description	1st Violation Penalty	Repeat Penalty	Mitigated Penalty (1st Violation)	Mitigated Penalty (Repeat Violation)	Default Penalty
§ 16-505(a)	Removed trade waste without license <i>Licensee</i>	\$2,500	\$5,000	\$1,500 (if application submitted on or before hearing date on Summons)	\$2,500 (if application submitted on or before hearing date on Summons)	\$5,000
§ 16-505(a)	Removed trade waste without exemption from licensing requirements <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	\$1,500 (if application submitted on or before hearing date on Summons)	\$2,500 (if application submitted on or before hearing date on Summons)	\$5,000

Section	Description	1st Violation Penalty	Repeat Penalty	Mitigated Penalty (1st Violation)	Mitigated Penalty (Repeat Violation)	Default Penalty
§ 16-505(b)	Removed trade waste without registration <i>Class 1 Registrant</i>	\$500	\$1,000	\$250 (if application submitted on or before hearing date on Summons)	\$500 (if application submitted on or before hearing date on Summons)	\$1,000
§ 16-505(b)	Operated as a trade waste broker without registration <i>Class 2 Broker Registrant</i>	\$500	\$1,000	\$250 (if application submitted on or before hearing date on Summons)	\$500 (if application submitted on or before hearing date on Summons)	\$1,000
§ 16-505(c)	Operated as a labor union or organization without registration	\$10,000	\$10,000	\$0 (if application submitted on or before hearing date on Summons)	\$0 (if application submitted on or before hearing date on Summons)	\$10,000
§ 16-505(e)	No transfer of License or Registration <i>Licensee</i>	\$7,500	\$10,000	N/A	N/A	\$10,000
§ 16-505(e)	No transfer of License or Registration <i>Class 2 Registrant Exempt from License</i>	\$7,500	\$10,000	N/A	N/A	\$10,000
§ 16-505(e)	No transfer of License or Registration <i>Class 1 Registrant</i>	\$750	\$1,000	N/A	N/A	\$1,000
§ 16-508(a)(i)	Failed to list names and addresses of all principals <i>Licensee</i>	\$5,000	\$10,000	N/A	N/A	\$10,000
§ 16-508(a)(ii)	Failed to list names and job titles of all employees and prospective employees engaged in operation of trade waste business <i>Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
§ 16-520(a)	Failed to provide a sign with the required information <i>Licensee</i>	\$100 per missing decal or sign (maximum \$10,000 total penalty)	\$300 per missing decal or sign (maximum \$10,000 total penalty)	N/A	N/A	\$10,000
§ 16-520(b)	Demanded or charged customers greater than maximum rates <i>Licensee</i>	\$3,500 plus restitution if applicable	\$7,000 plus restitution if applicable	N/A	N/A	\$10,000
§ 16-520(c)	Failed to maintain listed records for the required time period. <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
§ 16-520(d)	Failed to comply with Federal, State and local laws and regulations <i>Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
§ 16-520(e)	Exceeded a trade waste service contract by two years <i>Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
§ 16-520(f)	Failed to bill customer in a form and manner prescribed by the Commission <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
§ 16-520(g)	Refused to provide service within area <i>Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
§ 16-520(h)	Failed to provide employee information <i>Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
§ 16-520(i)	Failed to keep adjacent area free from obstruction <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000

Section	Description	1st Violation Penalty	Repeat Penalty	Mitigated Penalty (1st Violation)	Mitigated Penalty (Repeat Violation)	Default Penalty
§ 16-521(a)	Failed to present registration to customer before conducting evaluation or analysis <i>Class 2 Broker Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
§ 16-521(b)	Requested or accepted payment for waste evaluation or analysis from a third party without disclosure to commercial establishment <i>Class 2 Broker Registrant</i>	\$500	\$1,000	N/A	N/A	\$1,000
§ 16-521(c)	Requested or accepted payment from trade waste business for brokered transaction <i>Class 2 Broker Registrant</i>	\$500	\$1,000	N/A	N/A	\$1,000
§ 16-521(d)	Collected fees for waste removal without meeting requirements <i>Class 2 Broker Registrant</i>	\$500	\$1,000	N/A	N/A	\$1,000
§ 16-521(e)	Failed to maintain listed business records <i>Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
§ 16-526(b)	Trade waste hauling vehicle not equipped with side guards	\$10,000/vehicle in violation (plus separate penalty of \$500/vehicle per day for each day beyond 30 days from date of order to correct)	\$10,000/vehicle in violation (plus separate penalty of \$500/vehicle per day for each day beyond 30 days from date of order to correct)	\$0 (if certification of correction is filed within 30 days from date of order to correct)	\$0 (if certification of correction is filed within 30 days from date of order to correct)	\$10,000
§ 16-528(a)	Failed to disseminate and post workers' rights information <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
§ 16-528(a)	Failed to disseminate and post workers' rights information <i>Class 2 Registrant Exempt from License</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
§ 16-528(a)	Failed to disseminate and post workers' rights information <i>Class 1 Registrant</i>	\$250	\$500	N/A	N/A	\$1,000

TITLE 17 RCNY CHAPTER 1 VIOLATIONS

Section	Description	1st Violation Penalty	Repeat Penalty	Mitigated Penalty (1st Violation)	Mitigated Penalty (Repeat Violation)	Default Penalty
17 RCNY § 1-09(a)-(v)	Committed any violation enumerated in 17 RCNY § 1-09 (General Prohibitions) Violated or failed to comply with a provision of this chapter <i>Licensee</i>	\$5,000	\$10,000	N/A	N/A	\$10,000
17 RCNY § 1-09(a)-(v)	Committed any violation enumerated in 17 RCNY § 1-09 (General Prohibitions) Violated or failed to comply with a provision of this chapter <i>Class 2 Registrant Exempt from License</i>	\$5,000	\$10,000	N/A	N/A	\$10,000
17 RCNY § 1-09(a)-(v)	Committed any violation enumerated in 17 RCNY § 1-09 (General Prohibitions) Violated or failed to comply with a provision of this chapter <i>Class 2 Broker Registrant</i>	\$500	\$1,000	N/A	N/A	\$1,000
17 RCNY § 1-09(a)-(v)	Committed any violation enumerated in 17 RCNY § 1-09 (General Prohibitions) Violated or failed to comply with a provision of this chapter <i>Class 1 Registrant</i>	\$500	\$1,000	N/A	N/A	\$1,000

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 1-12</u>	Failed to disclose certain adverse determinations by government agencies <i>Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY § 1-12</u>	Failed to disclose certain adverse determinations by government agencies <i>Class 2 Registrant Exempt from License</i>	\$2500	\$5000	N/A	N/A	\$10,000
<u>17 RCNY § 1-12</u>	Failed to disclose certain adverse determinations by government agencies <i>Class 2 Broker Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY § 1-12</u>	Failed to disclose certain adverse determinations by government agencies <i>Class 1 Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY § 2-05(a)(1)</u>	Failed to notify of arrest or criminal conviction of principal/employee <i>Applicant for Licensee or Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
<u>17 RCNY § 2-05(a)(2)</u>	Failed to notify of determination by any Federal, State or local agency <i>Applicant for Licensee or Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
<u>17 RCNY § 2-05(a)(3)</u>	Failed to notify of crash involving vehicle used in course of business <i>Applicant for Licensee or Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY § 2-05(a)(4)</u>	Failed to notify of any suspension or revocation of a driver's license <i>Applicant for Licensee or Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY § 2-05(a)(5)</u>	Failed to notify of vehicle traffic summonses <i>Applicant for Licensee or Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY § 2-05(a)(6)</u>	Failed to notify any other material change in information submitted <i>Applicant for Licensee or Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY § 2-05(a)(7)</u>	Failed to notify of change in capital stock or ownership of business <i>Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY § 2-05(a)(8)</u>	Failed to notify of proposed addition of a new principal <i>Licensee</i>	\$5,000	\$10,000	N/A	N/A	\$10,000
<u>17 RCNY § 2-05(b)(1)(i)</u>	Failed to notify of addition of a principal <i>Applicant for Class 2 Registration Exempt from License or Class 2 Registrant Exempt from License</i>	\$5,000	\$10,000	N/A	N/A	\$10,000
<u>17 RCNY § 2-05(b)(1)(i)</u>	Failed to notify of addition of a principal <i>Applicant for Class 2 Broker Registration or Class 2 Broker Registrant</i>	\$500	\$1,000	N/A	N/A	\$1,000

Section	Description	1st Violation Penalty	Repeat Penalty	Mitigated Penalty (1st Violation)	Mitigated Penalty (Repeat Violation)	Default Penalty
17 RCNY § 2-05(b)(1)(i)	Failed to notify of addition of a principal <i>Applicant for Class 1 Registration or Class 1 Registrant</i>	\$500	\$1,000	N/A	N/A	\$1,000
17 RCNY § 2-05(b)(1)(ii)	Failed to notify of arrest or criminal conviction of a principal <i>Applicant for Class 2 Registration Exempt from License or Class 2 Registrant Exempt from License</i>	\$5,000	\$10,000	N/A	N/A	\$10,000
17 RCNY § 2-05(b)(1)(ii)	Failed to notify of arrest or criminal conviction of a principal <i>Applicant for Class 2 Broker Registration or Class 2 Broker Registrant</i>	\$500	\$1,000	N/A	N/A	\$1,000
17 RCNY § 2-05(b)(1)(iii)	Failed to notify of determinations by any Federal, State or local agency <i>Applicant for Class 2 Registration Exempt from License or Class 2 Registrant Exempt from License</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
17 RCNY § 2-05(b)(1)(iii)	Failed to notify of determinations by any Federal, State or local agency <i>Applicant for Class 2 Broker Registration or Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
17 RCNY § 2-05(b)(1)(iii)	Failed to notify of determinations by any Federal, State or local agency <i>Applicant for Class 1 Registration or Class 1 Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
17 RCNY § 2-05(b)(1)(iv)	Failed to notify of crash involving vehicle used in course of business <i>Applicant for Class 2 Registration Exempt from License or Class 2 Registrant Exempt from License</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
17 RCNY § 2-05(b)(1)(iv)	Failed to notify of crash involving vehicle used in course of business <i>Applicant for Class 1 Registration or Class 1 Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
17 RCNY § 2-05(b)(1)(v)	Failed to notify of suspension or revocation of a driver's license <i>Applicant for Class 2 Registration Exempt from License or Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
17 RCNY § 2-05(b)(1)(v)	Failed to notify of suspension or revocation of a driver's license <i>Applicant for Class 1 Registration or Class 1 Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
17 RCNY § 2-05(b)(1)(vi)	Failed to notify of vehicle traffic summons <i>Applicant for Class 2 Registration Exempt from License or Class 2 Registrant Exempt from License</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
17 RCNY § 2-05(b)(1)(vi)	Failed to notify of vehicle traffic summons <i>Applicant for Class 1 Registration or Class 1 Registrant</i>	\$250	\$500	N/A	N/A	\$1,000

Section	Description	1st Violation Penalty	Repeat Penalty	Mitigated Penalty (1st Violation)	Mitigated Penalty (Repeat Violation)	Default Penalty
<u>17 RCNY §2-05(b)(1)(vii)</u>	Failed to notify of other material change in information submitted <i>Applicant for Class 2 Registration Exempt from License or Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY §2-05(b)(1)(vii)</u>	Failed to notify of other material change in information submitted <i>Applicant for Class 2 Broker Registration or Class 2 Broker Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §2-05(b)(1)(vii)</u>	Failed to notify of other material change in information submitted <i>Applicant for Class 1 Registration or Class 1 Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §2-05(b)(2)</u>	Failed to provide MV-104 or any other form required to be filed <i>Applicant for Class 2 Registration Exempt from License or Class 2 Registrant Exempt from License</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
<u>17 RCNY §2-05(b)(2)</u>	Failed to provide MV-104 or any other form required to be filed <i>Applicant for Class 1 Registration or Class 1 Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §2-05(c)</u>	Failed to notify BIC of material change by labor union or organization <i>Class 3 Labor Union or Labor Organization</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY §2-06</u>	Improper transfer of license number <i>Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
<u>17 RCNY §2-06</u>	Improper transfer of registration number <i>Class 2 Registrant Exempt from License</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
<u>17 RCNY §2-06</u>	Improper transfer of registration number <i>Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §2-06</u>	Improper transfer of registration number <i>Class 1 Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §3-02(d)</u>	Employed a person lacking good character, honesty, and integrity <i>Licensee</i>	\$5,000	\$10,000	N/A	N/A	\$10,000
<u>17 RCNY §3-03</u>	Failed to notify BIC of new employee, agent or job listed in Appendix A <i>Licensee</i>	\$5,000	\$10,000	N/A	N/A	\$10,000
<u>17 RCNY §4-02(c)</u>	Failed to fully cooperate with independent monitor <i>Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
<u>17 RCNY §5-01(a)</u>	Failed to provide sign/decal with the required information <i>Licensee</i>	\$100 per missing decal or sign (maximum \$10,000 total penalty)	\$300 per missing decal or sign (maximum \$10,000 total penalty)	N/A	N/A	\$10,000
<u>17 RCNY §5-01(c)</u>	Charged a fee to a business for a sign or decal issued by BIC <i>Licensee</i>	\$500	\$1,000	N/A	N/A	\$10,000
<u>17 RCNY §5-01(d)</u>	Failed to conspicuously display license in place of business <i>Licensee</i>	\$500	\$1,000	N/A	N/A	\$10,000

Section	Description	1st Violation Penalty	Repeat Penalty	Mitigated Penalty (1st Violation)	Mitigated Penalty (Repeat Violation)	Default Penalty
<u>17 RCNY §5-02(a)</u>	<u>Demanded or charged customers greater than maximum rates</u> <i>Licensee</i>	<u>\$3,500 plus restitution if applicable</u>	<u>\$7,000 plus restitution if applicable</u>	N/A	N/A	<u>\$10,000</u>
<u>17 RCNY §5-02(c)(1)</u>	<u>Failed to follow waste survey requirements</u> <i>Licensee</i>	<u>\$500</u>	<u>\$1,000</u>	N/A	N/A	<u>\$10,000</u>
<u>17 RCNY §5-02(c)(3)</u>	<u>Submitted a false or misleading survey to a customer</u> <i>Licensee</i>	<u>\$5,000</u>	<u>\$10,000</u>	N/A	N/A	<u>\$10,000</u>
<u>17 RCNY §5-03(a)</u>	<u>Failed to maintain records concerning business</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	N/A	N/A	<u>\$10,000</u>
<u>17 RCNY §5-03(b)</u>	<u>Failed to provide written receipt with the required information for cash payment</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	N/A	N/A	<u>\$10,000</u>
<u>17 RCNY §5-03(c)</u>	<u>Paid more than \$1,000 in cash or check payable to petty cash</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	N/A	N/A	<u>\$10,000</u>
<u>17 RCNY §5-03(d)</u>	<u>Failed maintain a complete and accurate set of books of account</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	N/A	N/A	<u>\$10,000</u>
<u>17 RCNY §5-03(e)</u>	<u>Failed to maintain annual financial statements in format prescribed by BIC</u> <i>Licensee</i>	<u>\$5,000</u>	<u>\$10,000</u>	N/A	N/A	<u>\$10,000</u>
<u>17 RCNY §5-03(f)</u>	<u>Failed to file annual report within 6 months after end of fiscal year</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>\$1,000</u> <i>(if statements submitted on or before hearing date on summons)</i>		<u>\$10,000</u>
<u>17 RCNY §5-03(g)</u>	<u>Failed to maintain Customer Register on prescribed form or computer format</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	N/A	N/A	<u>\$10,000</u>
<u>17 RCNY §5-03(g)(3)</u>	<u>Failed to file Customer Register on prescribed form or computer format</u> <i>Licensee</i>	<u>\$5,000</u>	<u>\$10,000</u>	<u>\$1,000</u> <i>(if register submitted on or before hearing date on summons)</i>		<u>\$10,000</u>
<u>17 RCNY §5-03(h)</u>	<u>Failed to maintain a register of all customer complaints</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	N/A	N/A	<u>\$10,000</u>
<u>17 RCNY §5-03(i)</u>	<u>Failed to maintain written procedures regarding compliance with all laws</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	N/A	N/A	<u>\$10,000</u>
<u>17 RCNY §5-03(j)</u>	<u>Failed to maintain all reports related to a crash</u> <i>Licensee</i>	<u>\$3,500</u>	<u>\$7,000</u>	N/A	N/A	<u>\$10,000</u>
<u>17 RCNY §5-03(k)</u>	<u>Failed to maintain determinations by any governmental agency or authority</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	N/A	N/A	<u>\$10,000</u>
<u>17 RCNY §5-03(l)</u>	<u>Failed to maintain accurate time records for those who handle trade waste</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	N/A	N/A	<u>\$10,000</u>
<u>17 RCNY §5-03(m)</u>	<u>Failed to maintain copies of inspection and certification of repair forms</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	N/A	N/A	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY §5-03(n)</u>	Failed to maintain copies of all daily inspection reports <i>Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY §5-03(o)</u>	Failed to maintain worker training records <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY §5-03(p)</u>	Failed to maintain records for 5 years unless otherwise directed <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY §5-03(q)</u>	Failed to make records available for inspection <i>Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
<u>17 RCNY §5-04</u>	Failed to comply with Federal, State, and local laws and regulations <i>Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
<u>17 RCNY §5-05(a)</u>	Failed to meet requirements for customer contracts <i>Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
<u>17 RCNY §5-05(b)</u>	Failed to meet requirements for subcontracting, assigning, mergers <i>Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
<u>17 RCNY §5-05(d)</u>	Failed to follow written contract requirements <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY §5-05(e)</u>	Failed to meet requirements for when customers don't sign a contract <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY §5-05(f)</u>	Contract improperly provides that licensee is exempt from liability <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY §5-05(g)</u>	Failed to provide a written bill, statement, or invoice every month <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY §5-06(b)</u>	Failed to comply with any final order to serve customer <i>Licensee</i>	\$7,500	\$10,000	N/A	N/A	\$10,000
<u>17 RCNY §5-07</u>	Failed to provide employee information within 10 business days <i>Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY §5-08(a)</u>	Failed to maintain areas with vehicles and machinery in safe and clean condition <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY §5-08(b)</u>	Failed to load vehicles in a way that prevents dust and spilling <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY §5-08(c)</u>	Failed to unload materials only where legally permitted <i>Licensee</i>	\$7,500	\$10,000	N/A	N/A	\$10,000
<u>17 RCNY §5-08(d)</u>	Loaded or filled vehicle over capacity <i>Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
<u>17 RCNY §5-08(e)</u>	Failed to prevent unnecessary noise <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 5-08(f)</u>	Failed to load open top vehicles from front to rear and secure load <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY § 5-08(g)</u>	Sorted and transferred waste while vehicle is on the streets <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY § 5-08(h)</u>	Failed to carry waste only within the vehicle body or containers <i>Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
<u>17 RCNY § 5-08(i)</u>	Failed to empty vehicles and containers of loose materials <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY § 5-08(j)</u>	Failed to maintain good appearance of vehicles and containers <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY § 5-08(k)</u>	Dissected dead animals outside permitted premises <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY § 5-08(l)</u>	Failed to close loading hoppers or closures except during loading <i>Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
<u>17 RCNY § 5-08(m)</u>	Failed to maintain cleanliness of vehicles and control odors and pests <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY § 5-08(n)</u>	Failed to provide off-street parking for vehicles <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY § 5-08(o)</u>	Failed to keep garage doors closed and outdoor perimeter fenced <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY § 5-08(p)</u>	Failed to comply with traffic laws <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY § 5-08(q)</u>	Failed to follow requirements for waste receptables and containers <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY § 5-08(r)</u>	Failed to meet requirements for organic waste containers <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY § 5-08(s)</u>	Failed to return receptable to area where waste was removed <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY § 5-08(t)</u>	Failed to keep area next to waste removal site free from debris <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY § 5-08(u)</u>	Failed to comply with federal hours of service requirement <i>Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
<u>17 RCNY § 5-08(v)</u>	Engaged in pattern of unsafe practices <i>Licensee</i>	\$2,500	\$5000 (if two or more violations in two-year period) \$10,000 (if three or more violations in two-year period)	N/A	N/A	\$10,000

Section	Description	1st Violation Penalty	Repeat Penalty	Mitigated Penalty (1st Violation)	Mitigated Penalty (Repeat Violation)	Default Penalty
17 RCNY §5-09	Held membership or position in prohibited trade associations <i>Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
17 RCNY §5-10(a)	Failed to affix or improperly transferred BIC license plates <i>Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
17 RCNY §5-10(b)	Failed to display business name and address on vehicle <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
17 RCNY §5-10(c)	Failed to meet convex mirror requirement <i>Licensee</i>	\$2,500	\$5,000	\$500	\$1000	\$10,000
17 RCNY §5-10(d)	Obstructed operator's vision through windshield or windows <i>Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
17 RCNY §5-10(e)	Operated vehicle not in safe operating condition <i>Licensee</i>	\$5,000	\$10,000	\$1,000 (if condition is corrected)	\$5,000 (if condition is corrected)	\$10,000
17 RCNY §5-10(f)	Failed to inspect vehicles and prepare a daily inspection report <i>Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
17 RCNY §5-10(h)	Failed to comply with side guard requirements <i>Licensee</i>	\$10,000/vehicle in violation (plus separate penalty of \$500/vehicle per day for each day beyond 30 days from date of order to correct)	\$10,000/vehicle in violation (plus separate penalty of \$500/vehicle per day for each day beyond 30 days from date of order to correct)	\$0 (if certification of correction is filed within 30 days from date of order to correct)	\$0 (if certification of correction is filed within 30 days from date of order to correct)	\$10,000
17 RCNY §5-11(a)	Failed to display volume capacity on container <i>Licensee</i>	\$500	\$1,000	N/A	N/A	\$10,000
17 RCNY §5-11(b)	Failed to display name and license/registration number on container <i>Licensee</i>	\$500	\$1,000	N/A	N/A	\$10,000
17 RCNY §5-11(c)	Failed to label container to indicate that only organic waste may be placed in container <i>Licensee</i>	\$500	\$1,000	N/A	N/A	\$10,000
17 RCNY §5-11(d)	Failed to report containers missing volume capacity within 3 days <i>Licensee</i>	\$500	\$1,000	N/A	N/A	\$10,000
17 RCNY §5-11(e)	Failed to report organic waste containers missing label within 3 days <i>Licensee</i>	\$500	\$1,000	N/A	N/A	\$10,000
17 RCNY §5-12(b)	Failed to meet requirements for recyclables <i>Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
17 RCNY §5-12(c)(1)	Failed to follow restrictions for source-separated waste <i>Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
17 RCNY §5-12(c)(2)	Commingled designated recyclable materials when ineligible <i>Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
17 RCNY §5-12(c)(3)	Failed to follow requirements for source-separated organic waste <i>Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY §5-12(d)</u>	Failed to follow customer contract and bill requirements <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY §5-13</u>	Failed to meet heavy duty trade waste vehicle decal requirements <i>Licensee</i>	\$200	\$200	\$0 (if DEP decal is affixed on or before hearing date on Summons)	\$0 (if DEP decal affixed on or before hearing date on Summons)	\$200
<u>17 RCNY §5-14(a)</u>	Failed to provide annual safety training <i>Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY §5-14(b)</u>	Driver failed to complete a defensive driving course every 3 years <i>Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY §6-01</u>	Failed to present registration to customer before conducting duties <i>Class 2 Broker Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §6-02(a)</u>	Failed to give disclosure prior to collecting fees for waste analysis <i>Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §6-02(b)</u>	Collected fees from trade waste business for brokered matter <i>Class 2 Broker Registrant</i>	\$500	\$1,000	N/A	N/A	\$1,000
<u>17 RCNY §6-02(c)</u>	Failed to provide statement that broker examined rate schedules <i>Class 2 Broker Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §6-03(a)</u>	Collected fees for waste removal without meeting requirements <i>Class 2 Broker Registrant</i>	\$500	\$1,000	N/A	N/A	\$1,000
<u>17 RCNY §6-03(b)</u>	Failed to submit contracts for collection of waste removal fees <i>Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §6-03(c)</u>	Contract for brokering services exceeded 2 years in duration <i>Class 2 Broker Registrant</i>	\$750	\$1,000	N/A	N/A	\$1,000
<u>17 RCNY §6-04(b)</u>	Failed to maintain listed business records <i>Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §6-04(c)</u>	Failed to provide each payor with a written receipt for cash payments <i>Class 2 Broker Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §6-04(d)</u>	Paid more than \$1,000 in cash or check payable to petty cash <i>Class 2 Broker Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §6-04(e)</u>	Failed to maintain complete books of account reflecting operations <i>Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §6-04(f)</u>	Failed to maintain annual financial statement in correct format <i>Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §6-04(g)</u>	Failed to file annual report within 6 months after end of fiscal year <i>Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §6-04(h)</u>	Failed to submit amended annual report if revisions required by BIC <i>Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000

Section	Description	1st Violation Penalty	Repeat Penalty	Mitigated Penalty (1st Violation)	Mitigated Penalty (Repeat Violation)	Default Penalty
<u>17 RCNY §6-04(i)</u>	Failed to make financial statements available for audit <i>Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §6-04(j)</u>	Failed to maintain and file a complete Customer Register <i>Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §6-04(k)</u>	Failed to maintain a register of all complaints <i>Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §6-04(l)</u>	Failed to maintain records for 5 years unless directed otherwise <i>Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §6-04(m)</u>	Failed to make records available for inspection and audit by BIC <i>Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §6-05</u>	Failed to comply with Federal, State, and local laws and regulations <i>Class 2 Broker Registrant</i>	\$500	\$1,000	N/A	N/A	\$1,000
<u>17 RCNY §6-06(a)</u>	Arranged waste removal by unlicensed/unregistered haulers <i>Class 2 Broker Registrant</i>	\$500	\$1,000	N/A	N/A	\$1,000
<u>17 RCNY §6-06(b)</u>	Failed to follow requirements for customer contracts and service <i>Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §6-06(c)</u>	Failed to follow written contract requirements <i>Class 2 Broker Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §6-06(d)</u>	Failed to meet requirements for when customers don't sign a contract <i>Class 2 Broker Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §6-06(e)</u>	Contract improperly provides that broker is exempt from liability <i>Class 2 Broker Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §6-06(f)</u>	Failed to follow requirements for bills, statements and invoices <i>Class 2 Broker Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §6-07</u>	Failed to provide employee information in registration application <i>Class 2 Broker Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §7-01</u>	Failed to conspicuously display registration in place of business <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY §7-01</u>	Failed to conspicuously display registration in place of business <i>Class 1 Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §7-02</u>	Failed to comply with Federal, State and local laws and regulations <i>Class 2 Registrant Exempt from License</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
<u>17 RCNY §7-02</u>	Failed to comply with Federal, State and local laws and regulations <i>Class 1 Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §7-03(a)</u>	Failed to affix or improperly transferred BIC license plates <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$5,000

Section	Description	1st Violation Penalty	Repeat Penalty	Mitigated Penalty (1st Violation)	Mitigated Penalty (Repeat Violation)	Default Penalty
<u>17 RCNY §7-03(a)</u>	Failed to affix or improperly transferred BIC license plates <i>Class 1 Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §7-03(b)</u>	Failed to display business name and address on vehicle <i>Class 2 Registrant Exempt from License</i>	\$1,500	\$3,000	N/A	N/A	\$5,000
<u>17 RCNY §7-03(b)</u>	Failed to display business name and address on vehicle <i>Class 1 Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §7-03(c)</u>	Failed to meet convex mirror requirement <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	\$500	\$1000	\$10,000
<u>17 RCNY §7-03(c)</u>	Failed to meet convex mirror requirement <i>Class 1 Registrant</i>	\$500	\$750 (if two or more violations in two-year period) \$1000 (if three or more violations in two-year period)	\$100	\$250	\$1000
<u>17 RCNY §7-03(d)</u>	Obstructed operator's vision through windshield or windows <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY §7-03(d)</u>	Obstructed operator's vision through windshield or windows <i>Class 1 Registrant</i>	\$500	\$750 (if two or more violations in two-year period) \$1000 (if three or more violations in two-year period)	N/A	N/A	\$1,000
<u>17 RCNY §7-03(e)</u>	Operated vehicle not in safe operating condition <i>Class 2 Registrant Exempt from License</i>	\$5,000	\$10,000	\$1,000	\$5,000	\$10,000
<u>17 RCNY §7-03(e)</u>	Operated vehicle not in safe operating condition <i>Class 1 Registrant</i>	\$500	\$1,000	\$250	\$500	\$1,000
<u>17 RCNY §7-03(f)</u>	Failed to inspect vehicles and prepare a daily inspection report <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY §7-03(f)</u>	Failed to inspect vehicles and prepare a daily inspection report <i>Class 1 Registrant</i>	\$500	\$750 (if two or more violations in two-year period) \$1000 (if three or more violations in two-year period)	N/A	N/A	\$1,000
<u>17 RCNY §7-03(h)</u>	Failed to comply with side guard requirements <i>Class 1 Registrant and Class 2 Registrant Exempt from License</i>	\$10,000/vehicle in violation (plus separate penalty of \$500/vehicle per day for each day beyond 30 days from date of order to correct)	\$10,000/vehicle in violation (plus separate penalty of \$500/vehicle per day for each day beyond 30 days from date of order to correct)	\$0 (if certification of correction is filed within 30 days from date of order to correct)	\$0 (if certification of correction is filed within 30 days from date of order to correct)	\$10,000
<u>17 RCNY §7-04(a)</u>	Failed to meet requirements for recyclables <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY §7-04(a)</u>	Failed to meet requirements for recyclables <i>Class 1 Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §7-04(b)</u>	Failed to provide source-separation of recyclable materials <i>Class 2 Registrant Exempt from License</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY §7-04(b)</u>	Failed to provide source-separation of recyclable materials <i>Class 1 Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §7-04(c)</u>	Failed to comply with requirements under 17 RCNY §5-12(a)-(c) <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY §7-04(c)</u>	Failed to comply with requirements under 17 RCNY §5-12(a)-(c) <i>Class 1 Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §7-04(d)</u>	Failed to follow written agreement rules for organic waste delivery <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY §7-04(d)</u>	Failed to follow written agreement rules for organic waste delivery <i>Class 1 Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §7-04(e)</u>	Failed to submit quarterly reports on listed due dates <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY §7-04(e)</u>	Failed to submit quarterly reports on listed due dates <i>Class 1 Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY §7-05</u>	Failed to comply with 17 RCNY §5-11 and § 508(a)-(q) and (u)-(v). <i>Class 2 Registrant Exempt from License</i>	Apply penalty for violation of 17 RCNY §5-11 and §§ 508(a)-(q) and (u)-(v), as applicable.	Apply penalty for violation of 17 RCNY §5-11 and §§ 508(a)-(q) and (u)-(v), as applicable.	N/A	N/A	\$10,000
<u>17 RCNY §7-05</u>	Failed to comply with 17 RCNY §5-11 and §5-08(a)-(q) <i>Class 1 Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §7-05</u>	Failed to comply with 17 RCNY §5-08(u) <i>Class 1 Registrant</i>	\$500	\$750 (if two or more violations in two-year period) \$1,000 (if three or more violations in two-year period)	N/A	N/A	\$1,000
<u>17 RCNY §7-05</u>	Failed to comply with 17 RCNY §5-08(v) <i>Class 1 Registrant</i>	\$500	\$750 (if two or more violations in two-year period) \$1,000 (if three or more violations in two-year period)	N/A	N/A	\$1,000
<u>17 RCNY §7-06(a)</u>	Failed to maintain written procedures regarding compliance with all laws <i>Class 2 Registrant Exempt from License</i>	\$1,500	\$3,000	N/A	N/A	\$10,000

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 7-06(a)</u>	Failed to maintain written procedures regarding compliance with all laws <i>Class 1 Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY § 7-06(b)</u>	Failed to maintain all reports related to a crash <i>Class 2 Registrant Exempt from License</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
<u>17 RCNY § 7-06(b)</u>	Failed to maintain all reports related to a crash <i>Class 1 Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY § 7-06(c)</u>	Failed to maintain determinations by any governmental agency or authority <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY § 7-06(c)</u>	Failed to maintain determinations by any governmental agency or authority <i>Class 1 Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
<u>17 RCNY § 7-06(d)</u>	Failed to maintain accurate time records for those who handle trade waste <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY § 7-06(d)</u>	Failed to maintain accurate time records for those who handle trade waste <i>Class 1 Registrant</i>	\$500	\$750 (if two or more violations in two-year period) \$1,000 (if three or more violations in two-year period)	N/A	N/A	\$1,000
<u>17 RCNY § 7-06(e)</u>	Failed to maintain copies of inspection and certification of repair forms <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY § 7-06(e)</u>	Failed to maintain copies of inspection and certification of repair forms <i>Class 1 Registrant</i>	\$500	\$750 (if two violations in two-year period) \$1,000 (if three or more violations in two-year period)	N/A	N/A	\$1,000
<u>17 RCNY § 7-06(f)</u>	Failed to maintain copies of all daily inspection reports <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY § 7-06(f)</u>	Failed to maintain copies of all daily inspection reports <i>Class 1 Registrant</i>	\$350	\$750 (if two violations in two-year period) \$1,000 (if three or more violations in two-year period)	N/A	N/A	\$1,000
<u>17 RCNY § 7-06(g)</u>	Failed to maintain worker training records <i>Class 2 Registrant Exempt from License</i>	\$1,500	\$3,000	N/A	N/A	\$10,000

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY §7-06(g)</u>	Failed to maintain worker training records <i>Class 1 Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §7-06(h)</u>	Failed to maintain records for 5 years unless otherwise directed <i>Class 2 Registrant Exempt from License</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY §7-06(h)</u>	Failed to maintain records for 5 years unless otherwise directed <i>Class 1 Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §7-07</u>	Failed to meet heavy duty trade waste vehicle decal requirements <i>Class 2 Registrant Exempt from License</i>	\$200	\$200	\$0 (if DEP decal is affixed on or before hearing date on Summons)	\$0 (if DEP decal is affixed on or before hearing date on Summons)	\$200
<u>17 RCNY §7-07</u>	Failed to meet heavy duty trade waste vehicle decal requirements <i>Class 1 Registrant</i>	\$200	\$200	\$0 (if DEP decal affixed on or before hearing date on Summons)	\$0 (if DEP decal affixed on or before hearing date on Summons)	\$200
<u>17 RCNY §7-08(a)</u>	Failed to provide annual safety training <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY §7-08(a)</u>	Failed to provide annual safety training <i>Class 1 Registrant</i>	\$500	\$750 (if two violations in two-year period) \$1,000 (if three or more violations in two-year period)	N/A	N/A	\$1,000
<u>17 RCNY §7-08(b)</u>	Driver failed to complete a defensive driving course every 3 years <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
<u>17 RCNY §7-08(b)</u>	Driver failed to complete a defensive driving course every 3 years <i>Class 1 Registrant</i>	\$500	\$750 (if two violations in two-year period) \$1,000 (if three or more violations in two-year period)	N/A	N/A	\$1,000
<u>17 RCNY §8-01(a)</u>	Failed to post BIC notice containing workers' rights information <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY §8-01(a)</u>	Failed to post BIC notice containing workers' rights information <i>Class 2 Registrant Exempt from License</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY §8-01(a)</u>	Failed to post BIC notice containing workers' rights information <i>Class 1 Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
<u>17 RCNY §8-01(b)</u>	Failed to post BIC notice in each office, garage or lot <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
<u>17 RCNY §8-01(b)</u>	Failed to post BIC notice in each office, garage or lot <i>Class 2 Registrant Exempt from License</i>	\$1,500	\$3,000	N/A	N/A	\$10,000

Section	Description	1st Violation Penalty	Repeat Penalty	Mitigated Penalty (1st Violation)	Mitigated Penalty (Repeat Violation)	Default Penalty
17 RCNY §8-01(b)	Failed to post BIC notice in each office, garage or lot <i>Class 1 Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
17 RCNY §8-01(c)	Failed to distribute BIC notice <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
17 RCNY §8-01(c)	Failed to distribute BIC notice <i>Class 2 Registrant Exempt from License</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
17 RCNY §8-01(c)	Failed to distribute BIC notice <i>Class 1 Registrant</i>	\$250	\$500	N/A	N/A	\$1,000

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: Amendment of Penalties and Procedures for Adjudication of Certain BIC Violations
REFERENCE NUMBER: 2022 RG 071
RULEMAKING AGENCY: Business Integrity Commission

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 Date: January 5, 2023
Acting Corporation Counsel

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: Amendment of Penalties and Procedures for Adjudication of Certain BIC Violations

REFERENCE NUMBER: BIC-22

RULEMAKING AGENCY: Business Integrity Commission

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) There is no cure period outlined in the proposed rules. This proposed rule establishes a penalty schedule; certain violations may have mitigated penalties, as set forth in the penalty schedule.

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

January 5, 2023
Date

ENVIRONMENTAL PROTECTION

■ NOTICE

Notice of Adoption of Final Rule

Notice is hereby given pursuant to the authority vested in the Commissioner of the Department of Environmental Protection ("DEP" or the "Department") by section 1043 of the New York City Charter and section 24-105 of the Administrative Code that the Department promulgates and adopts a rule clarifying the definition of "processing device" for purposes of the idling provision (section 24-163) of the Administrative Code.

Statement of Basis and Purpose of Final Rule

This rule makes an adjustment to the definition of "processing device," as set forth in section 39-01 of Title 15 of the Rules of the City of New York to clarify that the six examples of processing devices listed in the rule – a lift, crane, pump, drill, hoist, or mixer – are illustrative, rather than exhaustive.

Section 24-163 of the Administrative Code prohibits, in relevant part, the idling of a motor vehicle engine for longer than three minutes (or one minute if adjacent to a school), unless the engine is used to operate a loading, unloading, or processing device. DEP's rules define "processing device" as a device that is necessary to accomplish the vehicle's designed function via a mechanical connection to the engine, or is a temperature control system for food or other temperature-sensitive items. In conjunction with the first part of the definition, the rule lists six devices (lift, crane, pump, drill, hoist, or mixer) as examples of "processing devices" after the word "including." This list is not meant to be exhaustive. Instead, these devices are examples of processing devices.

In a recent decision (DEP v. Con Edison, appeal # 2200691), the OATH Appeals Board determined that flashing lights are not processing devices for the purposes of section 24-163 of the Administrative Code. The decision reasoned that flashing lights are not a device that accomplishes the function for which the vehicle was designed. Unlike the six enumerated examples of processing devices, flashing lights are not a mechanical process that the vehicle was constructed to carry out. The Department agrees with that analysis, and thus agrees that the vehicle's flashing lights are not a processing device. However, the decision further suggested that any devices not specified after the word "including" in 15 RCNY section 39-01 are understood to be excluded, citing the *expressio unius* canon of construction. It concluded that flashing lights are not processing devices for that additional reason as well.

The Department did not intend to limit the definition of "processing device" to the six enumerated examples. Accordingly, this rule clarifies that the six specified devices are not exhaustive by adding the words "but not limited to" after "including." This adjustment is meant only to clarify the definition of "processing device," and is not intended to alter the scope of the term.

The proposed rule was published in the City Record on November 28, 2022, and a public hearing was held on December 29, 2022. Several comments expressed opposition to the amendment on the grounds that it would weaken the existing rule. However, as explained above, the rule is a clarification made necessary by OATH's finding that processing devices were limited to the six specified items, which was not DEP's intention. The clarification does not expand the scope of the exception, which remains limited to devices that accomplish the function for which the vehicle was designed via a mechanical connection.

Sections 1043(a) and 1403(c) of the New York City Charter and section 24-105 of the Administrative Code authorize the Department to issue this proposed rule.

New material is underlined.

Section 1. The definition of "Processing Device" in section 39-01 of Title 15 of the Rules of the City of New York is amended to read as follows:

Processing Device. For purposes of section 24-163 of the Administrative Code, the term "processing device" shall mean:

- (1) a device that accomplishes the function for which the vehicle or equipment was designed, other than transporting goods or people, via a mechanical connection to the engine, including but not limited to operating a lift, crane, pump, drill, hoist, or mixer; or
- (2) a system that controls the environment of temperature-sensitive cargo or substances, including but not limited to food, provided that such cargo or substances are being transported in a vehicle designed for the transportation of such cargo or substances.

The term "processing device" shall not include a heater or air conditioner operated for cabin comfort.

◀ j18

Notice of Adoption of Final Rule

Notice is hereby given pursuant to the authority vested in the Commissioner of the Department of Environmental Protection ("DEP" or the "Department") by section 1043 of the New York City Charter and section 24-334 of the Administrative Code that the Department promulgates and adopts a rule providing that DEP has the discretion to grant extensions to the 10-day period in which meter permits must be returned.

Statement of Basis and Purpose of Final Rule

The COVID-19 global pandemic caused financial instability for many small businesses in the City of New York. On January 4, 2022, in response to this crisis, the Mayor signed Executive Order 2 "Small Business Forward: Review and Reform of Compliance Costs on Businesses" ("EO2"). EO2 called for the reform of existing violations and penalties issued by several city agencies.

The Department of Environmental Protection was one of seven enforcement agencies which conducted a review of its existing violations that are most frequently enforced through the issuance of notices of violations, and to the extent practicable, identified those violations that could be repealed or modified to reduce regulatory burdens, increase equity, and support small businesses.

The New York City Department of Environmental Protection ("DEP" or "Department") is amending subdivision (b) of Section 20-05 of its rules governing the use and supply of water (Title 15, Chapter 20 of the Rules of the City of New York ("RCNY")), to give DEP the discretion to grant extensions of the 10-day period in which meter permits must be returned. In reviewing its most frequently issued violations, DEP determined that it would be appropriate to amend Section 20-05(b) to provide for situations in which the plumber needed additional time to return the meter permit.

The proposed rule was published in the City Record on November 30, 2022. A public hearing on the proposed rule was held on December 30, 2022. No comments were received.

Section 1403(a) of the New York City Charter and section 24-334 of the Administrative Code authorize the Department to make this rule.

New text is underlined.

The text of the rule follows:

Section 1. Paragraph (2) of Subdivision (b) of section 20-05 of Title 15 of the Rules of the City of New York is amended to read as follows:

- (2) Within ten (10) business days following the completion of any work for which a meter permit has been issued, the permit, carrying: (i) a certification of the date of completion of the work, (ii) the final reading from the old meter (for replacements or repairs) and (iii) the meter manufacturer's accuracy test document for the new meter shall be returned to the Department. The Department may, in its discretion, grant an extension of the 10-day timeframe in which the permit must be returned, upon a submission by the permittee showing that there is a practical difficulty in complying with the 10-day timeframe and providing a timetable for return of the permit. A permit shall expire after 365 days for new construction work and after 30 days for meter replacements or first-time meter installations in existing buildings. If the work is to be performed after that time, the Licensed Master Plumber must apply for a permit extension before the original permit expires.

◀ j18

SPECIAL MATERIALS

HOUSING PRESERVATION AND DEVELOPMENT

■ NOTICE

REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT PILOT PROGRAM

Notice Date: January 17, 2023

To: Occupants, Former Occupants, and Other Interested Parties

Property:	Address	Application #	Inquiry Period
159 Suydam Street, Brooklyn		115/2022	December 5, 2017 to Present
59 Thompson Street, Manhattan		119/2022	December 22, 2017 to Present

Authority: Pilot Program Administrative Code §27-2093.1, §28-505.3

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling on the Certification of No Harassment Pilot Program building list, 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 45 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.

For the decision on the Certification of No Harassment Final Determination please visit our website, at www.hpd.nyc.gov, or call (212) 863-8266.

PETICIÓN DE COMENTARIO SOBRE UNA SOLICITUD PARA UN CERTIFICACIÓN DE NO ACOSO PROGRAMA PILOTO

Fecha de notificación: January 17, 2023

Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

Propiedad:	Dirección:	Solicitud #:	Período de consulta:
159 Suydam Street, Brooklyn		115/2022	December 5, 2017 to Present
59 Thompson Street, Manhattan		119/2022	December 22, 2017 to Present

Autoridad: PILOT, Código Administrativo §27-2093.1, §28-505.3

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un período de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas

o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** por carta con matasellos no mas tarde que **45 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo periodo. Para hacer una cita para una declaración en persona, llame al **(212) 863-5277** o **(212) 863-8211**.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en www.hpd.nyc.gov o llame al **(212) 863-8266**.

j17-25

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

Notice Date: January 17, 2023

To: Occupants, Former Occupants, and Other Interested Parties

Property:	Address	Application #	Inquiry Period
726 Quincy Street, Brooklyn		107/2022	December 2, 2019 to Present
311 West 112 th Street, Manhattan		114/2022	December 5, 2019 to Present
198 Richmond Terrace, Staten Island		117/2022	December 13, 2019 to Present
52 Edgecombe Avenue, Manhattan		118/2022	December 13, 2019 to Present
213 Hancock Street, Brooklyn		121/2022	December 28, 2019 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**.

For the decision on the Certification of No Harassment Final Determination please visit our website, at www.hpd.nyc.gov, or call (212) 863-8266.

**PETICIÓN DE COMENTARIO
SOBRE UNA SOLICITUD PARA UN
CERTIFICACIÓN DE NO ACOSO**

Fecha de notificación: January 17, 2023

Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

Propiedad:	Dirección:	Solicitud #:	Período de consulta:
726 Quincy Street, Brooklyn		107/2022	December 2, 2019 to Present
311 West 112 th Street, Manhattan		114/2022	December 5, 2019 to Present
198 Richmond Terrace, Staten Island		117/2022	December 13, 2019 to Present
52 Edgecombe Avenue, Manhattan		118/2022	December 13, 2019 to Present
213 Hancock Street, Brooklyn		121/2022	December 28, 2019 to Present

Autoridad: SRO, Código Administrativo §27-2093

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un periodo de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** por carta con matasellos no mas tarde que **30 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo periodo. Para hacer una cita para una declaración en persona, llame al **(212) 863-5277** o **(212) 863-8211**.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en www.hpd.nyc.gov o llame al (212) 863-8266.

j17-25

OFFICE OF THE MAYOR

■ NOTICE

EMERGENCY EXECUTIVE ORDER NO. 129

June 25, 2022

WHEREAS, the public safety was imperiled by a flash flood emergency caused by the remnants of Hurricane Ida that flooded roads, impacted mass transit, stranded motorists, and caused widespread damage to residential and commercial buildings throughout the City, causing unsafe conditions in those buildings and imperiling health and safety; and

WHEREAS, the state of emergency to address the remnants of Hurricane Ida, first declared in Emergency Executive Order No. 230, issued on September 1, 2021, and last extended by Emergency Executive Order No. 105, issued on May 26, 2022, remains in effect;

NOW THEREFORE, by the power vested in me as Mayor of the City of New York pursuant to law, including Executive Law § 24:

Section 1. I hereby direct that the State of Emergency declared in Emergency Executive Order No. 230, dated September 1, 2021, and extended by subsequent orders, is extended for thirty (30) days.

§ 2. I hereby direct that section 1 of Emergency Executive Order No. 125, dated June 20, 2022, is extended for five (5) days.

§ 3. I hereby direct, in accordance with section 25 of the Executive Law, section 61(2) of the New York Civil Service Law, and subdivision 5.1.1 of section 1 of rule 5 of the Department of Citywide Administrative Services' Personnel Rules and Regulations of the City of New York, that the City Cleanup Corps and staff from any agency, as designated by their Agency Head, shall assist the Commissioner of Emergency Management to carry out the directives set forth in this Order. The Commissioner of Emergency Management is further directed to take all necessary steps required to carry out the directives set forth in this Order.

§ 4. This Emergency Executive Order shall take effect immediately. The State of Emergency shall remain in effect for a period not to exceed thirty (30) days or until rescinded, whichever occurs first. Additional declarations to extend the State of Emergency for additional periods not to exceed thirty (30) days shall be issued if needed.

Eric Adams
Mayor

• j18

EMERGENCY EXECUTIVE ORDER NO. 132

June 30, 2022

WHEREAS, on September 2, 2021, the federal monitor in the Nunez use-of-force class action stated steps must be taken immediately to address the conditions in the New York City jails; and

WHEREAS, excessive staff absenteeism among correction officers and supervising officers has contributed to a rise in unrest and disorder, and creates a serious risk to the necessary maintenance and delivery of sanitary conditions; access to basic services including showers, meals,

visitation, religious services, commissary, and recreation; and prompt processing at intake; and

WHEREAS, the Department of Correction's (DOC's) staffing shortages are affecting health operations, including the availability of escorts to bring patients to the clinic and of DOC personnel to staff the clinics; and

WHEREAS, this Order is given to address the effects of excessive staff absenteeism and in order to address the conditions at DOC facilities; and

WHEREAS, the state of emergency existing within DOC facilities, first declared in Emergency Executive Order No. 241, issued on September 15, 2021, and extended most recently by Emergency Executive Order No. 128, issued on June 25, 2022, remains in effect;

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

Section 1. I hereby direct that section 2 of Emergency Executive Order No. 128, dated June 25, 2022, is extended for five (5) days.

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

Eric Adams
Mayor

• j18

EMERGENCY EXECUTIVE ORDER NO. 133

June 30, 2022

WHEREAS, the public safety was imperiled by a flash flood emergency caused by the remnants of Hurricane Ida that flooded roads, impacted mass transit, stranded motorists, and caused widespread damage to residential and commercial buildings throughout the City, causing unsafe conditions in those buildings and imperiling health and safety; and

WHEREAS, the state of emergency to address the remnants of Hurricane Ida, first declared in Emergency Executive Order No. 230, issued on September 1, 2021, and last extended by Emergency Executive Order No. 129, issued on June 25, 2022, remains in effect;

NOW THEREFORE, by the power vested in me as Mayor of the City of New York pursuant to law, including Executive Law § 24:

Section 1. I hereby direct that section 2 of Emergency Executive Order No. 129, dated June 25, 2022, is extended for five (5) days.

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

Eric Adams
Mayor

• j18

EMERGENCY EXECUTIVE ORDER NO. 134

July 5, 2022

INFANT FORMULA SHORTAGE

WHEREAS, in February 2022, concerns about contamination at the Sturgis, Michigan facility of Abbott Nutrition, the largest manufacturer of infant formula in the United States, led to a voluntary recall of several lines of powdered formula and the temporary closure of the Sturgis facility; and

WHEREAS, the closure of the Sturgis facility, along with supply chain problems caused by the COVID-19 pandemic and other issues affecting the national economy, have led to shortages in infant formula, including in New York City, where, according to the Centers for Disease Control and Prevention, the majority of parents and caregivers rely on some amount of formula to feed their babies, and the inability of parents and caregiver to obtain infant formula remains an imminent threat to the health and safety of infants in New York City; and

WHEREAS, the state of emergency to address the infant formula shortage in the City of New York first declared in Emergency Executive Order No. 98, issued on May 21, 2022, and extended most recently by Emergency Executive Order No. 122, issued on June 20, 2022, remains in effect;

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

authority to protect the public in the event of an emergency, it is hereby ordered:

Section 1. I hereby order that section 1 of Emergency Executive Order No. 130, dated June 30, 2022, is extended for five (5) days.

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

Eric Adams
Mayor

• j18

EMERGENCY EXECUTIVE ORDER NO. 135

July 5, 2022

WHEREAS, the COVID-19 pandemic has severely impacted New York City and its economy, and is addressed effectively only by joint action of the City, State, and Federal governments; and

WHEREAS, the state of emergency to address the threat and impacts of COVID-19 in the City of New York first declared in Emergency Executive Order No. 98, issued on March 12, 2020, and extended most recently by Emergency Executive Order No. 127, issued on June 25, 2022, remains in effect; and

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

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

Section 1. I hereby order that section 1 of Emergency Executive Order No. 131, dated June 30, 2022, is extended for five (5) days.

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

Eric Adams
Mayor

• j18

EMERGENCY EXECUTIVE ORDER NO. 136

July 5, 2022

WHEREAS, on September 2, 2021, the federal monitor in the Nunez use-of-force class action stated steps must be taken immediately to address the conditions in the New York City jails; and

WHEREAS, excessive staff absenteeism among correction officers and supervising officers has contributed to a rise in unrest and disorder, and creates a serious risk to the necessary maintenance and delivery of sanitary conditions; access to basic services including showers, meals, visitation, religious services, commissary, and recreation; and prompt processing at intake; and

WHEREAS, the Department of Correction's (DOC's) staffing shortages are affecting health operations, including the availability of escorts to bring patients to the clinic and of DOC personnel to staff the clinics; and

WHEREAS, this Order is given to address the effects of excessive staff absenteeism and in order to address the conditions at DOC facilities; and

WHEREAS, the state of emergency existing within DOC facilities, first declared in Emergency Executive Order No. 241, issued on September 15, 2021, and extended most recently by Emergency Executive Order No. 128, issued on June 25, 2022, remains in effect;

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

Section 1. I hereby direct that section 1 of Emergency Executive Order No. 132, dated June 30, 2022, is extended for five (5) days.

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

Eric Adams
Mayor

• j18

EMERGENCY EXECUTIVE ORDER NO. 137

July 5, 2022

WHEREAS, the public safety was imperiled by a flash flood emergency caused by the remnants of Hurricane Ida that flooded roads, impacted mass transit, stranded motorists, and caused widespread damage to residential and commercial buildings throughout the City, causing unsafe conditions in those buildings and imperiling health and safety; and

WHEREAS, the state of emergency to address the remnants of Hurricane Ida, first declared in Emergency Executive Order No. 230, issued on September 1, 2021, and last extended by Emergency Executive Order No. 129, issued on June 25, 2022, remains in effect;

NOW THEREFORE, by the power vested in me as Mayor of the City of New York pursuant to law, including Executive Law § 24:

Section 1. I hereby direct that section 1 of Emergency Executive Order No. 133, dated June 30, 2022, is extended for five (5) days.

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

Eric Adams
Mayor

• j18

EMERGENCY EXECUTIVE ORDER NO. 138

July 10, 2022
INFANT FORMULA SHORTAGE

WHEREAS, in February 2022, concerns about contamination at the Sturgis, Michigan facility of Abbott Nutrition, the largest manufacturer of infant formula in the United States, led to a voluntary recall of several lines of powdered formula and the temporary closure of the Sturgis facility; and

WHEREAS, the closure of the Sturgis facility, along with supply chain problems caused by the COVID-19 pandemic and other issues affecting the national economy, have led to shortages in infant formula, including in New York City, where, according to the Centers for Disease Control and Prevention, the majority of parents and caregivers rely on some amount of formula to feed their babies, and the inability of parents and caregiver to obtain infant formula remains an imminent threat to the health and safety of infants in New York City; and

WHEREAS, the state of emergency to address the infant formula shortage in the City of New York first declared in Emergency Executive Order No. 98, issued on May 21, 2022, and extended most recently by Emergency Executive Order No. 122, issued on June 20, 2022, remains in effect;

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

Section 1. I hereby order that section 1 of Emergency Executive Order No. 134, dated July 5, 2022, is extended for five (5) days.

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

Eric Adams
Mayor

• j18

EMERGENCY EXECUTIVE ORDER NO. 130

June 30, 2022
INFANT FORMULA SHORTAGE

WHEREAS, in February 2022, concerns about contamination at the Sturgis, Michigan facility of Abbott Nutrition, the largest manufacturer of infant formula in the United States, led to a voluntary recall of several lines of powdered formula and the temporary closure of the Sturgis facility; and

WHEREAS, the closure of the Sturgis facility, along with supply chain problems caused by the COVID-19 pandemic and other issues affecting the national economy, have led to shortages in infant formula, including in New York City, where, according to the Centers for Disease Control and Prevention, the majority of parents and caregivers rely on some amount of formula to feed their babies, and the inability of parents and caregiver to obtain infant formula remains an imminent threat to the health and safety of infants in New York City; and

WHEREAS, the state of emergency to address the infant formula shortage in the City of New York first declared in Emergency Executive Order No. 98, issued on May 21, 2022, and extended most recently by Emergency Executive Order No. 122, issued on June 20, 2022, remains in effect;

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

Section 1. I hereby order that section 1 of Emergency Executive Order No. 126, dated June 25, 2022, is extended for five (5) days.

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

Eric Adams
Mayor

• j18

EMERGENCY EXECUTIVE ORDER NO. 131

June 30, 2022

WHEREAS, the COVID-19 pandemic has severely impacted New York City and its economy, and is addressed effectively only by joint action of the City, State, and Federal governments; and

WHEREAS, the state of emergency to address the threat and impacts of COVID-19 in the City of New York first declared in Emergency Executive Order No. 98, issued on March 12, 2020, and extended most recently by Emergency Executive Order No. 127, issued on June 25, 2022, remains in effect; and

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

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

Section 1. I hereby order that section 2 of Emergency Executive Order No. 127, dated June 25, 2022, is extended for five (5) days.

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

Eric Adams
Mayor

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MAYOR'S OFFICE OF CONTRACT SERVICES

■ NOTICE

Notice of Intent to Extend Contract(s) Not Included in FY 2023 Annual Contracting Plan and Schedule

NOTICE IS HEREBY GIVEN that the Mayor will be entering into the following extension(s) of (a) contract(s) not included in the FY 2023 Annual Contracting Plan and Schedule that is published, pursuant to New York City Charter § 312(a):

Agency: DCAS
Vendor: Gartner
Description of Services to be Provided: Extension of consultant contract for FEMA analysis related to the reimbursement of COVID expenses due to changing criteria and responses from FEMA.
Anticipated Procurement Method: Extension
Anticipated New Start Date: 2/10/2023
Anticipated New End Date: 2/10/2024
Anticipated Modifications to Scope: No modification to scope.
Reason for Renewal/Extension: Further engagement is needed to complete FEMA submissions for not only DCAS but multiple other agencies which require further analysis and reconciliation of data due to new data sets being provided.
Job Titles: None
Headcounts: 0

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Notice of Intent to Issue New Solicitations Not Included in FY 2023 Annual Contracting Plan and Schedule

NOTICE IS HEREBY GIVEN that the Mayor will be issuing the following solicitations not included in the FY 2023 Annual Contracting Plan and Schedule that is published, pursuant to New York City Charter § 312(a):

Agency: NYC Department of Human Resources Administration (HRA) Description of Services to be Provided: Maintenance of Xerox Nearstar Dataserver. Vendor will provide the ongoing maintenance and support services for the Nearstar Dataserver as follows: (1). Provide the on-going Maintenance of HRA's Existing Nearstar Dataserver version 6.5.2 located at 15 Metrotech Center, Brooklyn, New York 11200; (2). 24 hours a day, 7 days a week software support for the Nearstar software and modules Support includes upgrades to Dataserver software, bug fixes, phone, email and VPN support to help troubleshoot issues; (3). Coordinate Xerox, Unisys, HRA, NYS/OTDA and third-party resources to ensure optimum operation of the print pool at all times. Anticipated Contract Start Date: 3/1/2023 Anticipated Contract End Date: 3/31/2025 Anticipated Procurement Method: Sole Source Job Titles: None Headcounts: 0

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CHANGES IN PERSONNEL

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Contains personnel changes for the Police Department for the period ending 10/28/22.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Continuation of personnel changes for the Police Department for the period ending 10/28/22.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Continuation of personnel changes for the Police Department for the period ending 10/28/22.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Continuation of personnel changes for the Police Department for the period ending 10/28/22.

POLICE DEPARTMENT FOR PERIOD ENDING 10/28/22

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists police personnel and their status changes.

POLICE DEPARTMENT FOR PERIOD ENDING 10/28/22

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists police personnel and their status changes.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists police personnel and their status changes.

POLICE DEPARTMENT FOR PERIOD ENDING 10/28/22

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists police personnel and their status changes.



CITYWIDE ADMINISTRATIVE SERVICES

AWARD

Services (other than human services)

PROFESSIONAL DEVELOPMENT TRAINING FOR CITY EMPLOYEES-RENEWAL #2 - Renewal - PIN# 85619P8184KXLR002 - AMT: \$52,010.85 - TO: Green Silk Associates LLC, 10440 Queens Boulevard, Apartment 5J, Forest Hills, NY 11375-8131.

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OFFICE OF CITYWIDE PROCUREMENT

SOLICITATION

Goods

85723B0019-SUPPLY & DELIVERY OF SODIUM HYPOCHLORITE TO VARIOUS WASTEWATER RESOURCE RECOVERY FACILITIES - Competitive Sealed Bids - PIN# IFB #2300012 (EPIN: 85723B0019) - Due 2-22-23 at 10:30 A.M.

Please submit your proposals by both acknowledging the receipt of the RFx in the Acknowledgement tab and completing your response in the Manage Responses tab. Vendor resources and materials can be found at the link below, under the Finding and Responding to RFx heading. After the Question Deadline, questions regarding this solicitation may not be addressed. If you need additional assistance with PASSPort, please contact the MOCS Service Desk at: https://mocspassport.atlassian.net/servicedesk/customer/portal/8. Link: https://www1.nyc.gov/site/mocs/systems/passport-user-materials.page.

A PRE-BID MEETING is scheduled for the above commodity on February 8, 2023, via Zoom. • Please review the bid package in its entirety prior to the meeting; note any questions on your copy; and bring it with you to facilitate discussion. • All prospective bidders are strongly encouraged to attend. • Please email Alvin Pettway at: apettway@dcas.nyc.gov, to request the link and invitation for the Pre-Bid video conference, which will take place via Zoom. • Call-in Telephone #: (646) -558-8656 US (New York) • Date: February 8, 2023 / Time: 10:00 A.M. to 11:00 A.M. • Meeting ID: 895 1328 4454 / Passcode: 895203.

The BID OPENING/BID DUE DATE is scheduled for: February 22, 2023, at 10:30 A.M.

DCAS OCP, will have bid openings virtually via Zoom and in person. Vendors must register first to attend bid opening via Zoom. • When: February 22, 2023, at 10:30 A.M. Eastern Standard Time (US and Canada) • Register in advance for this meeting: https://dcas-nyc-gov.zoom.us/join/register/tZ0qc-qqpzjwEtQLkv6OSWRr28zq7aSa2zJg.

After registering, you will receive a confirmation email containing information about joining the meeting.

In Person Bid Opening will be on February 23, 2023, at: 1 Centre Street, 18th Floor, Bid Room, New York, NY 10007.

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