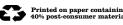


# THE CITY RECORD

Official Journal of The City of New York



#### **VOLUME CXXXVII NUMBER 56**

#### WEDNE

SSDAY, MARCH 24, 2010	PRICE \$4.00

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## THE CITY RECORD

## MICHAEL R. BLOOMBERG, Mayor

MARTHA K. HIRST, Commissioner, Department of Citywide Administrative Services. ELI BLACHMAN, Editor of The City Record.

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

## CITY COUNCIL

**■** HEARING

#### HEARING BY THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS.

THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS WILL HOLD A HEARING ON THURSDAY, MARCH 25, 2010 AT 10:30 A.M. IN THE COUNCIL CHAMBERS, CITY HALL, NEW YORK, NEW YORK 10007 ON THE FOLLOWING MATTER:

Appointment by the City Council

Preconsidered M, Communication from the Richmond County Democratic County Committee recommending the name of Michael J. Ryan to the Council, regarding his appointment to the New York City Board of Elections pursuant to § 3-204 of the New York State Election Law. Should the Council appoint Mr. Ryan, he will serve for the remainder of a four-year term that expires on December 31, 2012.

## AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

A Calendar of speakers will be established in advance. Persons interested in being heard should write to the Honorable Christine C. Quinn, Speaker of the City Council, City Hall, New York, New York 10007, setting forth their name, representation and viewpoints.

> Michael M. McSweeney City Clerk, Clerk of the Council

> > m19-25

## CITY PLANNING COMMISSION

PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, March 24, 2010, commencing

#### BOROUGH OF THE BRONX No. 1 BRONX RIVER ART CENTER

**CD 6** C 100083 HAX

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development

pursuant to Article 16 of the General Municipal Law of New York State for:

- the designation of property located at 1087 East Tremont Avenue (Block 3141, part of a) Lot 1), as an Urban Development Action Area: and
- an Urban Development Action Area b) Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the rehabilitation of an existing four-story community facility building.

#### No. 2 CROTONA TERRACE REZONING C 080157 ZMX

IN THE MATTER OF an application submitted by CBC

Associates and the South Bronx Overall Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d:

- changing from a C8-3 District to an R7-1 District property bounded by East 176th Street, Boston Road, East 175th Street, and Southern Boulevard;
- establishing within the proposed R7-1 District a C2-4 District bounded by East 176th Street, Boston Road, East 175th Street, and Southern Boulevard:

as shown on a diagram (for illustrative purposes only) dated anuary 4, 2010, and subject to the conditions of CEQR Declaration E-243.

#### **BOROUGH OF MANHATTAN** No. 3 102 GREENE STREET

CD 2 C 080260 ZSM IN THE MATTER OF an application submitted by 102

Green Street Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to

- the bulk regulations of Section 43-17 (Special Provisions for Joint Living-Work Quarters for Artists in M1-5A and M1-5B Districts) to allow the enlargement of a building containing Joint Living Work Quarters for Artists; and
- 2. the use regulations of Sections 42-14D(1)(a) to allow Joint Living Work Quarters for Artists in the proposed enlargement portions of a building not in existence on or prior to December 15, 1961;

in connection with the proposed 2-story and penthouse enlargement of an existing 3-story building on property located at 102 Greene Street (Block 499, Lot 6), in an M1-5A District, within the SoHo-Cast Iron Historic District. Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

#### BOROUGH OF QUEENS Nos. 4 & 5 ASTORIA REZONING AND TEXT AMENDMENT No. 4

C 100199 ZMQ

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 6b, 9a, 9b and 9c:

- eliminating from an existing R5 District a C1-2District bounded by:
  - 29th Street, a line 150 northeasterly of Ditmars Boulevard, 31st Street, 21st Avenue, 32nd Street, a line 150 feet northeasterly of Ditmars Boulevard, 37th Street, a line 150 feet southwesterly of Ditmars Boulevard, 33rd Street, a line 225 feet southwesterly of Ditmars Boulevard, a line 163 feet northwesterly of 33rd Street, a line 275 feet northeasterly of 23rd Avenue, a line 116 feet northwesterly of 33rd Street, a line 150 feet northeasterly of 23rd Avenue, 33rd Street, a centerline of the New York Connecting Railroad Right-of-Way, a line 163 feet northwesterly of 33rd Street, 23rd Avenue, 26th Street, a line 150 feet northeasterly of 23rd Avenue, a line midway between 29th Street and 31st Street, and a line 150 feet southwesterly of Ditmars Boulevard:
  - 21st Street, a line midway between 23rd b. Terrace and 24th Avenue, 23rd Street, a line 150 feet northeasterly of 24th Avenue, 24th Street, and 24th Avenue;
  - 27th Street, a line 150 feet northeasterly of 24th Avenue, 31st Street, and 24th
  - 31st Street, a line 240 feet northeasterly of 24th Road, a line 100 feet southeasterly of 31st Street, 24th Road, 32nd Street, and Astoria Boulevard (northerly portion); and
  - 23rd Street, a line 150 feet northeasterly of Astoria Boulevard, Crescent Street, and Astoria Boulevard:
- eliminating from an existing R6 District a C1-2 District bounded by:
  - Crescent Street, a line 150 feet northeasterly of Astoria Boulevard, 29th Street, Hoyt Avenue South, 31st Street, Astoria Boulevard, 32nd Street, a line 150 feet southwesterly of Astoria Boulevard, 28th Street, and Astoria Boulevard;
  - Crescent Street, a line 150 feet b. northeasterly of 30th Avenue, 30th Street, Newtown Avenue, 31st Street, a line 150 feet northeasterly of Newton Avenue, a line 150 feet northeasterly of 30th Avenue, 38th Street, 30th Avenue, a line midway between 38th Street and Steinway Street, a line 250 feet southwesterly of 30th Avenue, 38th Street, a line 150 feet southwesterly of 30th Avenue, 29th Street, and a line midway between 30th Road and 30th Avenue;
  - 33rd Street, a line 150 feet northeasterly of 31st Avenue, 35th Street, and a line 150 feet southwesterly of 31st Avenue;
  - 37th Street, a line 150 feet northeasterly d. of 31st Avenue, a line midway between 38th Street and Steinway Street, and a

- line 150 feet southwesterly of 31st Avenue; and
- e. 21st Street, 31st Drive, 23rd Street, and Broadway:
- 3. eliminating from an existing R6B District a C1-2
  District bounded by 30th Road, 14th Street, 30th
  Drive, a line 100 feet southeasterly of 14th Street,
  31st Avenue, and a line 100 feet northwesterly of
- 4. eliminating from an existing R5 District a C1-3 District bounded by:
  - a. 21st Street, a line 150 feet northeasterly of 21st Avenue, 24th Street, and a line 100 feet northeasterly of 21st Avenue;
  - b. 19th Street, a line 100 feet southwesterly of 21st Avenue, a line 100 feet southeasterly of 21st Street, and a line 150 feet southwesterly of 21st Avenue;
- 5. eliminating from an existing R5 District a C1-4
  District bounded by 24th Avenue, 31st Street, a line
  100 feet southwesterly of 24th Avenue, and a line
  200 feet northwesterly of 31st Street;
- 6. eliminating from an existing R6B District a C1-4
  District bounded by 30th Street, a line 100 feet
  northeasterly of Broadway, 31st Street, Broadway,
  32nd Street, a line 100 feet northeasterly of
  Broadway, a line midway between 38th Street and
  Steinway Street, and a line 100 feet southwesterly
  of Broadway;
- 7. eliminating from an existing R5 District a C2-2 District bounded by:
  - a. 20th Avenue, a line midway between
    Steinway Street and 41st Street, 21st
    Avenue, a line midway between 38th
    Street and Steinway Street, a line 150
    feet southwesterly of 20th Avenue, and a
    line midway between 37th Street and
    38th Street;
  - b. 37th Street, a line 150 feet northeasterly of Ditmars Boulevard, 41st Street, and a line 150 feet southwesterly of Ditmars Boulevard;
  - c. 23rd Avenue, 32nd Street, 23rd Road, a line midway between 29th Street and 31st Street, a line 150 feet southwesterly of 23rd Avenue, and 26th Street;
  - d. 23rd Avenue, Steinway Street, a centerline of the New York Connecting Railroad right-of-way, 41st Street, Astoria Boulevard (northerly portion), and a line midway between 38th Street and Steinway Street; and
  - e. Astoria Boulevard (southerly portion),
    41st Street, a line 150 feet southwesterly
    of Astoria Boulevard (southerly portion), a
    line midway between Steinway Street and
    41st Street, a line 150 feet northeasterly
    of 28th Street, 41st Street, 28th Avenue, a
    line midway between 38th Street and
    Steinway Street, a line 100 feet
    southwesterly of Astoria Boulevard
    (southerly portion), and Steinway Street;
- 8. eliminating from an existing R6 District a C2-2 District bounded by:
  - a. Crescent Street, Astoria Boulevard, 28th Street, a line 150 feet southwesterly of Astoria Boulevard, a line 100 feet northwesterly of 28th Street, and a line 200 feet northeasterly of Newton Avenue;
  - 33rd Street, Astoria Boulevard (southerly portion), 35th Street, and a line 150 feet southwesterly of Astoria Boulevard (northerly portion);
  - c. 36th Street, Astoria Boulevard (southerly portion), Steinway Street, a line 100 feet southwesterly of Astoria Boulevard (southerly portion), a line midway between 38th Street and Steinway Street, and a line 150 feet southwesterly of Astoria Boulevard (southerly portion);
  - d. 38th Street, a line 200 feet northeasterly of 28th Avenue, a line midway between 38th Street and Steinway Street, and 28th Avenue;
  - e. 38th Street, a line 150 feet northeasterly of 30th Avenue, a line midway between 38th Street and Steinway Street, and 30th Avenue; and
  - f. 31st Street, a line 235 feet northeasterly of Broadway, 32nd Street, and a line 150 feet northeasterly of Broadway;
- 9. eliminating from an existing R6A District a C2-2
  District bounded by a line 150 feet southeasterly of
  8th Street, a line 100 feet northeasterly and
  northerly of Astoria Boulevard, 12th Street, 30th
  Avenue, Main Avenue, and Astoria Boulevard;
- 10. eliminating from an existing R6B District a C2-2 District bounded by:

- a. 31st Street, a line 150 feet northeasterly of Broadway, 32nd Street, and Broadway; and
- b. 12th Street, a line 100 feet northerly of Astoria Boulevard, 18th Street, 27th Avenue, 18th Street, 26th Road, line 150 feet northeasterly of 27th Avenue, a line 100 feet northwesterly of 21st Street, 28th Avenue, 14th Street, and 29th Avenue;
- 11. eliminating from an existing R7A District a C2-2
  District bounded by Vernon Boulevard, a line 100
  feet northeasterly of Broadway, 21st Street, and
  Broadway:
- 12. eliminating from an existing R7B District a C2-2
  District bounded by a line midway between 21st
  Street and 22nd Street, a line 150 feet
  northeasterly of Astoria Boulevard, 23rd Street,
  27th Road, a line 100 feet southeasterly of 21st
  Street, and Newtown Avenue;
- 13. eliminating from an existing R7X District a C2-2 District bounded:
  - a. by a line 100 feet northwesterly of 21st Street, a line 150 feet northeasterly of 27th Avenue, 21st Street, a line 330 feet northeasterly of Astoria Boulevard, a line midway between 21st Street and 22nd Street, Newtown Avenue, a line 100 feet southeasterly of 21st Street, and 28th Avenue; and
  - b. 31st Road, 21st Street, a line 100 feet northeasterly of Broadway, and a line 100 feet northwesterly of 21st Street;
- 14. eliminating from an existing R6 District a C2-4 District bounded by:
  - a. 30th Drive, 31st Street, a line 300 feet northeasterly of 31st Avenue, a line midway between 31st Street and 32nd Street, 31st Avenue, and a line midway between 30th Street and 31st Street; and
  - b. a line 150 feet southwesterly of Astoria Boulevard, 31st Street, Newtown Avenue, and a line midway between 30th Street and 31st Street;
- 15. changing from an R5 District to and R4 District property bounded by 20th Avenue, a line midway between 37th Street and 38th Street, a line 250 feet southwesterly of 20th Avenue, 38th Street, a line 75 feet northeasterly of 20th Road, and 33rd Street;
- 16. changing from an R4 District to an R4-1 District property bounded by 30th Avenue, a line 100 feet northwesterly of 21st Street, 30th Road, and a line 100 feet southeasterly of 14th Street;
- 17. changing from an R5 District to an R4-1 District property bounded by 33rd Street, a line 75 feet northeasterly of 20th Road, 38th Street, 20th Road, 37th Street, a line 100 feet northeasterly of 21st Avenue, a line midway between 33rd Street and 35th Street, and 20th Road;
- 18. changing from an R6 District to an R4B District property bounded by a line 100 feet southwesterly of 30th Avenue, a line midway between 36th Street and 37th Street, a line 400 feet southwesterly of 30th Avenue, and a line midway between 35th Street and 36th Street;
- 19. changing from an R6B District to an R5 District property bounded by a line 100 feet southwesterly of Astoria Park South, a line midway between 14th Place and 18th Street and its southwesterly prolongation, a line perpendicular to the southeasterly street line of 14th Street distant 80 feet northeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of 27th Avenue and the southeasterly street line of 14th Street, a line 100 feet southeasterly of 14th Street, 26th Avenue, and a line midway between 14th Street and 14th Place;
- 20. changing from an R5 District to an R5B District property bounded by:
  - 20th Avenue, a line of midway between 28th Street and 29th Street, a line 100 feet southwesterly of 20th Avenue, a line 175 feet northwesterly of 31st Street, 21st Avenue, 29th Street, a line 100 feet southwesterly of 21st Avenue, a line 175 feet northwesterly of 31st Street, a line 100 feet northeasterly of Ditmars Boulevard, a line midway between 27th Street and 28th Street, a line 100 feet southwesterly of 21st Avenue, a line midway between 24th Street and Crescent Street, a line 100 feet northeasterly of Ditmars Boulevard, Crescent Street, a line 100 feet southwesterly of Ditmars Boulevard, a line 125 feet northwesterly of 31st Street, a line 100 feet northeasterly of 23rd Avenue, 26th Street, a line 100 feet southwesterly of 23rd Avenue, a line midway between 28th Street and 29th Street, a line 100 feet northeasterly of 24th Avenue, 21st Street, 23rd Terrace, 19th Street, 22nd Road, a line 100 feet

- southeasterly of 19th Street, Ditmars Boulevard, 21st Street, a line midway between Ditmars Boulevard and 21st Drive, Shore Boulevard, a line midway between 21st Road and 21st Avenue, 21st Street, a line 100.feet northeasterly of 21st Avenue, 23rd Street, 21st Avenue, 28th Street, a line 200 feet northeasterly of 21st Avenue, and a line midway between Crescent Street and 26th Street;
- 31st Street, 20th Road, the northeasterly b. centerline prolongation of 32nd Street, a line 100 feet southwesterly of 20th Avenue, 33rd Street, 20th Road, a line midway between 33rd Street and 35th Street, a line 100 feet northeasterly of 21st Avenue, 37th Street, 20th Road, 38th Street, a line 250 feet southwesterly of 20th Avenue, a line midway between 37th Street and 38th Street, a line 80 feet southwesterly of 20th Avenue, a line midway between 38th Street and Steinway Street, a line 100 feet northeasterly of Ditmars Boulevard, 35th Street, 21st Avenue, 33rd Street, a line 100 feet northeasterly of Ditmars Boulevard, 32nd Street, and 21st Avenue;
- c. 33rd Street, a line 100 feet southwesterly of Ditmars Boulevard, a line midway between 38th Street and Steinway Street, and a line 100 feet northeasterly of 23rd Avenue;
- d. a line 100 feet southwesterly of 23rd
  Avenue, a line midway between 38th
  Street and Steinway Street, Astoria
  Boulevard (southerly portion), Hoyt
  Avenue South, a line 80 feet southeasterly
  of 31st Street, a line 130 feet
  southwesterly of 24th Avenue, 32nd
  Street, 24th Avenue, and a line 90 feet
  southeasterly of 31st Street;
- e. 24th Avenue, 23rd Street, a line 100 feet southwesterly of 24th Avenue, a line midway between 26th Street and 27th Street and its southwesterly prolongation, Hoyt Avenue South, 21st Street, Hoyt Avenue North, and 19th Street;
- f. a line midway between 21st Street and 22nd Street and its northeasterly prolongation, a line midway between Hoyt Avenue South and 25th Road, 23rd Street, a line 100 feet southwesterly of Hoyt Avenue South, a line 200 feet northwesterly of Crescent Street, a line 100 feet northeasterly of Astoria Boulevard, 23rd Street, a line perpendicular to the northwesterly street line of 23rd Street distant 310 feet northeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Astoria Boulevard and the northwesterly street line of 23rd Street, 22nd Street, and a line perpendicular to the southeasterly street line of 21st Street distant 330 feet northeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Astoria Boulevard and the southeasterly street line of 21st Street;
- g. a line 100 feet southwesterly of 27th
  Avenue, 14th Street, 27th Avenue, a line
  200 feet northeasterly of 14th Street, a
  line 100 feet northwesterly of Astoria
  Boulevard, a line midway between 28th
  Avenue and Astoria Boulevard, and a line
  300 feet southeasterly of 8th Street;
- h. 12thStreet, a line 150 feet southwesterly of 30th Avenue, a line 100 feet northwesterly of 14th Street, a line 100 feet northeasterly of 31st Avenue, 12th Street, 30th Drive, a line 100 feet easterly of Vernon Boulevard, and 30th Road:
- a line 100 feet southwesterly of 31st Avenue, a line 100 feet northwesterly of 14th Street, a line 100 feet northeasterly of Broadway, and a line 100 feet northwesterly of 12th Street;
- j. a line midway between 31st Avenue and
   31st Road, a line 100 feet northwesterly of
   21st Street, a line 100 feet northeasterly
   of Broadway, and a line 100 feet
   southeasterly of 14th Street; and
- k. 27th Road, 23rd Street, a line midway between 28th Avenue and 29th Avenue, a line 100 feet northwesterly of Crescent Street, 29th Avenue, 23rd Street,30th Avenue, 21st Street, 28th Avenue, and a line 100 feet southeasterly of 21st Street;
- 21. changing from an R6 District to an R5B District property bounded by:
  - a. a line 100 feet southwesterly of Astoria Boulevard (southerly portion), a line midway between 37th Street and 38th Street, a line 670 feet northeasterly of

- 28th Avenue, and a line midway between 36th Street and 37th Street;
- b. a line 100 feet southwesterly of 28th Avenue, a line midway between 38th Street and Steinway Street, a line 100 feet northeasterly of 30th Avenue, and a line midway between 35th Street and 36th Street; and
- a line 100 feet southwesterly of 30th c. Avenue, a line midway between 37th Street and 38th Street, a line 100 feet northeasterly of 31st Avenue, 35th Street, a line 300 feet northeasterly of 31st Avenue, a line midway between 34th Street and 35th Street, a line 100 feet southwesterly of 30th Avenue, a line midway between 35th Street and 36th Street, a line 400 feet southwesterly of 30th Avenue, and a line midway between 36th Street and 37th Street;
- changing from an R5 District to an R5D District 22. property bounded by:
  - Shore Boulevard, a line midway between a. Ditmars Boulevard and 21st Drive, 21st Street, Ditmars Boulevard, a line 100 feet southeasterly of 19th Street, 22nd Road, 19th Street, and Ditmars Boulevard;
  - a line 100 feet southwesterly of 21st b. Avenue, a line midway between 27th Street and 28th Street, a line 100 feet northeasterly of Ditmars Boulevard, a line 125 feet northwesterly of 31st Street, a line 100 feet southwesterly of Ditmars Boulevard, Crescent Street, a line 100 feet northeasterly of Ditmars Boulevard, and a line midway between 24th Street and Crescent Street:
  - a line 100 feet northeasterly of 23rd c. Avenue, a line 125 feet northwesterly of 31st Street, a line 100 feet northeasterly of 23rd Road, a line 100 feet northwesterly of 31st Street, 24th Avenue, a line midway between 29th Street and 31st Street, a northeasterly, northwesterly, and southwesterly boundary lines of a playground, the southwesterly prolongation of a line midway between 29th Street and 31st Street, Hoyt Avenue South, a line midway between 26th Street and 27th Street and its southwesterly prolongation, a line 100 feet southwesterly of 24th Avenue, 23rd Street, 24th Avenue, 21st Street, a line 100 feet northeasterly of 24th Avenue, a line midway between 28th Street and 29th Street, a line 100 feet southwesterly of 23rd Avenue, and 26th Street;
  - d. 20th Avenue, a line midway between Steinway Street and 41st Street, Astoria Boulevard (southerly portion), a line midway between 38th Street and Steinway Street, a line 100 feet southwesterly of 23rd Avenue, 32nd Street, 23rd Avenue, 33rd Street, a line 100 feet northeasterly of 23rd Avenue, a line midway between 38th Street and Steinway Street, a line 100 feet southwesterly of Ditmars Boulevard, 33rd Street, Ditmars Boulevard, 35th Street, a line 100 feet northeasterly of Ditmars Boulevard, a line midway between 38th Street and Steinway Street, a line 80 feet southwesterly of 20th Avenue, and a line midway between 37th Street and 38th Street; and
  - a line 100 feet southwesterly of Hoyt Avenue South, Crescent Street, a line 100 feet northeasterly of Astoria Boulevard, and a line 200 feet northwesterly of Crescent Street;
- 23. changing from an R6 District to an R5D District property bounded by a line 100 feet southwesterly of Hoyt Avenue South, a line 100 feet northwesterly of 27th Street, a line 100 feet northeasterly of Astoria Boulevard, and Crescent
- 24. changing from an R5 District to an R6A District property bounded by:
  - a line 100 feet northeasterly of Astoria Boulevard, Crescent Street, 30th Avenue, 23rd Street, 29th Avenue, a line 100 feet northwesterly of Crescent Street, a line midway between 28th Avenue and 29th Avenue, and 23rd Street;
  - 21st Avenue, 32nd Street, a line 100 feet b. northeasterly of Ditmars Boulevard, a line 175 feet northwesterly of 31st Street, a line 100 feet southwesterly of 21st Street, and 29th Street; and
  - 21st Avenue, 35th Street, Ditmars c, Boulevard, and 33rd Street;
  - changing from an R6 District to an R6A District

- a line 100 feet northeasterly of Newtown Avenue, 30th Street, a line 100 feet southwesterly of 30th Avenue, a line midway between 30th Street and 31st Street, 30th Drive, a line midway between 29th Street and 30th Street, a line 150 feet northeasterly of Broadway, a line 100 feet northwesterly of Crescent Street, a line midway between 31st Avenue and 31st Road, a line 100 feet southeasterly of 21st Street, a line 150 feet southwesterly of 30th Drive, a line 100 feet northwesterly of Crescent Street, a line 100 feet southwesterly of 30th Avenue, a line 100 feet southeasterly of 21st Street, 30th Avenue, Crescent Street, 30th Road, a line 200 feet northwesterly of 29th Street, 30th Avenue, Crescent Street, a line 100 feet northeasterly of 30th Avenue, 29th Street, a line 100 feet southwesterly of Newtown Avenue, and Crescent Street;
- 32nd Street, a line 100 feet northeasterly b. of 28th Avenue, a line midway between 38th Street and Steinway Street, a line 100 feet southwesterly of 28th Avenue, a line midway between 35th Street and 36th Street, a line 100 feet northeasterly of 30th Avenue, 33rd Street, and 28th Avenue;
- a line 100 feet southwesterly of 30th c. Avenue, a line midway between 34th Street and 35th Street, a line 300 feet  $nor the asterly\ of\ 31 st\ Avenue,\ 35 th\ Street,$ a line 100 feet northeasterly of 31st Avenue, a line midway between 38th Street and Steinway Street, a line 100 feet southwesterly of 31st Avenue, a line midway between 31st Street and 32nd Street, a line 100 feet northeasterly of 31st Avenue, 33rd Street, a line 400 feet northeasterly of 31st Avenue, and a line midway between 33rd Street and 34th Street: and
- Crescent Street, a line 100 feet d. northeasterly of Astoria Boulevard, 29th Street, Astoria Boulevard, 29th Street, and a line 100 feet southwesterly of Astoria Boulevard;
- changing from an R6B District to an R6A District 26. property bounded by 21st Street, Broadway, 23rd Street, a line 150 feet northeasterly of Broadway, a line midway between 29th Street and 30th Street, a line 100 feet northeasterly of Broadway, 30th Street, and a line 100 feet southwesterly of Broadway;
- 27. changing from an R5 District to an R6B District property bounded by Hoyt Avenue South, Crescent Street, a line 100 feet southwesterly of Hoyt Avenue South, 23rd Street, a line midway between Hoyt Avenue South and 25th Road, a line midway between 21st Street and 22nd Street and its northeasterly prolongation, a line perpendicular to the southeasterly street line of 21st Street distant 330 feet northeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Astoria Boulevard and the southeasterly street line of 21st Street, and 21st
- changing from an R6 District to an R6B District property bounded by:
  - Hoyt Avenue South, 27th Street, a line 100 feet northeasterly of Astoria Boulevard, a line 100 feet northwesterly of 27th Street, a line 100 feet southwesterly of Hoyt Avenue South, and Crescent Street:
  - Crescent Street, a line 100 feet southwesterly of Astoria Boulevard, a line midway between 30th Street and 31st Street, and a line 100 feet northeasterly of Newtown Avenue;
  - Crescent Street, a line 100 feet c. southwesterly of Newtown Avenue, 29th Street, and a line 100 feet northeasterly of 30th Avenue:
  - d. a line 100 feet southwesterly of 30th Avenue, a line 100 feet northwesterly of Crescent Street, a line 150 feet southwesterly of 30th Drive, and a line 100 feet southeasterly of 21st Street;
  - a line midway between 31st Avenue and 31st Road, a line 100 feet northwesterly of Crescent Street, a line 150 feet northeasterly of Broadway, 23rd Street, Broadway, and a line 100 feet southeasterly of 21st Street;
  - f. a line 100 feet southwesterly of Astoria Boulevard (southerly portion), 35th Street, Astoria Boulevard (southerly portion), Steinway Street, a line 100 feet southwesterly of Astoria Boulevard (southerly portion), a line midway between 38th Street and Steinway Street, a line 100 feet northeasterly of 28th Avenue, 32nd Street, 28th Avenue, 33rd

- Street, a line 100 feet northeasterly of Newtown Avenue, a line 75 feet southeasterly of 31st Street, 28th Avenue, and a line midway between 31st Street and 32nd Street, and excluding property bounded by a line 100 feet southwesterly of Astoria Boulevard (southerly portion), a line midway between 37th Street and 38th Street, a line 670 feet northeasterly of 28th Avenue, and a line midway between 36th Street and 37th Street;
- a line 100 feet southwesterly of 30th g. Avenue, a line midway between 33rd Street and 34th Street, a line 400 feet northeasterly of 31st Avenue, 33rd Street, a line 100 feet northeasterly of 31st Avenue, and a line 90 feet southeasterly of 31st Street;
- h. 30th Drive, a line midway between 30th Street and 31st Street, a line 150 feet northeasterly of Broadway, and a line midway between 29th Street and 30th
- i. a line 100 feet southwesterly of 31st Avenue, a line midway between 38th Street and Steinway Street, a line 150 feet northeasterly of Broadway, 32nd Street, a line 235 feet northeasterly of Broadway, and a line 90 feet southeasterly of 31st Street; and
- a line 100 feet southwesterly of 30th j. Avenue, a line midway between 38th Street and Steinway Street, a line 100 feet northeasterly of 31st Street, and a line midway between 37th Street and 38th Street;
- 29. changing from an R5 District to an R7A District property bounded by 28th Avenue, 21st Street, 30th Avenue, and a line 100 feet northwesterly of 21st
- changing from an R6 District to an R7A District 30. property bounded by:
  - Vernon Boulevard, the southwesterly centerline prolongation of Welling Court, a line 100 feet easterly of Vernon Boulevard, 30th Drive, a line 100 feet northwesterly of 12th Street, and a line 100 feet northeasterly of Broadway; and
  - b. 30th Avenue, a line 100 feet southeasterly of 21st Street, Broadway, 21st Street, 31st Road, and a line 100 feet northwesterly of 21st Street;
- changing from an R5 District to a C4-2A District 31. property bounded by:
  - a line 100 feet northeasterly of Ditmars a. Boulevard, 33rd Street, the centerline of the New York Connecting Railroad rightof-way, and a line 125 feet northwesterly of 31st Street; and
  - b. a line 100 feet southeasterly of Astoria Boulevard (southerly portion), Steinway Street, Astoria Boulevard (southerly portion), a line midway between Steinway Street and 41st Street, 28th Avenue, and a line midway between 38th Street and Steinway Street;
- changing from an R6 District to a C4-2A District 32. property bounded by:
  - 30th Street, a line 75 feet northeasterly of 30th Avenue, the northeasterly centerline prolongation of 32nd Street, a line 100 feet northeasterly of Newton Avenue, a line 100 feet northeasterly of 30th Avenue, a line midway between 38th Street and Steinway Street, and a line 100 feet southwesterly of 30th Avenue;
  - b. a line midway between 31st Street and 32nd Street, a line 235 feet northeasterly of Broadway, 32nd Street, and a line 150 feet northeasterly of Broadway;
- changing from an R6B District to a C4-2A District 33. property bounded by a line 90 feet southeasterly of 31st Street, a line 150 feet northeasterly of Broadway, 32nd Street, a line 100 feet northeasterly of Broadway, a line midway between 38th Street and Steinway Street, and a line 100 feet southwesterly
- 34. changing from an R5 District to a C4-3 District property bounded by the centerline of the New York Connecting Railroad right-of-way, 33rd Street, 23rd Avenue, 32nd Street, a line 100 feet southwesterly of 23rd Avenue, a line 90 feet southeasterly of 31st Street, 24th Avenue, 32nd Street, a line 130 feet southwesterly of 24th Avenue, a line 80 feet southeasterly of 31st Street and its southwesterly prolongation, Hoyt Avenue South, the southwesterly prolongation of a line midway between 29th Street and 31st Street; a southwesterly, southeasterly and northeasterly boundary line of a playground, a line midway between 29th Street and 31stStreet, 24th Avenue, a

- line 100 feet northwesterly of 31st Street, a line 100 feet northeasterly of 23rd Road, and a line 125 feet northwesterly of 31st Street;
- 35. changing from an R6 District to a C4-3 District property bounded by:
  - a. a line 100 feet southwesterly of 30th
    Avenue, a line 90 feet southeasterly of
    31st Street, a line 150 feet northeasterly
    of Broadway, and a line midway between
    30th Street and 31st Street; and
  - b. Hoyt Avenue South, Astoria Boulevard (southerly portion), 35th Street, a line 100 feet southwesterly of Astoria Boulevard (southerly portion), a line midway between 31st Street and 32nd Street, 28th Avenue, a line 75 feet southeasterly of 31st Street, a line 100 feet northeasterly of Newtown Avenue, a line midway between 30th Street and 31st Street, a line 100 feet southwesterly of Astoria Boulevard, and 29th Street;
- 36. changing from an R6B District to a C4-3 District property bounded by 30th Street, a line 100 feet northeasterly of Broadway, a line midway between 30th Street and 31st Street, a line 150 feet northeasterly of Broadway, a line 90 feet southeasterly of 31st Street, and a line 100 feet southwesterly of Broadway;
- 37. changing from an R6 District to a C4-4A District property bounded by 30th Street, a line 100 feet northeasterly of Newton Avenue, 32nd Street and its northeasterly centerline prolongation, and a line 75 feet northeasterly of 30th Avenue;
- 38. establishing within an existing R5 District a C1-3 District bounded by:
  - a. 21st Avenue, 21st Street, a line 100 feet southwesterly of 21st Avenue, and 19th Street: and
  - b. 3rd Street, a line 100 feet northeasterly of 21st Avenue, 24th Street, and 21st Avenue:
- 39. establishing within a proposed R5B District a C1-3 District bounded by:
  - a. 31st Street, a line 100 feet northeasterly of 21st Avenue, 32nd Street, and 21st Avenue; and
  - b. 21st Street, a line 100 feet northeasterly of 21st Avenue, 23rd Street, 21st Avenue, a line 100 feet southeasterly of 21st Street, and a line 100 feet southwesterly of 21st Avenue;
- 40. establishing within a proposed R5D District a C1-3 District bounded by:
  - a. a line 200 feet northwesterly of 21st Street, a line midway between 21st Drive and Ditmars Boulevard, 21st Street, and Ditmars Boulevard;
  - b. 19th Street, Ditmars Boulevard, a line 100 feet southeasterly of 19th Street, and a line 100 feet southwesterly of Ditmars Boulevard;
  - c. 28th Street, a line 100 feet northeasterly of Ditmars Boulevard, a line 125 feet northwesterly of 31st Street, and a line 100 feet southwesterly of Ditmars Boulevard;
  - d. 35th Street, a line 100 feet northeasterly of Ditmars Boulevard, 37th Street, a line 100 feet southwesterly of Ditmars Boulevard, 33<sup>rd</sup> Street, and Ditmars Boulevard;
  - e. 26th Street, a line 100 feet northeasterly of 23rd Avenue, a line 125 feet northwesterly of 31st Street, and a line 100 feet southwesterly of 23rd Avenue;
  - f. 21st Street, a line 100 feet northeasterly of 24th Avenue, 24th Street, and 24th Avenue; and
  - g. 27th Street, a line 100 feet northeasterly of 24th Avenue, a line 100 feet northwesterly of 31st Street, and 24th Avenue;
- 41. establishing within an existing R6 District a C1-3
  District bounded by 30th Avenue, a line 200 feet
  northwesterly of 29th Street, a line 100 feet
  southwesterly of 30th Avenue, and Crescent Street;
- 42. establishing within an existing R6A District a C1-3
  District bounded by a line 100 feet northeasterly of
  21st Avenue, 31st Street, 21st Avenue, and a line
  175 feet northwesterly of 31st Street;
- 43. establishing within a proposed R6A District a C1-3 District bounded by:
  - a. 23rd Street, a line 100 feet northeasterly of Astoria Boulevard, 29th Street, a line

- 100 feet southwesterly of Astoria Boulevard, 28th Street, and Astoria Boulevard;
- b. a line 100 feet northeasterly of 31st
  Avenue, a line midway between 38th
  Street and Steinway Street, a line 100
  feet southwesterly of 31st Avenue, 37th
  Street, 31st Avenue, 35th Street, a line
  100 feet southwesterly of 31st Avenue,
  and a line midway between 31st Street
  and 32nd Street;
- c. 21st Avenue, 32nd Street, a line 100 feet northeasterly of Ditmars Boulevard, 31st Street, a line 100 feet southwesterly of 21st Avenue, and a line 100 feet northwesterly of 31st Street; and
- d. 33rd Street, a line 100 feet northeasterly of Ditmars Boulevard, 35th Street, and Ditmars Boulevard;
- e. 27th Street, a line 100 feet northeasterly of Astoria Boulevard, 29th Street, a line 100 feet southwesterly of Astoria Boulevard, 28th Street, and Astoria Boulevard;
- f. Crescent Street, a line 100 feet northeasterly of 30th Avenue, 30th Street, a line 100 feet southwesterly of 30th Avenue, a line 200 feet northwesterly of 29th Street, and 30th Avenue;
- 44. establishing within an existing R6B District a C1-3 District bounded by:
  - a. 18th Street, a line midway between 25th Road and Astoria Park South, a line 100 feet southeasterly of 18th Street, and a line perpendicular to the southeasterly street line of 18th Street distant 100 feet southwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 25th Road and the southeasterly street line of 18th Street;
  - b. a line midway between 14th Place and 18th Street and its southwesterly prolongation, a line 100 feet northeasterly of 26th Avenue, a line 100 feet southeasterly of 18th Street, 26th Avenue, 18th Street, and a line 100 feet southwesterly of 26th Avenue;
  - c. the southwesterly prolongation of a line midway between 14th Place and 18th Street, a line 200 feet north easterly of 27th Avenue, 18th Street, a line perpendicular to the southeasterly street line of 18th Street distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northerly boundary line of 26th Road and the southeasterly street line of 18th Street, a line 100 feet southeasterly of 18th Street, 26th Road, 18th Street, and a line 100 feet northeasterly of 27th Avenue; and
  - d. 30th Road, 14th Street, 30th Drive, a line 100 feet southeasterly of 14th Street, 31st Avenue, and a line 100 feet northwesterly of 14th Street;
- 45. establishing within a proposed R6B District a C1-3
  District bounded by 31st Drive, 23rd Street,
  Broadway, and a line 100 feet southeasterly of 21st
- 46. establishing within a proposed R7A District a C1-3 District bounded by:
  - a. Vernon Boulevard, the southwesterly centerline prolongation of Welling Court, a line 100 feet southeasterly of Vernon Boulevard, and a line 100 feet northeasterly of Broadway; and
  - b. 31st Drive, a line 100 feet southeasterly of 21st Street, Broadway, and 21st Street;
- 47. establishing within a proposed R6A District a C1-4 District bounded by:
  - a. a line 100 feet southeasterly of 23rd
    Street, a line 100 feet northeasterly of
    Broadway, a line 150 feet northwesterly
    of Crescent Street, a line 100 feet
    southwesterly of Broadway, 23rd Street,
    and Broadway; and
  - b. Broadway, a line 100 feet northwesterly of 23rd Street, a line 100 feet southwesterly of Broadway, and a line 100 feet southeasterly of 21st Street;
- 48. establishing within an existing R5 District a C2-3 District bounded by:
  - a. 20th Avenue, 33rd Street, a line 100 feet southwesterly of 20th Avenue, the northeasterly centerline prolongation of 32nd Street, 20th Road, 31st Street, a line 100 feet southwesterly of 20th Avenue,

- and a line midway between 28th Street and 29th Street;
- a line midway between Steinway Street and 41st Street, a line 100 feet northeasterly of Ditmars Boulevard, 41st Street, and a line 100 feet southwesterly of Ditmars Boulevard;
- a line midway between Steinway Street and 41st Street, the centerline of the New York Connecting Railroad right-of-way, 41st Street, and Astoria Boulevard (northerly portion); and
- d. a line midway between Steinway Street and 41st Street, Astoria Boulevard (southerly portion), 41st Street, and a line 100 feet southwesterly of Astoria Boulevard (southerly portion);
- 49. establishing within a proposed R5D District a C2-3 District bounded by:
  - a. 20th Avenue, a line midway between
    Steinway Street and 41st Street, 21st
    Avenue, a line midway between 38th
    Street and Steinway Street, a line 100
    feet southwesterly of 20th Avenue, and a
    line midway between 37th Street and
    38th Street;
  - b. 37th Street, a line 100 feet northeasterly of Ditmars Boulevard, Steinway Street, a line 150 feet northeasterly of Ditmars Boulevard, a line midway between Steinway Street and 41st Street, a northeasterly boundary line of a park and its northwesterly prolongation, Steinway Street, and a line 100 feet southwesterly of Ditmars Boulevard; and
  - c. 23rd Avenue, Steinway Street, the centerline of the New York Connecting Railroad right-of-way, a line midway between Steinway Street and 41st Street, Astoria Boulevard (northerly portion), and a line midway between 38th Street and Steinway Street;
- 50. establishing within an existing R6A District a C2-3
  District bounded by 12th Street, 30th Avenue, Main
  Avenue, Astoria Boulevard, a line 150 feet
  southeasterly of 8th Street, a line midway between
  28th Avenue and Astoria Boulevard, and a line 100
  feet northerly of Astoria Boulevard;
- 51. establishing within a proposed R6A District a C2-3
  District bounded by Crescent Street, Astoria
  Boulevard, 28th Street, and a line 100 feet
  southwesterly of Astoria Boulevard;
- 52. establishing within an existing R6B District a C2-3
  District bounded by 12th Street, a line 100 feet
  northerly of Astoria Boulevard, 18th Street, a line
  100 feet northeasterly of 27th Avenue, a line 100
  feet northwesterly of 21st Street, 28th Avenue,
  14th Street, and 29th Avenue;
- 53. establishing within a proposed R6B District a C2-3 District bounded by:
  - a. Crescent Street, a line 100 feet southwesterly of Astoria Boulevard, a line 100 feet northwesterly of 28th Street, and a line 200 feet northeasterly of Newtown Avenue;
  - b. Astoria Boulevard (southerly portion).
    Steinway Street, a line 100 feet
    southwesterly of Astoria Boulevard
    (southerly portion), and 36th Street; and
  - c. 38th Street, a line 100 feet southwesterly of 30th Avenue, a line midway between 38th Street and Steinway Street, and a line 275 feet southwesterly of 30th Avenue;
- 54. establishing within an existing R7A District a C2-3
  District bounded by Vernon Boulevard, a line 100
  feet northeasterly of Broadway, 21st Street, and
  Broadway;
- 55. establishing within a proposed R7A District a C2-3
  District bounded by 28thAvenue, 21st Street, 30th
  Avenue, a line 100 feet southeasterly of 21st Street,
  31st Drive, 21st Street, 31st Road, and a line 100
  feet northwesterly of 21st Street;
- 56. establishing within an existing R7B District a C2-3
  District bounded by a line midway between 21st
  Street and 22nd Street, a line 100 feet
  northeasterly of Astoria Boulevard, 23rd Street,
  27th Road, a line 100 feet southeasterly of 21st
  Street, and Newtown Avenue;
- 57. establishing within an existing R7X District a C2-3 District bounded by:
  - a. 31st Road, 21st Street, a line 100 feet northeasterly of Broadway, and a line 100 feet northwesterly of 21st Street; and
  - b. a line 100 feet northwesterly of 21st Street, a line 100 feet northeasterly of 27th Avenue, 21st Street, a line

perpendicular to the southeasterly street line of 21st Street distant 330 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of  $21\mathrm{st}$ Street and the northeasterly street line of Astoria Boulevard, Astoria Boulevard, a line midway between 21st Street and 22nd Street, Newtown Avenue, a line 100 feet southeasterly of 21st Street, and 28th

Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated January 25, 2010 and subject to the conditions of CEQR Declaration 245.

#### No. 5

#### CD 1 N 100200 ZRQ

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts), Section 23-144, and Appendix F (Inclusionary Housing Designated Areas), inclusive, relating to the extension of the Inclusionary Housing Program to proposed R7A districts.

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

#### Article 2 **Residence District Regulations**

### Bulk Regulations for Residential Buildings in Residence Districts

### 23-144

#### In designated areas where the Inclusionary Housing Program is applicable

In #Inclusionary Housing designated areas#, as listed in the table in this Section, the maximum permitted #floor area ratios# shall be as set forth in Section 23-952 (Floor area compensation in Inclusionary Housing designated areas). The locations of such areas are specified in APPENDIX F (Inclusionary Housing Designated Areas) of this Resolution.

#### Community District

Zoning District

Community District 1, Bronx	R6A R7-2 R7A R7X R8A
Community District 4, Bronx	R8A R9D
Community District 1, Brooklyn	R6 R6A R6B R7A R7-3
Community District 2, Brooklyn	R7A R8A R9A
Community District 3, Brooklyn	R7D
Community District 6, Brooklyn	R7-2
Community District 7, Brooklyn	R7A R8A
Community District 14, Brooklyn	R7A
Community District 3, Manhattan	R7A R8A R9A
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A
Community District 1, Queens	<u>R7A</u>
Community District 2, Queens	R7X
* * *	

## APPENIX F

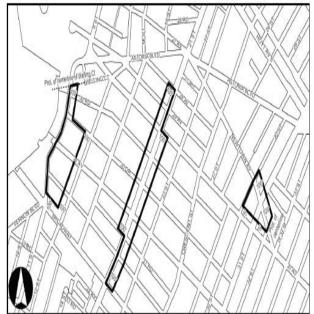
## **Inclusionary Housing Designated Areas**

## Queens

Queens Community District 1

In the R7A Districts within the areas shown on the following Map 1:

Map 1 - (2/24/10)



Portion of Community District 1, Queens

## No. 6

#### 55TH ROAD CD 2 C 070109 MMQ

IN THE MATTER OF an application submitted by Robinson Brothers, Inc., pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 et seq. of the New York City Administrative Code, for an amendment to the City Map

- the elimination, discontinuance and closing of 55th Road between 43rd Street and 44th Street;
- the delineation of a sewer easement; and
- the adjustment of grades necessitated thereby,

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 4989, dated December 24, 2007, and signed by the Borough President.

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

m11-24

#### LANDMARKS PRESERVATION COMMISSION

#### PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, of New York (Sections 25-307, 25-308, 25,308, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **April 6, 2010 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

# CERTIFICATE OF APPROPRIATENESS BOROUGH OF QUEENS 10-6293 - Block 148, lot 777-6293

West Side of 48th Street, East Side of 47th Street, South Side of 39th Avenue, Roosevelt Court - Sunnyside Gardens Historic Gardens

A Court, divided into eight rows comprised of 74 houses, covering most of the block bounded by 39th Avenue (north), 48th Street (east), Skillman Avenue (south), and 47th Street (west), designed by Clarence Stein, Henry Wright, and Frederick Ackerman, and built in 1927. Application is to establish a master plan governing the future installation of sidewalk planters.

# CERTIFICATE OF APPROPRIATENESS BOROUGH OF QUEENS 10-4750 - Block 148, lot 63-39-54 48th Street - Sunnyside Gardens Historic District A rowhouse with Colonial Revival style details designed by Clarence Stein, Henry Wright and Frederick Ackerman and built in 1925. Application is to legalize alterations at the rear facade completed without Landmarks Preservation

Commission permits, and to install steps. CERTIFICATE OF APPROPRIATENESS BOROUGH OF QUEENS 10-6223 - Block 1475, lot 51-37-51 87th Street - Jackson Heights Historic District An Anglo-American Garden Home style house designed by C.F. McAvoy and built in 1924. Application is to legalize alterations to the areaway without Landmarks Preservation Commission permits.

## CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 10-5208 - Block 2090, lot 27-215 Carlton Avenue - Fort Greene Historic District An early Italianate style brick house built c. 1856. Application is to legalize the installation of windows without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 10-6270 - Block 1945, lot 8-357 Waverly Avenue - Clinton Hill Historic District A vernacular 19th century carriage house and residence. Application is to legalization alterations to the façade in non-conformance with Certificate of No Effect 02-6008, and the installation of security grilles without Landmarks Preservation Commission permits.

## CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 10-6601 - Block 297, lot 6-219 Clinton Street - Cobble Hill Historic District A house originally built in 1845 and altered in the neo-Flemish style with rugged Romanesque features, by D'Oench & Simon in 1890-1891. Application is to modify a bay

CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 10-5646 - Block 443, lot 8-329 Smith Street - Carroll Gardens Historic District An Italianate style rowhouse built in 1872-73. Application is to install storefront infill, lighting and signage.

#### CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 10-6632 - Block 31, lot 14, 114-205 Water Street and 188 Plymouth Street - DUMBO Historic District A vacant lot. Application is to construct a new building.

Zoned M1-4/R7A and M1-4/R7A

#### CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 10-4746 - Block 2111, lot 1-1 Hanson Place - Williamsburgh Savings Bank-Individual and Interior Landmark

A neo-Romanesque style bank and office building designed by Halsey, McCormick & Helmer and built in 1927-29. Application is to legalize alterations in the lobby, install AC vents and a railing and move tables in the banking hall.

#### CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 10-6446 - Block 149, lot 75-9 Dekalb Avenue - Dime Saving Bank- Individual and Interior Landmark

A neo-Classical style bank building and banking hall built in 1906-08 and enlarged and altered in 1931-32. Application is to install a barrier-free access lift.

#### CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 09-8164 - Block 175, lot 18-39 White Street - Tribeca East Historic District A Greek Revival style converted dwelling with Italianate style additions built in 1831-32 and 1860-61. Application is to construct a rooftop addition. Zoned C6-2A.

## CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5757 - Block 144, lot 40-60 Hudson Street - The Western Union Building- Individual and Interior Landmark

A Dutch and German Expressionist style building and lobby designed by Voorhees, Gmelin and Walker and built in 1928-1930. Application is to alter building directories.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 10-0498 - Block 588, lot 66-316 Bleecker Street, aka 47 Grove Street - Greenwich Village

An Italianate style building built in 1854. Application is to replace windows.

# CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 10-6261 - Block 615, lot 86-

247 West 12th Street - Greenwich Village Historic District A garage building built in 1923. Application is to enlarge an existing rooftop addition. Zoned R-6.

## CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN

10-6195 - Block 593, lot 13-

3 Greenwich Avenue - Greenwich Village Historic District A one-story commercial building built in the 20th century Application is to install storefront infill, signage and lighting.

## CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-2364 - Block 588, lot 1-58 Barrow Street - Greenwich Village Historic District A house built in 1827. Application is to reconstruct the building and to raise the height of front façade and roof.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5615 - Block 566, lot 1-11 Fifth Avenue - Greenwich Village Historic District An apartment building built in 1956. Application is to enclose a portion of a terrace.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-6504 - Block 572, lot 60-33 West 8th Street - Greenwich Village Historic District A Greek Revival style rowhouse built in 1833 and altered in the early 20th century to accommodate storefronts at the first and second floors. Application is to legalize the installation of display windows without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 10-5801- Block 743, lot 70-336 West 20th Street - Chelsea Historic District A Victorian Gothic style parish hall built in 1871. Application is to excavate the basement, alter the stoop, install barrier free access ramps and demolish a section of the rear wall and install signage.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-3499 - Block 875, lot 34-139 East 19th Street - Gramercy Park Historic District A house originally built in 1842-43, and redesigned in the Mediterranean Revival style by Frederick Sterner in 1909. Application is to construct a rooftop bulkhead. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 07-2440 - Block 1400, lot 14-135 East 65th Street, aka 868-870 Lexington Avenue - Upper East Side Historic District

A neo-Federal style rowhouse designed by Edwin Outwater and built in 1903-1904. Application is to construct a rooftop addition. Zoned C1-8X.

## CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-3999 - Block 1381, lot 777-21 East 66th Street - Upper East Side Historic District A neo-Gothic style apartment building designed by Fred F. French Company and built in 1921. Application is to construct a roof-top addition. Zoned C5-1.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 10-4479 - Block 1390, lot 163-12 East 76th Street - Upper East Side Historic District A building constructed in 1881-82 and altered in 1964 by James Casale. Application is to redesign the façade. Zoned R8-B LH-1A.

## CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 09-9352 - Block 2064, lot 39-

408-414 West 150th Street - Hamilton Heights Sugar Hill

Historic District Extension A Renaissance Revival style apartment building designed by Moore & Landsiedel and built in 1900-1901. Application is to legalize the installation of windows and alterations to the entrance in noncompliance with Binding Staff Report

### CERTIFICATE OF APPROPRIATENESS BOROUGH OF BRONX 10-4981 - Block 5816, lot 1857-

274 College Road - Fieldston Historic District A Medieval Revival style house designed by Julius Gregory and built in 1926-27. Application is to construct a rear deck and alter windows.

**☞** m24-a6

## **TRANSPORTATION**

## ■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday, March 31, 2010. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing 125 Broad Condominium to continue to maintain and use a conduit and pipes under and across Broad Street, north of South Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2010 to June 30, 2011 - \$14,528 For the period July 1, 2011 to June 30, 2012 - \$14,951 For the period July 1, 2012 to June 30, 2013 - \$15,374 For the period July 1, 2013 to June 30, 2014 - \$15,797 For the period July 1, 2014 to June 30, 2015 - \$16,220 For the period July 1, 2015 to June 30, 2016 - \$16,643 For the period July 1, 2016 to June 30, 2017 - \$17,066 For the period July 1, 2017 to June 30, 2018 - \$17,489 For the period July 1, 2018 to June 30, 2019 - \$17,912 For the period July 1, 2019 to June 30, 2020 - \$18,335 the maintenance of a security deposit in the sum of \$18,400, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#2 In the matter of a proposed revocable consent authorizing Rockwell Avenue Homeowners Association, Inc. to construct, maintain and use a force main together with a manholes, under, along and across Rockwell Avenue, northwest of Virginia Avenue, in the Borough of Staten Island. 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:

From the Date of Approval to June 30, 2010 - \$4,578/annum

For the period July 1, 2010 to June 30, 2011 - \$4,716 For the period July 1, 2011 to June 30, 2012 - \$4,854 For the period July 1, 2012 to June 30, 2013 - \$4,992For the period July 1, 2013 to June 30, 2014 - \$5,130For the period July 1, 2014 to June 30, 2015 - \$5,268 For the period July 1, 2015 to June 30, 2016 - \$5,406 For the period July 1, 2016 to June 30, 2017 - \$5,544 For the period July 1, 2017 to June 30, 2018 - \$5,682For the period July 1, 2018 to June 30, 2019 - \$5,820For the period July 1, 2019 to June 30, 2020 - \$5,958

the maintenance of a security deposit in the sum of \$6,000 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#3 In the matter of a proposed revocable consent authorizing The Mount Morris Park West Condominium to continue to maintain and use stoops and fenced-in areas on the west sidewalk of Mount Morris Park West, north of West 120th Street, and on the north sidewalk of West 120th Street, west of Mount Morris Park West, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period from July 1, 2010 to June 30, 2020 - \$225/annum.

the maintenance of a security deposit in the sum of \$8,964.00 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

**#4** In the matter of a proposed revocable consent authorizing 277 First LLC to construct, maintain and use a planted area on the northeast sidewalk of 1st Street, between Forth and Fifth Avenues, 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:

From the date of Approval by the Mayor - \$273/annum.

the maintenance of a security deposit in the sum of \$4,000 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#5 In the matter of a proposed revocable consent authorizing Rutledge Estates LLC to construct, maintain and use manholes in the south sidewalk of Rutledge Street, east of Wythe Avenue, and in the east sidewalk of Wythe Avenue, south of Rutledge Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years and provides, among other terms and conditions, for compensation payable to the City according to the following

From the Date of Approval to June 30,2010 - \$477/annum For the period July 1, 2010 to June 30,2011 - \$491 For the period July 1, 2011 to June 30,2012 - \$505 For the period July 1, 2012 to June 30, 2013 - \$519 For the period July 1, 2013 to June 30, 2014 - \$533 For the period July 1, 2014 to June 30, 2015 - \$547 For the period July 1, 2015 to June 30, 2016 - \$561 For the period July 1, 2016 to June 30, 2017 - \$575 For the period July 1, 2017 to June 30, 2018 - \$589 For the period July 1, 2018 to June 30, 2019 - \$603 For the period July 1, 2019 to June 30, 2020 - \$617

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

m12-31

## PROPERTY DISPOSITION

### CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

AUCTION

## PUBLIC AUCTION SALE NUMBER 10001 - T

NOTICE IS HEREBY GIVEN of a public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on WEDNESDAY, APRIL 14, 2010 (SALE NUMBER 10001-T). Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

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

A listing of vehicles to be offered for sale in the next auction can be viewed on our web site, on the Friday prior to the sale

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

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

m18-a14

#### ■ SALE BY SEALED BID

#### SALE OF: 50,000 LBS. OF UNCLEAN BRASS WATER MÉTERS.

S.P.#: 10018

**DUE:** April 1, 2010

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

bids at date and time specified above.

DCAS, Division of Municipal Supply Services, 18th Floor, Bid Room, Municipal Building, New York, NY 10007. For sales proposal contact Gladys Genoves-McCauley (718) 417-2156.

m19-a1

#### **POLICE**

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

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

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

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

#### INQUIRIES

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

## FOR MOTOR VEHICLES

(All Boroughs):

College Auto Pound, 129-01 31 Avenue. College Point, NY 11354, (718) 445-0100

Gowanus Auto Pound, 29th Street and 2nd Avenue, Brooklyn, NY 11212, (718) 832-3852

Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2029

## FOR ALL OTHER PROPERTY

Manhattan - 1 Police Plaza, New York, NY

10038, (212) 374-4925. Brooklyn - 84th Precinct, 301 Gold Street,

Brooklyn, NY 11201, (718) 875-6675.

Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.

Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.

Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.

j1-d31

## PROCUREMENT

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

## **BUILDINGS**

indicated.

CONTRACTS UNIT

■ INTENT TO AWARD

Services (Other Than Human Services) SUPPORT FOR METRIX PROPRIETARY SOFTWARE

#### - Sole Source - Available only from a single source -PIN# 81010ITX0075 – DUE 04-02-10 AT 3:00 P.M. – Any vendor who believes it is capable of providing such services may express its interest in doing so by writing to Benjamin S. Karan at the indicated address by the date and time

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

Department of Buildings, 280 Broadway, 6th Floor, New York, N.Y. Leesel Wong (212) 566-4183,

lewong@buildings.nyc.gov

#### **CITYWIDE ADMINISTRATIVE SERVICES**

#### CONTRACTS

**■ SOLICITATIONS** 

 $Services\ (Other\ Than\ Human\ Services)$ 

## UNEMPLOYMENT INSURANCE TRACKING SYSTEM - Sole Source - Available only from a single source - PIN# 856100000350 - DUE 04-05-10 AT 5:00 P.M. - The Department of Citywide Administrative Services intends to enter into a sole source negotiation for an Unemployment Insurance Case Tracking System to track unemployment insurance claims filed against the City's account for the Division of Citywide Personnel Services with TALX Corporation. Any firm which believes that it can also provide this service is invited to express an interest by letter to: DCAS, Office of Contracts, 18th Floor North, One Centre Street, New York, NY 10007. Erkan Solak, Deputy Agency Contracting Officer, (212) 669-3530, or email: esolak@dcas.nyc.gov

m18-24

#### DIVISION OF MUNICIPAL SUPPLY SERVICES

SOLICITATIONS

Goods

**READY MIXED CONCRETE, RE-AD** – Competitive Sealed Bids – PIN# 8571000192 – DUE 04-08-10 AT 10:30 A.M. – Request by fax (212) 669-7603 or email.

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

Department of Citywide Administrative Services, 1 Centre Street, Room 1800, New York, NY 10007. Anna Wong (212) 669-8610, dcasdmssbids@dcas.nyc.gov

■ VENDOR LISTS

Goods

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

1. Mix, Biscuit - AB-14-1:92

2. Mix, Bran Muffin - AB-14-2:91

3. Mix, Corn Muffin - AB-14-5:91 4. Mix, Pie Crust - AB-14-9:91 5. Mixes, Cake - AB-14-11:92A

5. Mixes, Care - Ab-14-11:92A 6. Mix, Egg Nog - AB-14-19:93 7. Canned Beef Stew - AB-14-25:97 8. Canned Ham Shanks - AB-14-28:91 9. Canned Corned Beef Hash - AB-14-26:94 10. Canned Boned Chicken - AB-14-27:91

11. Canned Corned Beef - AB-14-30:91

12. Canned Ham, Cured - AB-14-29:91 13. Complete Horse Feed Pellets - AB-15-1:92

14. Canned Soups - AB-14-10:92D 15. Infant Formula, Ready to Feed - AB-16-1:93 16. Spices - AB-14-12:95

17. Soy Sauce - AB-14-03:94 18. Worcestershire Sauce - AB-14-04:94

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

jy17-j4

#### EQUIPMENT FOR DEPARTMENT OF SANITATION -In accordance with PPB Rules, Section 2.05(c)(3), an

acceptable brands list will be established for the following equipment for the Department of Sanitation:

A. Collection Truck Bodies
B. Collection Truck Cab Chassis

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

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

jy17-j4

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

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

jy17-j4

## **ENVIRONMENTAL PROTECTION**

SOLICITATIONS

Construction Related Services

NEWTOWN CREEK'S SLUDGE FORCE MAIN AND DOCK AT THE NEWTOWN CREEK WPCP, BROOKLYN – Competitive Sealed Bids – DUE 05-14-10 AT 11:30 A.M. PIN# 82610WP01193 - GENERAL CONST. PIN# 82610WP01194 - ELECTRICAL WORK

CONTRACT NC-50G,E. Document Fee: \$100.00. Project Manager, Robert D'Attile (718) 595-6004. This contract includes construction of two new 20-inch sludge force mains from the Newtown Creek WPCP to the new loading dock on Whale Creek Canal; cleaning, capping and abandoning in place the existing 18-inch sludge force main from the Newtwon Creek WPCP to the East River Sludge Storage Tank and loading dock; demolition of the East River Sludge Storage Tank; construction of new sludge loading dock; maintenance dredging in Whale Creek Canal and Newtown Creek; cleaning of six digesters and sludge storage tanks 1 and 2; repair the odor control and digester gas piping located inside the tanks; installation of underground utilities; site work including grading, paving and landscaping; and all appurtenant equipment, piping and controls; provide power,

**☞** m24-30

lighting, and controls and all associated wiring for the Sludge Loading Dock; provide telephone and public address systems for the Sludge Loading Dock, and provide cabling for the fire alarm, security, closed circuit television and plant monitoring and control systems. Please be advised that this contract is subject to the Project

Vendor Source ID#s: NC-50G - 67308; NC-50E - 67314.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above. Department of Environmental Protection, 59-17 Junction Boulevard, 17th Floor, Flushing, New York 11373. Greg Hall (718) 595-3236; gregh@dep.nyc.gov

**☞** m24

Services (Other Than Human Services)

RE-BID: GRAFFITI REMOVAL SERVICES, CITYWIDE - Competitive Sealed Bids - PIN# 82608FMC4208 - DUE 04-08-10 AT 11:30 A.M. - RE-BID: Project No: FMC-4-2008(R). Document Fee: \$40.00. Christian Cavender, Project Manager, (718) 595-7178. Vendor ID#: 56475.

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

Department of Environmental Protection, 59-17 Junction
Blvd., 17th Floor, Flushing, NY 11373.

Greg Hall (718) 595-3236; ghall@dep.nyc.gov

**☞** m24

#### AWARDS

Construction Related Services

CM SERVICES - Competitive Sealed Proposals/Pre-Qualified List – Specifications cannot be made sufficiently definite - PIN# 82608WP01118 – AMT: \$1,759,922.00 – TO: URS Corporation-New York, 650 From Road, Suite 475, Paramus, NJ 07652. In connection with construction contract

● CM SERVICES - Competitive Sealed Proposals -► CM SERVICES – Competitive Sealed Proposals – Specifications cannot be made sufficiently definite - PIN# 82607WP01084 – AMT: \$5,990,150.00 – TO: Alion Science and Technology Corp., 4300 Kings Street, Suite 400, Alexandria, VA 22302. - CM Services in connection with construction contract NC-50A.

#### FINANCIAL INFORMATION SERVICES AGENCY

■ INTENT TO AWARD

Services (Other Than Human Services)

PERPETUAL LICENSE AND MAINTENANCE OF **CERTAIN SOFTWARE PRODUCTS** – Sole Source Available only from a single source - PIN# 12711CA00004 -DUE 03-29-10 AT 10:00 A.M. - The proposed contractor, Compuware Corporation, has been selected via a Sole Source Procurement, pursuant to Section 3-05 of the Procurement Policy Board Rules. The vendor will provide software maintenance services for the proprietary software Abend-Aid and File-Aid for a term of three years beginning from November 1, 2010 to October 31, 2013 with an option to renew for another three years. Abend-Aid analyzes the causes of program failures. It provides an analysis of program errors and its offers suggestions to resolve these errors. File-Aid is a data management tool that is used to manipulate mainframe files and databases. Any vendor qualified to provide these services now or in the future should contact Marisol Cintron at (212) 857-1540 or email mcintron@fisa.nyc.gov.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above. Financial Information Services Agency, 450 West 33rd Street, 4th Floor, New York, NY 10001-2603. Marisol Cintron (212) 857-1540.

m22-26

### **HEALTH AND HOSPITALS** CORPORATION

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

j1-d31

## SOLICITATIONS

Goods

SIHI MEDICAL AIR COMPRESSOR – Competitive Sealed Bids – PIN# QHN2010-1082EHC – DUE 04-13-10 AT 1:00

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

Queens Health Network, 82-68 164th Street, "S" Building,
Jamaica, NY 11432. Boris Goltzman (718) 883-6000,
boris.goltzman@nychhc.org

 $Goods \ \& \ Services$ 

MEDICAL NAVIGATION SYSTEM - Competitive Sealed Bids – PIN# 11210043 – DUE 03-29-10 AT 4:00 P.M.

Use the following address unless otherwise specified in

notice, to secure, examine or submit bid/proposal documents,

vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above. Lincoln Hospital Center, 234 East 149th Street, Bronx NY 10451. Édwin Iyasare (718) 579-5106, edwin.iyasare@nychhc.org

#### **HEALTH AND MENTAL HYGIENE**

■ INTENT TO AWARD

Goods

7500 FAST DX INSTRUMENT, LAPTOP - Sole Source -Available only from a single source -PIN# 10LB090301R0X00 – DUE 04-02-10 AT 3:00 P.M. The NYC DOHMH intends to enter a Sole Source contract with Applied Biosystems, Inc., to provide Laptops that are pre-installed with software compatible with 7500 Fast Dx for H1N1 Influenza analysis. The term of the contract will be

Any vendor that believes it can also provide these services for such procurement in the future is invited to indicate an expression of intent by letter to: Health and Mental Hygiene, 455 First Avenue, 12th Floor, New York, NY 10016. Geri Bell - Phone: (212) 447-2588; Email: gbell@health.nyc.gov

HEPATITIS TESTING KITS – Sole Source – Available only from a single source - PIN# 10LB097101R0X00 – DUE 04-02-10 AT 3:00 P.M. – The NYC DOHMH intends to enter a Sole Source contract with Abbott Laboratories, Inc. to provide AxSYM Anti HCV Hepatitis C and AxSYM AUSAB Hepatitis B Testing Kits. The term of this contract 03/10/10 to 2/00/11 with an entire to represent for an additional 2 ways. to 3/09/11, with an option to renew for an additional 2 years.

Any vendor that believes it can also provide these services for such procurement in the future is invited to indicate an expression of intent by letter to: Health and Mental Hygiene, 455 First Avenue, 12th Floor, New York, NY 10016. Geri Bell (212) 447-2588, gbell@health.nyc.gov

m22-26

#### AGENCY CHIEF CONTRACTING OFFICER

SCATTERED SITE SUPPORTIVE HOUSING PROGRAM FOR HOMELESS SINGLE ADULTS W/SERIOUS AND PERSISTENT MENTAL ILLNESS (HIGH SERVICE NEEDS I) – Required/Authorized Source

– Available only from a single source -PIN# 10AZ064501R0X00 – AMT: \$275,000.00 – TO: Center

PIN# 10AZ064501R0X00 – AMT: \$275,000.00 – TO: Center for Alternative Sentencing and Employment Services, Inc., 346 Broadway, New York, NY 10013.

• FUND RAISING – Renewal – PIN# 08FM131101R1X00 – AMT: \$250,000.00 – TO: The Fund for Public Health in New York, Inc., 291 Broadway, New York, NY 10007.

• AUDIT OF THE CONTRACT BETWEEN PRISON HEALTH SERVICES AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE – Competitive Sealed Proposals – Judgment required in evaluating proposals – Proposals – Judgment required in evaluating proposals – PIN# 10MA005901R0X00 – AMT: \$140,352.00 – TO: TCBA Watson Rice, LLP, 5 Penn Plaza, 15th Floor, New York, NY 10001.

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## **HOMELESS SERVICES**

■ SOLICITATIONS

Services (Other Than Human Services)

TRANSPORTATION SERVICES (FOR FAMILY AND  $\bf ADULT\ DIVISION)$  – Competitive Sealed Bids – PIN# 071-10S-02-1446 – DUE 05-11-10 AT 11:00 A.M. – Bid to be released on 3/25/10. There will be a mandatory pre-bid conference on 4/27/10 at 10:00 A.M. at the Department of Homeless Services, 33 Beaver Street, 13th Floor, New York,

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

Department of Homeless Services, 33 Beaver Street, 13th Fl., NY, NY 10004. Josiane Destra (212) 361-8498 jdestra@dhs.nyc.gov

## OFFICE OF CONTRACTS AND PROCUREMENT

SOLICITATIONS

Human/Client Service

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

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

Department of Homeless Services, 33 Beaver Street, 13th
Floor, New York, NY 10004. Marta Zmoira (212) 361-0888,

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## **HOUSING AUTHORITY**

PURCHASING DIVISION

mzmoira@dhs.nyc.gov

SOLICITATIONS

Goods & Services

PLUMBING AND HEAITNG GASKETS – Competitive Sealed Bids – RFQ#  $26326~\mathrm{HS}$  – DUE  $04\text{-}20\text{-}10~\mathrm{AT}$  10:40

 $\label{the following address} \ unless \ otherwise \ specified \ in \\ notice, \ to \ secure, \ examine \ or \ submit \ bid/proposal \ documents, \\ vendor \ pre-qualification \ and \ other \ forms; \ specifications/$ 

blueprints; other information; and for opening and reading of

bids at date and time specified above.

Housing Authority, 23-02 49th Avenue, 5th Floor SCOD

Long Island City, NY 11101. Bid documents available via internet ONLY:

http://www.nyc.gov/html/nycha/html/business/goods\_materials.shtml Harvey Shenkman (718) 707-5466.

**☞** m24

#### INFORMATION TECHNOLOGY AND **TELECOMMUNICATIONS**

#### AGENCY CHIEF CONTRACTING OFFICER

■ INTENT TO AWARD

Services (Other Than Human Services)

OPENGEO ENTERPRISE SUPPORT SERVICES - Sole Source – Available only from a single source - PIN# 85810SS00032 – DUE 03-30-10 AT 3:00 P.M. – DoITT intends to enter into negotiations with OpenGeo to provide OpenGeo Enterprise support services. Any firm which believes it can provide the required service for this procurement or in the future is invited to indicate via email to acco@doitt.nyc.gov by March 30, 2010.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Department of Information Technology and Telecommunication, 75 Park Place, 9th Floor, New York, NY 10007. Vito Pulito (212) 788-6285.

m23-29

#### JUVENILE JUSTICE

SOLICITATIONS

Human/Client Service

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

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

Department of Juvenile Justice, 110 William Street, 14th
Floor, New York, NY 10038. Chuma Uwechia (212) 442-7716,

cuwechia@djj.

jy1-d16

## PARKS AND RECREATION

REVENUE AND CONCESSIONS

SOLICITATIONS

Services (Other Than Human Services)

OPERATION OF FOOD SERVICE AT THE NEW AMSTERDAM PAVILION - Competitive Sealed Proposals – Specifications cannot be made sufficiently definite -PIN# M5-RM-SB – DUE 05-03-10 AT 5:00 P.M. At Peter Minuit Plaza, Battery Park, Manhattan.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above. Parks and Recreation, The Battery Conservancy, 1 New York Plaza, Concourse, New York, NY 10004.

Pat Kirchner (212) 344-3491, pkirchner@thebattery.org

m16-29

## SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

SOLICITATIONS

Construction / Construction Services

STAIRWAY AND EXITS/BLOWER ROOM CEILING -Competitive Sealed Bids - PIN# SCA10-006594-1 -DUE 04-13-10 AT 11:00 A.M. – PS 6 (Bronx). Project Range: \$1,520,000.00 to \$1,600,000.00. Non-refundable. Bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above. School Construction Authority, Plans Room Window, Room #1046, 30-30 Thomson Avenue, 1st Floor, Long Island City,

New York 11101. Anthony Largie (718) 752-5842, email: alargie@nycsca.org

FURNISH AND INSTALL NEW FLOORS - Competitive

Sealed Bids - PIN# SCA10-13266D-1 - DUE 04-12-10 AT 10:30 A.M. – Non-refundable bid document charge: \$100, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above. School Construction Authority, Plans Room Window, Room #1046, 30-30 Thomson Avenue, 1st Floor, Long Island City, New York 11101. Stacia Edwards (718) 752-5849.

m23-29

 $Services\ (Other\ Than\ Human\ Services)$ 

MICROFILM AND BLOWBACKS – Competitive Sealed Bids – PIN# SCA-1007P – DUE 04-13-10 AT 11:00 A.M. NYC School Construction Authority (SCA) is requesting bids from qualified vendors to furnish services for Microfilm and Blowbacks. All vendors must be prequalified to receive a contract award with the SCA.

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

School Construction Authority, 30-30 Thomson Avenue,

Long Island City, NY 11101. Anthony Largie (718) 752-5842.

m19-25

#### TRANSPORTATION

#### DIVISION OF FRANCHISES, CONCESSIONS AND CONSENTS

■ SOLICITATIONS

Services (Other Than Human Services)

FRANCHISE FOR EXPRESS BUS SERVICE – Request for Proposals – PIN# 84110MBAD507 – DUE 05-07-10 AT 2:00 P.M. – DOT's Office of Franchises, Concession and Consents is soliciting proposals for a non-exclusive franchise for unsubsidized bus lines providing common carrier express for unsubsidized bus lines providing common carrier express bus service to passengers along designated routes between the Borough of Manhattan and LaGuardia Airport and John F. Kennedy International Airport in the Borough of Queens and between those airports. The initial term of the Franchise Contract will be ten (10) years, followed by an optional renewal period of ten (10) years and a second optional renewal period of five (5) years. The renewals shall be exercised at the sole option of the Department of Transportation. Transportation.

The Request for Proposals will be available online from:  $\label{lem:http://www.nyc.gov/html/dot/html/about/rfpintro.shtml.}$ (Please press Ctrl plus click to follow the link or cut-andpaste or re-type the URL into your browser)

Hard copies may be obtained from Monday, March 22 through Thursday, May 6, 2010, from 9:00 A.M. to 3:00 P.M.

There will be a pre-proposal conference on Monday, April 12, 2010 at 2:00 P.M. at 55 Water St., N.Y., N.Y. Please contact the Authorized Department Contact for the room number. Attendees are asked to RSVP. Attendance by proposers is optional but strongly recommended.

All inquiries should refer to the Solicitation Number, should be submitted in writing and will be answered in writing. Fax Number: (212) 839-4834.

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

Department of Transportation, ACCO, Contract Management Unit, 55 Water Street, Ground Floor, New York, NY 10041.

Owiso Makuku (212) 839-6550, franchises@dot.nyc.gov

m22-a2

## AGENCY RULES

## PARKS AND RECREATION

## Notice of Opportunity to Comment on Proposed Rule

Revision of §§1-02 and 1-05(b) of Title 56 of the Official Compilation of Rules of the City of New York

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the Department of Parks & Recreation ("Parks") by Sections 389 and 533(a)(9) of the New York City Charter and in accordance with the requirement of Section 1043 of the New York City Charter, that Parks proposes to amend §§1-02 and 1-05(b) of Title 56 of the Official Compilation of Rules of the City of New York.

Written comments regarding the proposed rules may be sent to Alessandro G. Olivieri, General Counsel, Department of Parks & Recreation, The Arsenal, Central Park, 830 Fifth Avenue, New York, New York 10065, by April 23, 2010. A public hearing shall be held on April 23, 2010 at Chelsea Recreation Center, 430 West 25th Street, New York, NY 10010 at 11:00 A.M. Persons seeking to testify are requested to notify Laura LaVelle at (212) 360-1335 or laura.lavelle@parks.nyc.gov. Persons who request that a sign language interpreter or other reasonable accommodation be provided at the hearing are asked to notify Laura LaVelle at the foregoing address by April 8, 2010. Written comments and a tape recording of oral comments received at the hearing will be available for public inspection, within a reasonable time after receipt, between the hours of 9:00 A.M. and 5:00 P.M. at The Arsenal, Room 313, telephone number (212) 360-1313.

These amendments were not included in the Parks regulatory agenda because the Department was not aware of the necessity for amendments at the time the regulatory agenda was prepared.

New material is indicated by underlining. Deletions are indicated by brackets.  $\,$ 

Section 1. Section 1-02 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to add a new definition to read as follows:

Expressive Matter. "Expressive matter" means materials or objects with expressive content, such as newspapers, books,

or writings, or visual art such as paintings, prints, photography, or sculpture.

## 2. Section 1-05(b) of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:

§ 1-05

Unlawful Vending.

(1) No person in <u>or on</u> any <u>property under the</u> <u>jurisdiction of the Department</u> [park, or street adjacent to or abutting a park (including all public sidewalks of such abutting streets)] shall sell, offer for sale, hire, lease or let anything whatsoever, or provide or offer to provide services or items in exchange for a donation (hereinafter "vend"), except under and within the terms of a permit, or except as otherwise provided by law. For the purposes of this entire section, persons who vend as defined herein may be referred to as "vendor" or "vendors."

Persons may vend expressive matter, as defined in section 1-02 of this title, on property under jurisdiction of the Department without a permit, but must comply with all applicable provisions of these rules. However, in the specific locations enumerated in paragraph (3) expressive matter vendors may only vend expressive matter at the specifically designated spots identified by the Commissioner in the accompanying maps and as marked by a numbered Department decal, or other form of marking, on the specific location of the approved vending spot. These spots shall be allocated upon a first come, first serve basis except as otherwise provided by law and any expressive matter vendor may only vend expressive matter directly behind the numbered Department decal. Only one expressive matter vendor is authorized to vend directly behind the numbered Department decal and if multiple expressive vendors attempt to vend expressive matter at any one numbered Department decal, then all such expressive matter vendors at such spot will be in violation of this section and may be directed to leave the area of that numbered Department decal immediately. Any such expressive matter vendor failing to leave the area of the numbered Department decal immediately upon direction as required under the preceding sentence will be in violation of these rules.

(3) Specifically designated spots for expressive matter vendors are located in the following general areas, and are specifically depicted on the accompanying maps: specifically depicted on the accompanying maps:
(i) Central Park at the following locations: (A) the
perimeter of the Park between East 85th Street and East
60th Street, (B) the perimeter of the park between West 86th
Street and West 60th Street, (C) all of Central Park South,
(D) Wien Walk and Wallach Walk, (E) East Drive, (F) Grand
Army Plaza, (G) Pulitzer Plaza, and (H) Columbus Circle.
(ii) Battery Park, including all perimeter sidewalks.
(iii) Union Square Park, including all perimeter sidewalks.
(iv) Elevated portions of High Line Park.

(4)(i) No vendor in or on any property under the jurisdiction of the Department shall allow any item or items used or offered in conjunction with vending to touch, lean against or be affixed permanently or temporarily to any street or park furniture installed on public property or any rock formation,

tree, shrub or other planting.

(ii) No vendor shall block any patron from using any street or park furniture installed on public property by way of the

vending activity.

(iii) No vendor shall vend anything in such a manner that would damage or otherwise injure Department property. including, but not limited to lawns, plants, animals or

buildings.
(iv) No vendor shall vend anything that is placed immediately on a sidewalk or park path, or on a blanket or board placed immediately upon such surface or on the top of a trash receptacle or cardboard box.

(v) No vendor shall vend anything over any ventilation grill, cellar door, manhole, transformer vault or subway

access grating.

(vi) No vendor shall vend anything whatsoever directly from any parked or double parked motor vehicles except for food vendors with appropriate Department and New York City Department of Heath and Mental Hygiene permits.

No vendor shall vend anything whatsoever using a

display stand that:
(i) provides less than a twelve (12) foot wide clear pedestrian path measured from the display on the sidewalk or park path to the opposite edge of the sidewalk or park path, except that when there is street or park furniture on the pedestrian path the measurement must be taken from the display to two feet from the street or park furniture in order to determine whether there is less then a twelve (12) foot wide clear pedestrian path;

(ii) is placed on any other part of a sidewalk under the Department's jurisdiction other than that which abuts the

curb, unless otherwise authorized;

(iii) is in an unsuitable location because the location is a specialized area including, but not limited to, a zoo, swimming pool, playground, athletic field or court, or skating

(iv) is within any bus stop, carriage horse stand, pedicab stand, or taxi stand;

(v) is within five (5) feet from any street or park furniture, public telephone, disabled access ramp, tree, or from individuals or entities authorized by permit or license by the

Commissioner to operate at a specific location;
(vi) is within ten (10) feet from any crosswalk on any path or on any sidewalk under the jurisdiction of the Department; (vii) is placed within fifty (50) feet from any monument or other public art installation;

occupies more than eight (8) linear feet of public space

parallel to the curb or park path;
(ix) occupies more than three (3) linear feet in depth; is more than five (5) feet high or less than twenty-four (24) inches above the sidewalk or park path where the display surface is parallel to the sidewalk or park path, and may not be less than twelve (12) inches above the sidewalk or park path where the display surface is vertical;
(xi) where a rack or other display structure is placed on the

top or above a table or other base, the size of the base is not less than the size of any rack or display structure placed thereon. Nothing shall be placed on the base so as to exceed the size limitations contained in this section;

(xii) uses any areas other than that area immediately beneath the surface of the display stand for the storage of items for sale, unless permitted by Department license or permit for the use of a fixed location to store items for sale; or (xiii) fails to use an opaque covering to shield any items stored beneath the surface of the display stand.

For the purposes of this section a display stand shall mean a movable, portable or collapsible structure, framework, device, container or other contrivance used by a <u>vendor in any property under the jurisdiction of the</u> Department for the purpose of displaying, keeping or storing any goods, wares, merchandise, foodstuffs or expressive

For the purposes of this section, street or park furniture shall mean any City-installed, maintained or approved structure, including but not limited to, benches, newspaper boxes, tree guards, fire hydrants, trash receptacles, telephone kiosks, newsstands, bus shelters, barricades, bollards, traffic signs, traffic lights, walls, water fountains, ornamental fountains, or fences located in any property under the jurisdiction of the Department.

Where exigent circumstances exist and a Department employee or police officer gives notice to a vendor to move temporarily from any location such vendor shall not vend from such location. For the purposes of this section, exigent circumstances shall include, but not be limited to, unusually heavy pedestrian or vehicular traffic, the existence of any obstruction in the park, an accident, fire, or other emergency situation, a parade, special event, demonstration, construction project, maintenance operations, or other such event at or near such location, including periods of set up and take down for such exigent circumstances.

### STATEMENT OF BASIS AND PURPOSE

These rules are promulgated pursuant to the authority of the Commissioner of the Department of Parks and Recreation (the "Commissioner") under sections 389, 533(a)(9) and 1043 of the New York City Charter. The Commissioner is authorized to establish and enforce rules for the use governance and protection of public parks and of all property under the charge or control of the Department of Parks and

The proposed rules provide reasonable opportunities – by and through limited time, place, and manner restrictions - for expressive matter vendors to display and sell their wares on parkland. These rules not only provide greater clarity for vendors regarding where and how they can operate on parkland, they also ensure that our parks do not become so congested that they do not provide the public with enjoyable and accessible open space.

The Department determined that it was necessary to promulgate these rules to address concerns raised by park visitors, vendors, and other members of the public, as well as Department staff, related to the proliferation, in certain parks, of expressive matter vendors and the impact they can have on parkland and other park visitors. In fact, in the absence of Department rules regarding expressive matter vendors, the number of these vendors combined for Battery Park, Central Park, and Union Square Park has almost tripled since 2001, when the Department ended its old lottery system for vendor permits in these parks pursuant to the New York City Administrative Code. This dramatic increase in the number of vendors has resulted in changed conditions in certain parks, which required the Department to develop regulations in order to strike a balance between expressive matter vendors and other park visitors, and address other concerns related to maintaining and operating open space under the jurisdiction of the Department.

For example, expressive matter vendors at Union Square Park have increased, and continue to increase, in number to the point where they occupy almost the entire south-west corner of the park. This not only presents a concern regarding potential hazardous and unsafe conditions stemming from undue congestion and pedestrian gridlock, it also detracts from the experience of those park visitors who wish to experience and enjoy the park in other ways.

Therefore, to accommodate the interests of a broad range of park visitors, including the interests of expressive matter vendors who wish to operate on parkland, the proposed rules establish general park locations where vendors may operate and minimum requirements regarding vending activity, such as the set-up and size of display stands. These rules follow many of the provisions of the New York City Administrative Code that regulate vendors who operate on the City's streets, but have been adapted to address the unique use and nature of property under the Department's jurisdiction.

The proposed rules also include additional regulations in and around the three parks most impacted by expressive matter vendors (certain designated areas of Central Park, Union Square Park and Battery Park), and the park most likely to also be significantly affected by expressive matter vendors due to its unique use and character (High Line Park). Specifically, the Department has identified locations within these areas where expressive matter vendors can operate. In these locations, the general rules concerning vending, as proposed by this amendment, are not sufficient to properly regulate expressive matter vending so as to avoid such areas from being overwhelmed by vendors in a manner that significantly interferes with the experience and comfort of those members of the public visiting the parkland in question. The Department has, therefore, established specific spots within these locations that demark the only spaces that expressive matter vendors can use. These spots are indicated on the maps accompanying these rules and will be further indicated by a numbered Department decal on the specific location of the approved vending spot. The Department contemplated, among other considerations, the following factors before determining these designated vending spots:

- accommodation of park visitors, given the number of people who regularly use the park in and around
- 2) competing uses by other park visitors, including but not limited to active and passive recreation, performances, demonstrations, and the viewing of historical monuments and public art exhibits;
- 3) the presence of park elements, including but not limited to trees, tree pits, benches, or park entrances:
- the presence of street furniture, including but not limited to bus stops, fire hydrants, cross walks, or 4) subway entrances;
- the integrity of the overall design of the park, including but not limited to the need to preserve particular landscapes or scenic views; and
- 6) the presence of any Department facilities or Department concessions near the location.

Below is a description of the parks that require additional vending regulations and the conditions that led to the Department's designation of specific vending spots therein.

## **Central Park**

Central Park is one of the most visited parks in the City. In fact, more than twenty-five (25) million visitors enjoy Central Park each year, which makes congestion and pedestrian flow along the perimeter of the park a foremost concern. Indeed, congestion at the park is amplified in certain areas by, among other sources, the many streetscape and park features in an around the park, the presence of historical monuments and

public art exhibits along the southern perimeter of the park, and the number of hotels and other attractions proximate to the park.

Streetscape features include subway entrances in the park near Grand Army Plaza at the southeast corner of the park and at Columbus Circle at the southwest corner of the park and at 60th Street on the perimeter of the park. Also, horse carriages and pedicabs compete for customers all along Central Park South, from Grand Army Plaza to Columbus Circle.

Park features include the numerous benches along the parkside of the sidewalk, frequently interspersed with street trees, and additional street trees are also found along the curbside of the street. Other park features include the many monuments interspersed throughout the park. For example, at Columbus Circle there is a 100-foot column topped by a statute of Christopher Columbus, as well as a monument to the sailors lost in the explosion of the battleship "Maine." In addition, the plaza where the Avenue of the Americas meets Central Park South features three monumental sculptures of Simon Bolivar, Jose de San Martin and Jose Marti. At Grand Army Plaza, Fifth Avenue and Central Park South, there is a sculpture by Augustus Saint-Gaudens of Civil War General William Tecumseh Sherman, facing the Pulitzer Fountain. In addition, at Doris Freedman Plaza there are temporary displays of contemporary sculptures on a continuous basis. Furthermore, the area between Central Park West between 60th Street and 79th Street, as well as Wien and Wallach Walks and the East Drive experience large crowds because of their proximity to the Central Park Zoo and Wollman Rink. Finally, Central Park West between 60th Street and 86th Street is congested around the entrances to the park, particularly at 72nd Street, because of the large number of visitors to Strawberry Fields.

Nearby City attractions serve as contributing factors to congestion at the park in certain areas. The many museums along Fifth Avenue, such as the Metropolitan Museum of Art, attract a number of visitors and cause crowded conditions in the area from East 85th Street to East 79th Street. Moreover, nearby hotels accommodate a large number of tourists who tend to make a point of visiting the park during their stay.

Given the above, and taking into consideration all relevant factors, the Department designated specific locations for expressive matter vendors located at the perimeter of the park along Fifth Avenue between East 85th Street and East 60th Street, all of Central Park South, Wien Walk and Wallach Walk, the East Drive, Central Park West between 60th Street and 86th Street, Grand Army Plaza, Pulitzer Plaza, and Columbus Circle. For all other areas of the park, the general vending regulations that are set forth under the proposed rules would apply.

#### **Union Square Park**

Union Square Park is a congested and heavily used park that is one of only three parks located within the Manhattan midtown business district. It is accessible by multiple subway lines, and located within a commercial and residential area that has become increasingly busy. Indeed, during the summer season, up to 200,000 people visit the park a day. Because Union Square Park is one of the City's most popular destinations, despite its relatively modest size, there are particular challenges that the Department faces when seeking to address undue congestion while, at the same time, ensuring that the park is open and accessible to a broad range of park visitors, including expressive matter vendors.

Streetscape features include three subway entrances located in the southeast, southwest, and northwest corners of the park, all of which serve one of the busiest subway stations in the City. In fact, the Union Square subway station, which is home to the L, N. Q, R, W, 4, 5 and L lines, is one of the busiest transportation hubs in the City, serving over 35 million passengers a year. Moreover, the park is flanked by busy traffic thoroughfares, including Broadway, Park Avenue, and 14th Street.

Park features include the steps of the South Plaza, which were designed as a "Spanish Steps" to allow visitors to sit and congregate. Park features also include two monuments in the southern section of the park, a large equestrian statute of George Washington, which faces the South Plaza, and a statue of Mohandas Gandhi that is located at the southern end of the West Plaza. In addition, the traffic island southeast of the main body of the park is frequently programmed with temporary public art exhibits, which attract significant crowds of park visitors to the South Plaza. The North Plaza, meanwhile, is currently undergoing renovations and is otherwise home to a popular Greenmarket that has operated four days a week since 1979. The North Plaza is also heavily used for recreation and other activities when the Greenmarket is not in operation.

Given the unique conditions at the park and taking into consideration all relevant factors the Department designated spots for expressive matter vendors on the west side of the park, from 14th Street to 15th Street, and on the east side of the park, from 14th Street to 15th Street. Other areas of the park, however, are reserved for other park uses, such as passive recreation, musical performances, and other park activities.

## **Battery Park**

Battery Park is home to many unique streetscape and park features. These features, combined with the fact that more than four (4) million people visit the park annually, contribute to the Department's concerns over congestion and the ability to accommodate multiple park uses and visitors.

Streetscape features include the busy bus, subway and ferry stops located in and around the park. A subway entrance is located just inside the northeast corner of the park. Bus stops for tour, local, and express busses, meanwhile, are located along the north and east perimeters of the park. Moreover, long lines tend to queue within the park itself for the ferry service to Ellis and Liberty Islands.

Park features include the park's multiple benches, tree pits, and gardens. Park features also include the numerous monuments within the park, such as the East Coast War Memorial, American Merchant Marine Monument, Korea War Memorial, the memorial to the World Trade Center tragedy, and the historic Clinton Castle.

Given these conditions and taking into consideration all relevant factors, the Department designated spots for expressive matter vendors along the perimeter of the park. In addition, because of the extensive construction work that is currently occurring in the park, the Department has established temporary locations for these vendors, which will eventually be replaced with permanent spaces upon the completion of the work in the park.

#### **High Line Park**

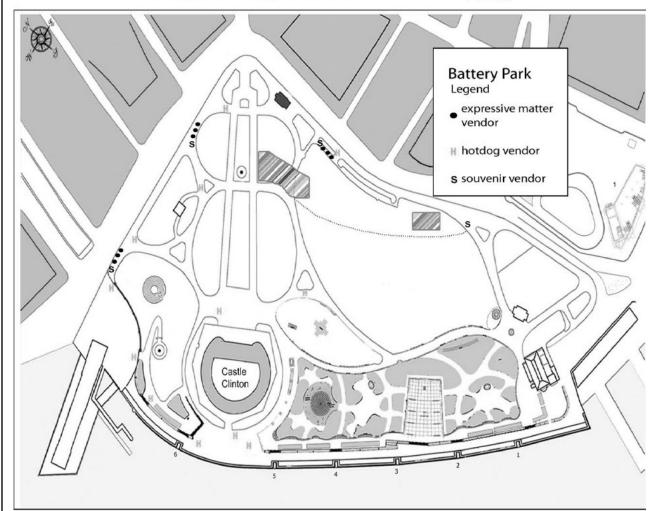
High Line Park is one of the newest, and most unique, properties in the park system. Originally constructed in the 1930s to lift dangerous freight trains above Manhattan's busy streets, the High Line is now an elevated public park, which will, when complete, serve as a promenade extending through the West Side neighborhoods of the Meatpacking District, West Chelsea, and Clinton/Hell's Kitchen.

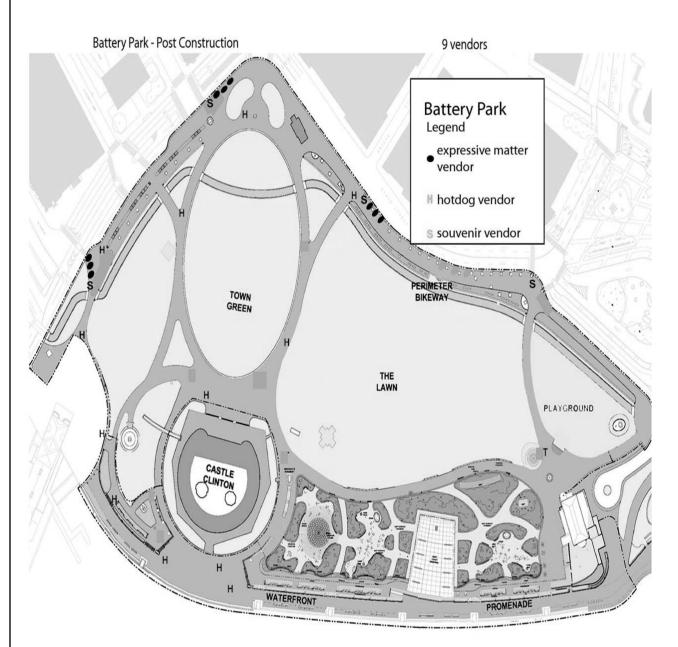
Streetscape features include the limited street-level access points to the elevated park. Park features include the delicate plantings, fixed and movable seating options, and narrow walkways therein, all of which prevent the High Line from accommodating uses that would be appropriate for other parks, such as active recreation. Indeed, the overall design of the park emphasizes passive recreation and the unobstructed views that can be enjoyed from the unique, elevated vantage point that the park provides.

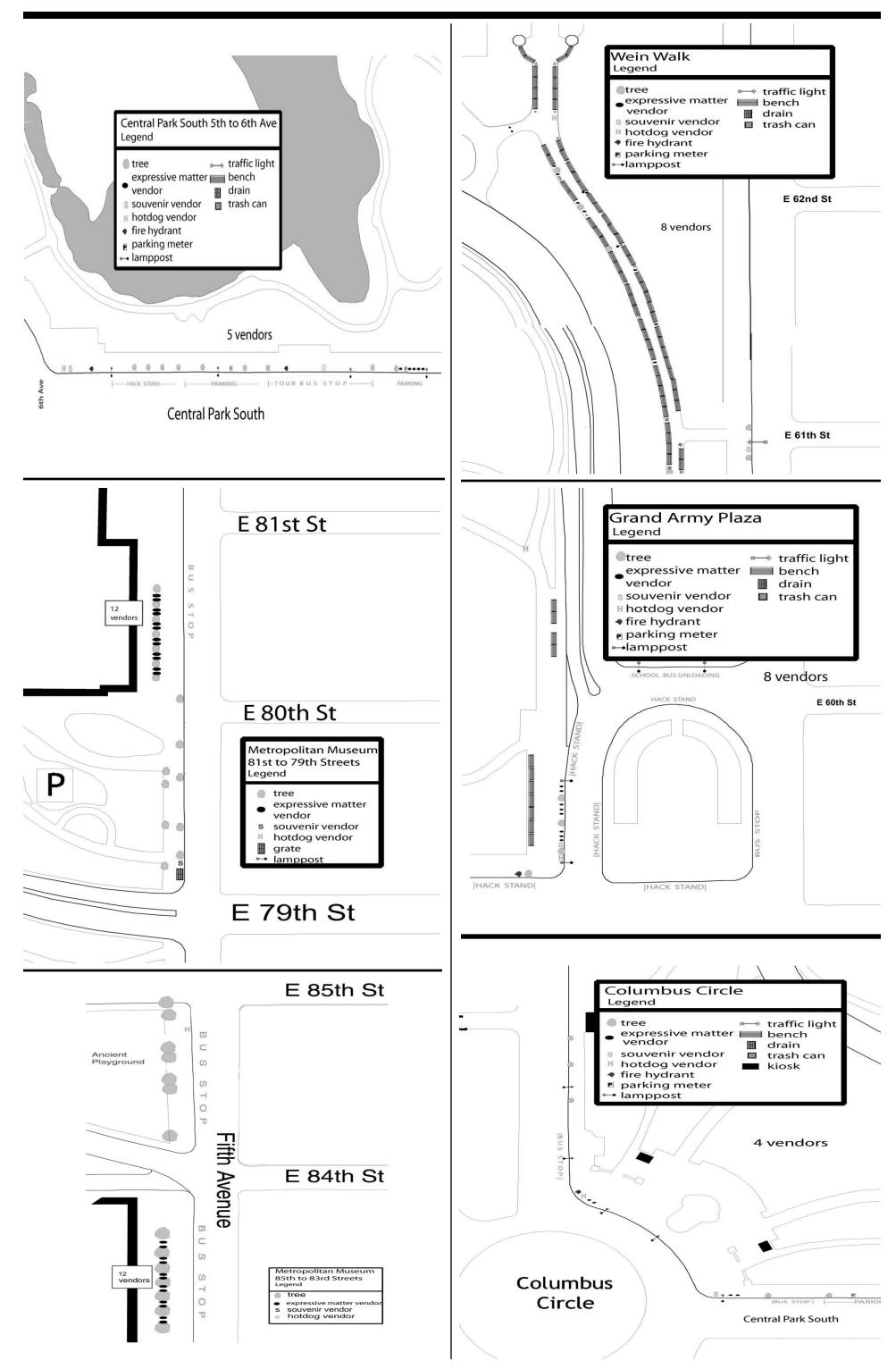
Given its particular use and design, and taking into consideration all relevant factors, the Department has designated a limited number of spaces appropriate for vending in High Line Park. These spots ensure that vendors do not unduly interfere with the flow of visitors to the park, or cause dangerous levels of congestion and pedestrian gridlock around park entrances.

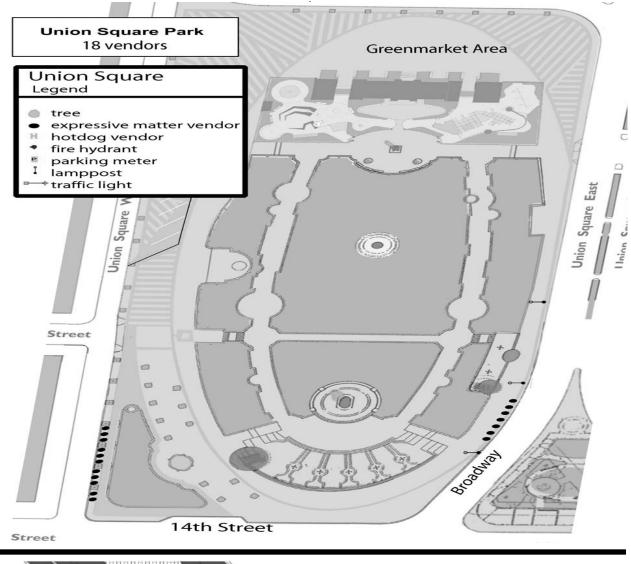
## **Battery Park - During Construction**

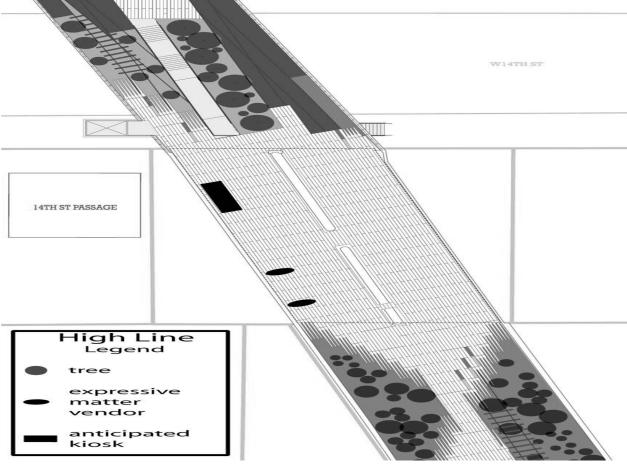
9 vendors

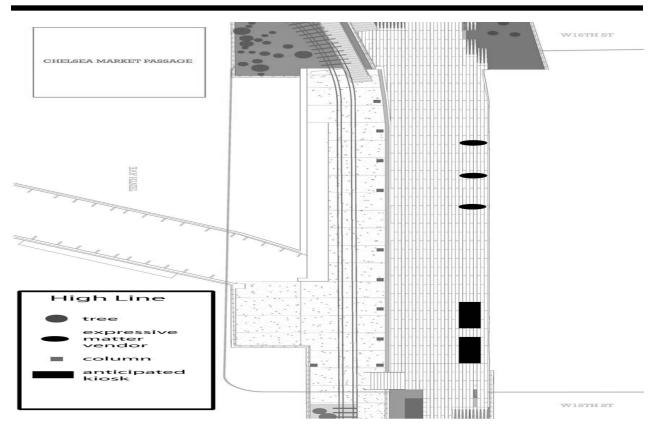












### TAXI AND LIMOUSINE COMMISSION

NOTIC

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

Notice is hereby given in accordance with section 1043(b) of the Charter of the City of New York ("Charter") that the Taxi and Limousine Commission ("TLC") proposes amended rules establishing definitions for the TLC's new rule book.

These rules are proposed pursuant to sections 1043 and 2303 of the Charter and section 19-503 of the Administrative Code of the City of New York. These proposed rules were included in the TLC's regulatory agenda for Fiscal Year 2010.

A public hearing on these proposed rules will be held by the TLC at its offices at 40 Rector Street, 5th Floor, New York, New York 10006 on April 30, 2010 at 2:30 P.M. Persons wishing to testify at the hearing may notify the TLC in advance, either in writing or by telephone to the TLC's Office of Legal Affairs at the address and telephone given below. Any request for a sign language interpreter or other form of reasonable accommodation for a disability at the hearing must be submitted to the Office of Legal Affairs in writing or by telephone no later than April 23, 2010.

The public hearing will not be a meeting of the Commissioners of the Taxi and Limousine Commission and will be chaired by the TLC's Deputy Commissioner for Legal Affairs. Persons who wish to speak at the hearing will be strictly limited to three minutes of speaking time. Persons who wish to comment on the proposed rules are urged to submit written comments. There is no page limit on written comments.

Written comments in connection with these proposed rules should be submitted to the Office of Legal Affairs and must be received no later than April 26, 2010 to:

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

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

#### <u>Chapter 1</u> <u>Definitions</u>

Section 1. It is hereby proposed to amend Title 35 of the Rules of the City of New York by adding a new chapter 1 thereto, to read as follows:

New Material is underlined.

### <u>Chapter 1</u> <u>Definitions</u>

## Chapter 1 DEFINITIONS

## §1-01 Scope of this Chapter.

- (a) Other than words that are capitalized in the normal course (such as "Mayor of the City of New York" or the first word in a sentence) any word (or group of words) in these Rules that has its first letter capitalized will be a "defined term."
- (b) Mostdefined terms appear in this Chapter. For ease of reference, certain defined terms may also appear in the "Definitions Applicable to this Chapter" section of Chapters in which the terms are most relevant. Certain general terms (Driver, License, Owner, for example) will have a more specific meaning in individual Chapters (so, Driver in the Chapters governing Taxicabs and their Drivers will mean a Taxicab Driver). In some cases, a defined term in a Chapter can have a meaning different from that in this Chapter (for example, a Broker in Chapter 15 is different). Those different definitions will appear in the relevant Chapters.

## §1-02 <u>Penalties.</u>

This Chapter is informational in nature and does not contain penalties.

## 1-03 <u>Definitions</u>

Accessible Livery is a For-Hire Vehicle designed to permit access to and enable the transportation of persons in wheelchairs and is equipped with a Taximeter.

Accessible Vehicle is a vehicle designed to permit access to and enable the transportation of persons in wheelchairs and is authorized by the Commission to transport passengers for hire, by prearrangement.

Accessible Taxicab is a Vehicle that is licensed by the Commission and that meets the specifications of the Americans with Disabilities Act as described in \$17-05.2 of these rules.

Activation Date. The Activation Date is July 1, 2010.

Administrative Code refers to Title 19 of the Administrative Code of the City of New York, "Transportation of Passengers for Hire by Motor Vehicles."

Administrative Law Judge (or ALJ) is an attorney admitted to practice law in the State of New York who has been appointed by the Commission to conduct administrative hearings for the Commission.

**Administrator** means the duly appointed administrator, executor, executrix or personal representative of an estate.

**Agent** is an individual or Business Entity that has been licensed by the Commission to operate or facilitate the operation of one or more Taxicabs on behalf of the Taxicab owner.

Alternative Fuel Medallion is a Restricted Medallion valid for use only with a vehicle powered by compressed natural gas or a hybrid electric vehicle.

Appeal is the request for review of a decision of an ALJ, an OATH ALJ or the Chairperson.

Appeals Unit is a unit of ALJs within the Commission Adjudications Tribunal responsible for deciding cases on Appeal, who do not hear cases in the first instance.

Applicant is an individual or Business Entity seeking approval from the Commission for a new or renewed License or authorization, or for a change, transfer or other action requiring Commission approval.

Approved Motor Vehicle Accident Prevention Program is an accident prevention course approved by the New York State Department of Motor Vehicles.

Authorization means the Commission's approval to operate a Commuter Van Service within the geographic boundaries specified by the Commission.

Authorized means that a Commuter Van Service has been given permission to operate by the Commission.

Authorized Taxicab Training refers to a course of training approved by the Commission that contains at least 80 hours of instruction on Commission-required topics such as Commission rules and procedures, geography, map reading, <u>Passenger relations</u>, and courtesy.

Authorized Taxicab Training Refresher Course refers to a four-hour course of training approved by the Commission that is required for renewal of a Probationary License, and that includes topics such as an update of Rule changes, a review of Driver Responsibilities and duties, passenger relations, and an awareness of serving passengers with

Base Affiliation. Certain Vehicles must be associated with a specific type of Base and work only with the Base with which it is affiliated.

Base (or Base Station) is the Commission licensed business dispatching a particular type of Vehicle. This term is used more specifically in some Chapters.

Bidder means an individual submitting a sealed bid for one or more Lots of Taxicab Medallions or a Business Entity to which an individual Bidder assigns a bid.

Black Car is a Vehicle that affiliates with a Black Car Base.

Black Car Base is a "central dispatch facility" (as the term is defined in New York Executive Law, §160-cc) and For-Hire Base that operates as follows:

All Black Car Vehicles are dispatched on a pre-arranged basis;

(2) All Black Car Vehicles are owned by franchisees of the Base or are members of a cooperative that operates the Base; and

(3)More than ninety percent (90%) of the Base's business is on a payment basis other than direct cash payment by a Passenger.

**Broker** is an individual or Business Entity licensed by the Commission to act as an agent for another person or Business Entity in negotiating either of the following:

The transfer of any interest in a

<u>Medallion</u>

(2)A loan to be secured by a Medallion or a

Brokerage is the business of being a Broker.

Business Entity is a sole proprietorship, corporation, partnership or limited liability company. A Business Entity can be further limited in a Chapter.

Business Entity Persons may mean:

The proprietor of a sole proprietorship (1)

(2) All shareholders of a corporation

All officers of a corporation (3) (4) All partners of a partnership

(5)All members of a limited liability

Certified Taximeter Technician means a technician certified by a Licensed Taximeter Manufacturer to perform

work on its Taximeters. Chairperson shall mean the Chairperson of the Taxi and

Limousine Commission or his or her designee.

Chapter refers to a chapter in these Rules.

Chauffeur's License means:

(1) A Valid NYS driver's license Class A, B, C

(2)A Valid license of similar class from another state of which the Licensee is a resident.

Claim Letter is a letter asserting a possible Excess Claim against an Owner of a Taxicab Medallion.

Clean Air Vehicle is a Vehicle that uses a type of fuel which allows the Vehicle to:

Receive an air pollution score of 9.0 or (1) higher from the U.S. EPA and

(2) $\underline{Emit\ 6.4\ tons\ or\ less\ of\ equivalent\ carbon}$ dioxide per year, as estimated by the U.S. Department of Energy.

Clean Air Vehicle Level I is a vehicle that uses a type of fuel which allows the vehicle to:

(1) Receive an air pollution score of 9.5 or

higher from the U.S. EPA and

Emit 5.0 tons or less of equivalent carbon dioxide per year, as estimated by the U. S. (2)Department of Energy.

Clean Air Vehicle, Level II is any Clean Air Vehicle that does not meet the standards of a Clean Air Vehicle Level I.

**Closing Deadline** is the date by which a winning Bidder must close on any Lot as established in §15-07(a) of these

Commission means the New York City Taxi and Limousine

Commission Adjudications Tribunal (or Commission **Tribunal**) is the judicial body that has, except as otherwise provided in these Rules, jurisdiction over:

(1) Violations of Title 19, Chapter 5 of the

Administrative Code

Violations of Commission Rules (2) Review of the fitness of an Applicant or a (3)Licensee to hold a License.

Commuter Van Driver's License is a License to drive a Commuter Van Vehicle

Commuter Van Service. A service that is Authorized by the Commission to use Commuter Vans to provide transportation into, out of, or within New York City:

(3)

on a prearranged, regular daily basis, (2)over non-specified or irregular routes, and

between a zone in a residential neighborhood and a location which will be a work related central location, a mass transit or mass transportation facility, a shopping center, recreational facility or

Commuter Van Vehicle. A motor vehicle having a seating capacity of at least nine (9) but not more than twenty (20) passengers that has been licensed by the Commission to carry passengers for hire in an Authorized Commuter Van

Critical Driver's Program is a Commission program that imposes additional penalties on a Driver who accumulates a certain number of Department of Motor Vehicle points on his or her driver's license within a certain amount of time.

Decal is a sticker issued by the Commission and attached to a For-Hire Vehicle as evidence that it is a Licensed Vehicle.

De-licensed means an individual or Business Entity whose License is suspended or revoked.

**Defensive Driving Course** refers to a course in defensive driving given by a school, facility or agency approved by the Commission and certified by the New York State Department

De Novo is a legal term meaning "over again from the

Discretionary Revocation is the imposition of the penalty of revocation when a Rule does not specify that revocation must be imposed; Discretionary Revocation can be sought by the Chairperson for any Rule violation, if the Chairperson determines that the continued licensure of the Respondent presents a threat to public health, safety, or welfare.

Dispatch is a request made from a Base Station to an affiliated Driver, directing the Driver to provide transportation to a passenger who has previously arranged for such transportation.

**Dispatch Equipment** is the communications equipment provided by the Dispatcher that allows participating drivers operating accessible vehicles to receive dispatches from the

**Dispatcher** is the entity selected by the Commission who will convey requests for accessible service to Participating <u>Drivers (operating Accessible Vehicles) to provide</u> transportation for a Wheelchair Passenger or group of Passengers, at least one of whom is in a wheelchair.

Distracted Driving Course means a one-hour course of training approved by the Commission about the dangers of driving while distracted by Using an Electronic Communication Device and about the rules governing the Using of an Electronic Communication Device.

**DMV** means the NYS Department of Motor Vehicles.

**Driver** is a person licensed by the Commission to drive a Commission-Licensed Vehicle.

Driver Authorization Statement is the document an Owner files with the Commission indicating that a Taxicab will be operated by the Named Drivers listed or by Unspecified Drivers, along with the required additional

Electronic Communication Device means any portable or

(1) Make a telephone call.

Send or receive a text message. (2)

Allow a user to speak on the device (3)hands-free or operate the device by voice command, even when allowed by New York State Law.

(4) Act as a personal digital assistant.

Send or receive data, voice or images from (5)the internet or from a wireless network.

(6)Act as a laptop or portable computer. (7)Send or receive pages.

Allow two-way communications between (8)

different people or parties. (9)<u>Play games.</u>

(10)Play music, audio, or video.

(11)Make or display images.

Transfer images, sound, text or messages. (12)

(13)Provide a function which can distract a Driver.

 $\underline{Exceptions:} \ \, \textbf{Any device specifically authorized to be used} \\ \underline{\textbf{while a Driver is driving a Vehicle by a Rule is NOT an}} \\$ Electronic Communication Device. A GPS is NOT an Electronic Communication Device as long as the Vehicle is <u>legally standing or parked while the Driver is inputting or</u> transmitting data.

Electronic Trip Record System is the hardware and software that collects and stores the data that must be recorded for each passenger trip.

Escrow Amount is the amount for which an escrow account is required to be established in order to satisfy one or more Excess Claims.

Excess Claim is a tort claim asserted against the Owner of a Taxicab Medallion for more than the amount of insurance covering the Medallion at the time the claim arose.

Exclusive Listing means that the Broker has been given the right to be the only Broker for a particular transaction. Usually the right will be limited to a specific period of time.

Fair Market Value in reference to the transfer of a Taxicab Medallion is the average value of arms-length transactions for similar Medallions during the prior calendar month, as determined by the Commission.

Finding of Public Need is a determination that a CommuterVan Service being proposed will be required either now or in the future for the convenience and necessity of the

Feed Line is the line of Taxicabs that feeds into the specific pick-up location to pick up a Passenger.

Fit to Hold a License means that the Applicant or Licensee is qualified ("fit") to assume the duties and obligations of the particular TLC Licensee and meets and will continue to meet the qualifications for licensure established by applicable Rule or law, and that a Licensee or Applicant for a License will comply and continue to meet such qualifications and comply with such applicable Rule or law.

Flat Rate is a definite dollar amount that will be charged to a Taxicab passenger for a specific trip, and is fixed before the trip begins (NOTE: "double the Taximeter" is not a Flat Rate)

Fleet is a Business Entity organized for the purpose of owning or operating Taxicabs that meets the following requirements:

Controls a minimum of 25 Taxicabs has a single business location that is

adequate for the storage, maintenance, repair and dispatch of the Fleet Taxicabs and the storage and maintenance of records

operates with a dispatcher on the (3)premises at least 18 hours every day, who assigns Drivers to Fleet Taxicabs.

For-Hire Base (or "Base") is the Commission-licensed business for dispatching For-Hire Vehicles and the physical location from which For-Hire Vehicles are dispatched; a For Hire Base can be any of the following:

A Black Car Base, A Livery Base (or Base Station), A Luxury Limousine Base.

For-Hire Driver is the Driver of a For-Hire Vehicle.

For-Hire Vehicle is a motor Vehicle licensed by the Commission to carry Passengers for-hire in the City, which:

(1) Has a seating capacity of 20 or fewer

Passengers (2) Has three or more doors;

(3) Is not a Taxicab, a Commuter Van, or an authorized bus as defined by NYS law.

GPS means a device using a global positioning navigation system to which all of the following apply:

> The GPS uses a voice function to convey (1)

directions.
The Driver does not input or transmit (2)

data unless legally standing or parked.

The GPS transmits only geographical (3)

direction information. (4) Except for the transmission of geographical direction information, the GPS cannot be used as an Electronic

Communication Device in any other way.

(Note: A GPS which a Driver is operating by inputting or transmitting data while the Vehicle is not legally standing or parked is an Electronic Communication Device).

Government means the United States, any state or territory, or any political subdivision of a state or territory.

Group Ride Program is a program established by the Commission for the transportation of more than one Passenger from a common location to destinations within a specified common geographic area.

Hack-up means to outfit a vehicle as a Medallion Taxicab and obtain approval from the Commission for that vehicle to serve as a Taxicab for the first time.

**Hearing** is the presentation and consideration of evidence before an Administrative Law Judge.

Hearing Officer is the Administrative Law Judge who presides over a hearing.

Hybrid Electric Vehicle is a commercially available, massproduced vehicle originally equipped by the manufacturer with a combustion engine system and an electric propulsion system that operate in an integrated manner.

Independent Medallion is a class of Medallion Taxicab License, the owner of which may only own one Medallion.

Inquest is the presentation and consideration of evidence at a Hearing before an ALJ, when the Respondent has failed to

<u>Issuing Jurisdiction</u> is a county within New York State contiguous to New York City that issues its own approval to allow a vehicle within its jurisdiction to contract for hire and perform pre-arranged pick-ups and drop-offs of one or more

Legatee means someone to whom the proceeds of an estate are to be distributed.

 $\underline{\textbf{License}} \text{ is the formal approval given by the Commission}$ certifying that a Driver, Owner, Vehicle, Base Station or

other service, business or equipment has met the relevant criteria and is now qualified to operate under the supervision of the Commission.

Licensed Taxicab. See "Taxicab" (The terms "Medallion Taxicab," "Licensed Medallion Taxicab," and "Taxicab" mean the same thing, and may be used interchangeably.)

Licensee is an individual or Business Entity that has been issued a License by the Commission, and shall include Licensees whose Licenses have been suspended unless the context of these rules clearly dictate otherwise.

Limited Business Entity Persons are all Business Entity Persons *except* shareholders holding *less than* 10% of the stock of the Business Entity.

Livery is a For-Hire Vehicle that is affiliated with a Livery

<u>Livery Base Station ("Base" or "Base Station")</u> is a For-Hire Base that operates as follows:

- 1) All Livery Vehicles are dispatched from the Base on a pre-arranged basis.
- (2) All Livery Vehicles are designed to carry fewer than six (6) Passengers
- (3) Passengers are charged for service on the basis of a flat rate, time, mileage, or zones.

Long-Haul, as used at certain transportation terminals, means that Taxicabs in the Feed Line designated as a "Long Haul" line must only accept customers who are requesting trips of at least a certain distance or time.

**Long-Term Driver** is a Licensed Medallion Taxicab Driver who meets all of the following conditions:

- (1) Personally drives the Taxicab at an annual rate of at least 160 hours per month;
- (2) <u>Is named on the rate card (is a Named Driver]</u>
- (3) Owns the Medallion or is leasing the Medallion for a term of no less than five months; and
- (4) <u>Is a Long-Term Driver on no more than one Taxicab.</u>

**Lot** is one or more Medallions being sold in a single unit. See Chapter 15, Medallion Sales. Medallions being sold in a single unit

**A Luxury Limousine** is a For-Hire Vehicle that is affiliated with a Luxury Limousine Base.

A Luxury Limousine Base is a For-Hire Base that operates as follows:

- (1) All Luxury Limousines are dispatched from the Base by pre-arrangement;
- (2) Luxury Limousine Vehicles have a seating capacity of 20 or fewer Passengers;
- (3) More than ninety percent (90%) of its business is on a payment basis other than direct cash payment by a Passenger.
- (4) Passengers are charged "garage to garage" service on the basis of a flat rate, time or mileage.

Mailing address is the address designated by the Licensee where Licensee will receive all notices, correspondence and service of summons sent by the Commission; specific requirements are noted as applicable in Chapter definitions.

Mandatory Revocation is the imposition of the penalty of revocation when a Rule specifies that revocation must be imposed.

Manufacturer's Representative. An individual or Business Entity appointed by a Taximeter Manufacturer to hold a License on behalf of that manufacturer and to carry out that manufacturer's duties and responsibilities as a Licensee under this chapter.

Market Value in reference to the transfer of a Taxicab Medallion will be the greater of: (i) the actual consideration being paid for the transfer; or (ii) the Fair Market Value.

## Maximum Escrow Amount means:

- (1) the Market Value of the Taxicab
  Medallion being transferred less the value
  of any debt or liens secured by the
  Medallion and the Transfer costs
  PLUS
- (2) the value of any proceeds of any refinancing received by the Owner which was not used to reduce any previously existing debt or liens secured by the Medallion following the date of an occurrence of an alleged tort involving the Taxicab which tort gives rise to a potential Excess Claim.

Medallion is the numbered plate originally issued by the Commission and affixed to the outside of a Taxicab as physical evidence that the Taxicab has been licensed to operate as a Medallion Taxicab.

Medallion Taxicab. See "Taxicab". (The terms "Medallion Taxicab," "Licensed Taxicab," and "Taxicab" mean the same thing, and may be used interchangeably.)

**Merchant** means an individual or Business Entity who holds a Commission License and who has agreed to do the following:

- (1) Facilitate contracts between Taxicab
  Technology Service Providers and
  Commission-approved banks, and
  Contract to provide credit/debit card
- (2) Contract to provide credit/debit card services for in-cab payment of Taxicab

Minifleet is a Business Entity licensed by the Commission to own and operate two or more taxicabs; Minifleets often contract with a Fleet for the daily storage and dispatch of its

Minifleet Medallion means a Medallion Taxicab License that is classified and must be owned in groups of at least two.

MTA Tax is the 50 cent tax on taxicab trips imposed by Article 29-A of the NYS Tax Law.

Named Drivers is a term indicating that only the Drivers specifically named on the Rate Card are allowed to drive the Taxicab.

New Rules means Title 35 of the Rules of the City of New York and any amendments that become effective on and after the Activation Date.

Notice of Seizure is document served upon and mailed to an owner of a vehicle that has been seized and removed to a secure facility.

NYC (or "the City") means New York City.

NYS means New York State.

Official Bus Route means the route, including all stops, traveled upon by a bus line that is operated by:

- (1) The New York City Transit Authority (2) The City of New York, or
- (3) A private bus company that is regulated or franchised by local law or Charter provision in accordance with section 80(4) of the Transportation Law.

Old Rules means Title 35 of the Rules of the City of New York as in effect before the Activation Date.

Owner means the legal owner and is further defined in each relevant Chapter.

Owner-Must-Drive Rule is a requirement that an owner of an Independent Medallion must personally drive at least 210 nine-hour shifts in every calendar year.

Paratransit Base or Base Station is the facility from which a paratransit service operates a transportation service for Persons with Disabilities, including all ambulette services.

Paratransit Disability is a physical or mental impairment, including a mobility impairment which requires the use of a wheelchair, three-wheeled motorized scooter or other mobility aid, or prevents a person from boarding, riding or disembarking from a vehicle without the assistance of a wheelchair lift or other boarding assistance device.

Paratransit Vehicle (also know as a wheelchair accessible van) is any motor vehicle, equipped with a hydraulic lift or ramp(s) designed for the purpose of transporting persons who use wheelchairs or containing any other physical devices designed to permit access to and the transportation of a person with a Paratransit Disability

Participating Driver is a Driver who has a Valid License from the Commission as a Taxicab Driver or a For-Hire Driver, and who has successfully completed the training required in section 3-07 ofthese Rules.

Passenger means a person riding in a Vehicle, other than the Driver

Passenger Manifest is the document on which a Commuter-Van Driver enters the name of each passenger to be picked up.

Penalty Point is a non-monetary penalty assessed against either a Base Owner or the Owner of a For-Hire Vehicle if they are convicted of certain violations of these Rules.

Persistent Violator Program establishes additional penalties for Drivers who repeatedly violate these Commission Rules within a certain amount of time.

Persistent Violator penalties are determined based on points accrued as part of the penalties established by this Chapter.

Persons with a Disability (or People with Disabilities) means an individual with a physical or mental impairment or incapacity, including a person who uses a wheelchair, crutches, three-wheeled motorized scooter, other mobility aid, or a Service Animal, but who can transfer from such a mobility aid to a Taxicab, For-Hire Vehicle or Commuter Van with or without reasonable assistance.

Personal Use—Off Duty is the designation made when a Driver is no longer operating the Taxicab for hire and is usually for a longer period than Relief Time.

Petition is a request or application for the Commission to adopt a rule.

Prior Claim Letter is a Claim Letter received by the Commission prior to February 1, 2009.

**Qualified Jurisdiction** is an Issuing Jurisdiction that meets the requirements for reciprocity described in section 498 of the NYS Vehicle and Traffic Law.

Qualified Vehicle License (or "QVL") is the license issued by a Qualified Jurisdiction to that jurisdiction's vehicles authorizing them to provide pre-arranged, for-hire transportation within its boundaries.

**Qualified Driver's License (or "QDL")** is a license issued by a Qualified Jurisdiction to that jurisdiction's drivers authorizing them to operate an authorized vehicle to provide pre-arranged, for-hire transportation within its boundaries.

Rate Card is a card issued by the Commission for each Medallion Taxicab, which displays the Taxicab Medallion number, Rates of Fare, and such other data as the Commission may require.

Rate Schedule is the Commission-approved listing of the manner in which and the amount of fare a Commission

service is permitted to charge a passenger.

Rates of Fare is a listing of the manner and amount of fares Medallion Taxicab Drivers may charge passengers, as established by the Commission.

Reciprocity (or Reciprocal Recognition) means that:

- (1) New York City For-Hire Vehicles and
  Drivers can pick up or drop off Passengers
  in a Qualified Jurisdiction for trips
  ending or beginning in NYC, and
- (2) Vehicles and drivers that are licensed to perform for-hire transportation by a Qualified Jurisdiction can pick up or drop off Passengers in NYC for trips ending or beginning in a Qualified Jurisdiction.

Recommended Decision. A Recommended Decision is a decision made by an ALJ (or by OATH) following a Hearing that must be reviewed by the Chairperson, either in its entirety or for the appropriateness of the penalty being imposed, before it becomes final.

Relief or Relief Time is a limited period of time when a Driver is off duty to fulfill personal needs.

Representative is a non-attorney authorized by the Commission to represent Respondents before the Commission's Adjudications Tribunal.

Reserve Status Bids are the highest ten percent of the non-winning bids in each category, unless the Chairperson determines that a greater number of non-winning bids will receive Reserve Status and sets a higher qualifying percentage. A bid holding Reserve Status is a Reserve Status Bid and is converted to a winning bid when a winning Bidder fails to comply with the Closing Deadlines established in these Rules.

**Respondent** is an individual or Business Entity who has been noticed and charged with a violation of one or more of these Rules or the Administrative Code, or with being not Fit to Hold a License.

Restricted Medallion is either an Accessible Medallion or an Alternative Fuel Medallion;

**Roof Light** is a light attached to the roof of a vehicle, or extending above the roofline of a vehicle, for the purpose of displaying information.

Rule(s) refers to any rule adopted by the Commission, or this set of Rules that comprises Title 35 of the Rules of the City of New York.

Safety and Emissions Inspection means the required vehicle inspections conducted at the Commission's inspection facility.

Scheduled Retirement Date is the date on which a Taxicab must be retired from service, as determined in section 17-18 of these rules, unless extended as provided in section 17-19 of these rules.

Seal means a prophylactic device, approved by the Commission, that is used on a Taximeter, wire, wiring mechanism, gear or other device, so that no adjustment, repair, alteration or replacement can be made without removing or mutilating the Seal or Seals.

Seating Capacity means the maximum number of adult passengers a Vehicle is intended to carry according to the manufacturer's specifications.

**Secondary Owner** is an individual or Business Entity that has a lien or mortgage or any other type of legal interest in a Vehicle.

Secured Lender Escrow Amount means the Market Value of the Taxicab Medallion being transferred less the value of any debt or liens secured by Medallion and the Transfer Costs

Secured Lender Recipient means a secured creditor seeking to repossess or foreclose upon a Taxicab Medallion in order to realize the value of its secured interest, but not applying to operate the Taxicab Medallion and not eligible to be considered a Transferee, provided the Secured Lender Recipient places the Medallion in storage as required in §8-45(c) of this Chapter.

Service Animal means a guide dog, signal dog or any other animal trained specifically to work or to perform tasks for an individual with a disability, including, but not limited to, guiding individuals with visual impairments, alerting individuals with hearing impairments to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair or retrieving dropped items.

**Short Haul,** as used at certain transportation terminals, means that Taxicabs in the Feed Line designated as a "Short Haul" line must only accept customers who are requesting trips of less than a certain distance or time.

Standby Vehicle means any vehicle licensed by the Commission to be used by a Fleet as a replacement for a Licensed Taxicab that is temporarily out of service.

Stop-Use Directive is a notice sent to an Owner by the Commission directing the Owner to stop using a designated Agent because that Agent's License has been revoked or suspended.

Substantial Interest in Taxicab Medallions means direct or indirect ownership of four or more Medallions that can result from one or more of the following:

- (1) Ownership of 25 percent or more of the stock in one or more corporations that own Medallions
- (2) Ownership of 25 percent or more of the membership interests in one or more limited liability companies that own

- Medallions
- (3) A partnership interest in one or more partnerships that own Medallions
- (4) Being an officer in one or more corporations that, in the aggregate, have a direct or indirect equity interest in four or more Medallions.

Summary Suspension means that a Licensee's License is suspended *before* a hearing is held on the violation.

**Taxi Stand** is a place where Taxicabs are authorized (either by NYC Department of Transportation or a transportation terminal operator) to line up and wait for customers.

Taxicab means a motor vehicle, yellow in color, bearing a Medallion indicating that it is licensed by the Commission to carry up to five passengers for hire and authorized to accept hails from persons in the street. (The terms "Medallion Taxicab," "Licensed Taxicab," and "Taxicab" mean the same thing, and may be used interchangeably.)

Taxicab Candidate is a Vehicle being considered for use as a Taxicab Model.

Taxicab Driver's License means the authority granted by the Commission to an individual to drive a Taxicab in the City of New York.

Taxicab License is the authority granted by the Commission for an Applicant to own and operate a designated Vehicle as a Taxicab within the Commission's jurisdiction, as evidenced by the Medallion affixed to the hood of the vehicle.

Taxicab Model is a Taxicab Candidate that has been verified by the Commission as complying with the standard specifications set forth in §17-05, §17-05.1 or §17-05.2 of these Rules.

Taxicab Technology Service Provider (or T-PEP Provider) means a vendor who has contracted with the Commission to install and maintain the Taxicab Technology System in Taxicabs.

<u>Taxicab Technology System (or T-PEP)</u> means the hardware and software that provides the following four core services:

- (1) <u>Credit, debit and prepaid card payment;</u>
- (2) <u>Text messaging;</u>
- (3) Trip data collection and transmission; and
- (4) <u>Data transmission by means of the passenger information monitor.</u>

**Taximeter** is an instrument or device approved by the Commission that automatically calculates and plainly indicates the charge to a passenger for hire of a Taxicab.

Taximeter Business is a business licensed by the Commission that sells new or used Taximeter equipment or installs, repairs, adjusts, tests, seals, or calibrates Taximeters and/or Taxicab Roof Lights.

Taximeter Manufacturer means an entity licensed by the Commission that manufacturers Taximeters; only Taximeters made by a licensed Taximeter Manufacturer may be installed or used in Taxicabs.

**Tort Letter** is a statement from the insurer of a Taxicab stating whether or not the insurer is aware of any Excess Claims against the Taxicab Medallion or its Owner.

Transfer means the transfer of all or any portion of a Medallion ownership interest, including the transfer of interests in a Business Entity owning Medallions.

**Transferee** is an Applicant seeking approval from or approved by the Chairperson to own and operate a Medallion Taxicab in which Applicant is acquiring or has acquired an interest, either directly or indirectly, through a transfer described in section 8-42 of these Rules.

Transfer Costs means the administrative costs involved in processing a transfer of ownership of a Taxicab Medallion, including the costs of any foreclosure or similar action and any outstanding fines or fees owed to the Commission or the Parking Violations Bureau.

**Transferor** is the Owner of an interest in a Taxicab Medallion being transferred.

Trip Record (or Trip Sheet) refers to the hand-written or electronic collection of data that is required to be kept for each passenger trip.

Unlicensed Activity is the provision or advertising of any Commission-regulated for-hire transportation service by any (i) Licensee whose License is suspended, revoked, or expired and not yet renewed, or by any (ii) person who does not hold a Valid License or Authorization for the vehicle, for the driver of the vehicle and, if applicable, for the service. Unlicensed Activity includes these activities specified in sections 19-506 and \$19-529 of the Administrative Code, and can subject the violator to the seizure and possible forfeiture of his or her vehicle.

**Unrestricted Medallion** is a Medallion Taxicab License that is not restricted to use with a Clean Air vehicle or an Accessible vehicle.

**USPS** is the United States Postal Service

Unspecified Driver is a term that is entered on a Rate Card indicating that the Taxicab can be driven by any Licensed Taxicab Driver whose name (or category) has been filed with the Commission by the Owner of that Taxicab.

Use an Electronic Communication Device (or Using an Electronic Communication Device) means to:

(1) Operate any function of an Electronic

Communication Device in any way, or
(2) Have a device permitting hands-free operation
of an Electronic Communication Device in or near
the ear.

Valid means a license or other document which is not expired, suspended, revoked, conditional or restricted as to its use by the Commission, the New York State Department of Motor Vehicles or an agency of another state which licenses vehicles and drivers of vehicles or issues violations of traffic laws or regulations.

**Valid Claim Letter** is a Claim Letter which is not a Prior Claim Letter, and which:

- (1) <u>Is dated no more than one year prior to</u>
  the date documentation is submitted to
  the Chairperson for a proposed transfer of
  a Taxicab Medallion;
- (2) Sets forth a minimum claim in an amount sufficient to be an "Excess Claim";
- (3) Includes a copy of the police report regarding the incident in question; and
   (4) Includes a representation by the sender that the party against which the Excess Claim has been asserted has been

provided with a copy of the Claim Letter.

**Vehicle** is a motor vehicle licensed by the Commission for the purpose of providing for hire transportation.

Vehicle Owner means the individual or Business Entity in whose name is Vehicle is registered and in whose name the Vehicle License is issued, as further specified in these Rules. **Weapon** is any firearm (as defined in the New York State Penal Law) for which a license has not been issued as provided in the New York State Penal Law and the Administrative Code of the City of New York, electronic dartgun, gravity knife, switchblade knife, cane sword, billy, blackjack, bludgeon, metal knuckles, chuka stick, sandstick, slingshot, pilum ballistic knife, sand bag, sand club, wrist brace type slingshot, shirken, kung fu star, dagger, dangerous knife, dirk, razor, stiletto, imitation pistol or any other instrument or thing whether real or simulated, and capable of inflicting or threatening bodily harm, including but not limited to any other weapons, the possession of which is prohibited pursuant to the New York State Penal Law.

Wheelchair Passenger is a Passenger using a wheelchair.

Wiring Harness means any wire or collection of wires that is connected in any manner to a Taximeter or that in any way affects the operation of a Taximeter.

#### Statement of Basis and Purpose of Rules

These rules are proposed pursuant to sections 1043 and 2303 of the Charter and section 19-503 of the Administrative Code of the City of New York. The rules are part of a project undertaken by the Taxi and Limousine Commission ("TLC") to revise its existing rule book. The first phase of this project consists of reorganizing and redrafting TLC's rules, to enhance their clarity and accessibility without substantive change. Accordingly, these rules are not intended to make any changes to TLC's current policies, procedures or operations

During this first phase of the rules revision project, all of TLC's existing rules will be redrafted, then posted on a chapter-by-chapter basis on the TLC Web site for review and discussion by interested members of the public. Each chapter will be revised based on that discussion, then published for public comment and public hearing pursuant to the City Administrative Procedure Act (CAPA). Because this phase of the rules revision is intended to involve no substantive changes to the rules, and as announced at the Commission meeting held on August 7, 2008, public hearings will be held separately from monthly stated Commission meetings.

When this process has been completed for all TLC rules, the complete set of rules will be presented to the Commission for promulgation simultaneously with repeal of the current set of TLC rules. The revised rules will replace the existing rules compiled in chapter 35 of the Rules of the City of New York. It is anticipated that the promulgation of the revised rules and repeal of the current rules will occur in 2010.

After the first phase of its rules revision is completed, TLC will move to the second phase, which will involve the assessment of its rules for more substantive changes.

The rules proposed here are as follows:

Current Rule Chapters revised  $\,\,\,\,\,\,\,\,\,$  Proposed Rule Chapters in this rule-making

All chapters (definitions) Chapter 1, Definitions

place definitions used throughout the TLC's new rule book.

The rules proposed here are intended to consolidate in one

Notice of Public Hearing and Opportunity to Comment

on Proposed Rules

Notice is hereby given in accordance with section 1043(b) of the Charter of the City of New York ("Charter") that the Taxi and Limousine Commission ("TLC") proposes amended rules for dispatch service for persons in wheelchairs.

These rules are proposed pursuant to sections 1043 and 2303 of the Charter and section 19-503 of the Administrative Code of the City of New York. These proposed rules were included in the TLC's regulatory agenda for Fiscal Year 2010.

A public hearing on these proposed rules will be held by the TLC at its offices at 40 Rector Street, 5th Floor, New York, New York 10006 on April 30, 2010 at 2:30 P.M. Persons wishing to testify at the hearing may notify the TLC in advance, either in writing or by telephone to the TLC's Office of Legal Affairs at the address and telephone given below.

Any request for a sign language interpreter or other form of reasonable accommodation for a disability at the hearing must be submitted to the Office of Legal Affairs in writing or by telephone no later than April 23, 2010.

The public hearing will not be a meeting of the Commissioners of the Taxi and Limousine Commission and will be chaired by the TLC's Deputy Commissioner for Legal Affairs. Persons who wish to speak at the hearing will be strictly limited to three minutes of speaking time. Persons who wish to comment on the proposed rules are urged to submit written comments. There is no page limit on written comments.

Written comments in connection with these proposed rules should be submitted to the Office of Legal Affairs and must be received no later than April 26, 2010 to:

Charles R. Fraser

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

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

Section 1. It is hereby proposed to amend Title 35 of the Rules of the City of New York by adding a new chapter 3 thereto, to read as follows:

New Material is underlined.

#### <u>Chapter 3</u> <u>Accessible Vehicles</u>

#### §3-01 Scope of this Chapter.

(a) This Chapter sets the requirements and rules for the dispatch of Accessible Taxicabs and Accessible Livery Vehicles.

#### §3-02 <u>Penalties.</u>

- (a) Specific Penalties. If there are specific penalties for violating a Rule, they are shown at the end of the Rule. The penalty section also states whether the violator must attend a Hearing.
- (b) Payment of Fines.
  - (1) <u>Fines must be paid within 30 days of the</u> date due.
  - (2) If fines are not paid by the close of business on the due date, the violator's License will be suspended until the fine is paid.
  - (3) If a Respondent has made a timely request for a copy of the Hearing recording (see §18-14(e) of these Rules), the time for payment of fines is extended to 21 days from the date the recording is issued.

## $\S 3-03$ <u>Definitions</u>

- (a) Accessible Taxicab is a Vehicle that is licensed by the Commission and that meets the specifications of the Americans with Disabilities Act as described in §17-05.2 of these rules.
- (b) Accessible Livery is a For-Hire Vehicle designed to permit access to and enable the transportation of persons in wheelchairs and is equipped with a Taximeter
- (c) Accessible Vehicle, for the purposes of this Chapter, refers to either an Accessible Taxicab or an Accessible Livery.
- (d) Dispatch Equipment. The "Dispatch Equipment" is the communications equipment provided by the Dispatcher or the Taxicab Technology System, whichever is used, that allows participating drivers operating accessible vehicles to receive dispatches from the Dispatcher.
- (e) Dispatcher. The Dispatcher is the entity selected by the Commission who will convey dispatches, or requests for accessible service to Participating Drivers (operating an Accessible Vehicle) to provide transportation for a Wheelchair Passenger or group of Passengers, at least one of whom is in a wheelchair.
- (f) Owner. In this chapter, the Owner can refer to the owner of an Accessible Taxicab, or to the owner of an Accessible Livery Vehicle.
- (g) Participating Driver. A Participating Driver is a Driver who has a Valid License from the Commission as a Taxicab Driver or a For-Hire Driver, and who has successfully completed the training required in §3-07 of this chapter.
- (h) Wheelchair Passenger is a Passenger using a wheelchair.

## §3-04 Comply with Law—No Unlicensed Activity

- (a) Comply with this Chapter. All Accessible Vehicle
  Owners, and all Participating Drivers must comply
  with all provisions of this chapter while there is a
  Dispatcher providing dispatch services for
  Wheelchair Passengers.
- (b) <u>Taxicab Driver's License Required.</u> An Accessible Taxicab can be driven only by a Participating Driver who holds a Valid Taxicab Driver's License.
- (c) For-Hire Driver's License Required. An Accessible
  Livery can be driven only by a Participating Driver
  who holds a Valid For-Hire Driver's License.
  - Owner Responsibility.

(d)

(1) <u>A Taxicab Owner must allow only</u>

<u>Licensed Participating Taxicab Drivers to operate the Owner's Accessible Taxicab.</u>

(2) A Base Station Owner must allow only Licensed Participating For-Hire Drivers to operate any affiliated Accessible Livery.

§3-04 Fine: \$100 Appearance NOT Required

#### §3-05 Requirements Not Exclusive

(a) Other than when this Chapter expressly provides otherwise, each Participating Driver, each Accessible Vehicle Owner must comply with all applicable provisions of this Title.

#### §3-06 Dispatch Equipment for Accessible Vehicles

(a) The Owner of an Accessible Vehicle and the Participating Driver must ensure that:

(1) The Accessible Vehicle is equipped with <u>Dispatch Equipment in good working</u> order

§3-06(a)(1) Fine: \$50 Appearance NOT Required

(2) While the Accessible Vehicle or Accessible
Taxicab is in operation, the Dispatch
Equipment must be turned on and fully
operational.

§3-06(a)(2) Fine: \$100 Appearance NOT Required

(3) <u>If the Dispatch Equipment becomes</u> <u>inoperable:</u>

(i) The Participating Driver must notify the Dispatcher and Vehicle Owner by the end of his or her shift that the Equipment is not operable.

(ii) The Owner must install replacement or repaired Dispatch Equipment promptly upon being notified.

(iii) An Accessible Vehicle with inoperable Dispatch Equipment can continue to operate without accepting dispatches until repair or replacement of the Dispatch Equipment.

(1) Log onto the Dispatch Equipment at the beginning of the Driver's shift

(2) <u>Log off at the conclusion of each shift,</u>

(3) Communicate with the Dispatcher about dispatches, as prearranged by the Dispatcher.

§3-06(b) Fine: \$100 Appearance NOT Required

## §3-07 <u>Training Participating Drivers</u>

(a) Wheelchair Passenger Assistance Training.

(1) Training Must be Approved by
Commission. In order to become a
Participating Driver, a Driver must
attend a Commission-approved training
course regarding Wheelchair Passenger
assistance.

(2) Requirements of the Course. Wheelchair
Passenger assistance training must be a
minimum of three hours and must include
the following:

(i) A review of all legal requirements that apply to transportation of Persons with Disabilities;

(ii) Passenger assistance techniques including a review of various disabilities, hands-on demonstrations, disability etiquette, mobility equipment training (including familiarity with lift/ramp operations and various types of wheelchairs), and safety procedures

(iii) <u>Training with an actual person</u> <u>using a wheelchair</u>

(iv) Sensitivity awareness, including customer service and conflict resolution policies.

(3) Proof of Completion Required. No Driver may operate an Accessible Vehicle unless the driver has a certificate of completion or other evidence that he or she has completed the required training described above in subdivisions (a) and (b) of this section.

(4) Proof must be Kept in Vehicle. Each
Participating Driver must keep a copy of
the certificate of completion in the
Accessible Vehicle and available for
inspection.

§3-07(a)(3)-(4) Fine: \$50 Appearance NOT Required

(5) <u>Vehicle Owner Must Pay for Training. The</u>
Accessible Vehicle Owner is responsible
for paying any fees required to train each
of Owner's Participating Drivers.

(6) <u>Vehicle Owner Responsibility.</u> The Vehicle Owner must ensure that each of Owner's Vehicles is driven only by a Participating Driver who has completed the Wheelchair Passenger assistance training provided for in this section.

§3-07(a)(6) Fine: \$50 Appearance NOT Required

(b) <u>Dispatch Equipment Training.</u>

(1) Each Participating Driver must also attend and complete a course of instruction on how to operate the Dispatch Equipment provided by the Dispatcher for the Vehicle.

(2) Each Participating Driver must also attend and complete any mandatory update training on the Dispatch Equipment provided by the Dispatcher.

#### §3-08 Acceptance of Dispatch

(a) Driver MUST Accept Dispatch.

(1) While on duty, a Participating Driver of an Accessible Vehicle must accept a dispatch from the Dispatcher.

(2) If a Participating Driver rejects more than two dispatches during a work shift, the Participating Driver will be considered to have "failed to participate" in the dispatch program.

(3) A Driver can offer a defense to any charge of "failure to participate" with evidence or an explanation that the Driver was not on duty or that the Accessible Vehicle was not actually available.

§3-08(a) Fine: \$100 per work shift Appearance NOT Required

(b) Report Expected Pick-Up Time. When a
Participating Driver operating an Accessible
Vehicle receives a dispatch, the Driver must tell the
Dispatcher when the Accessible Vehicle will be able
to pick up the Wheelchair Passenger.

§3-08(b) Fine: \$100 Appearance NOT Required

(c) <u>Taxicab Off-Duty Light.</u> A Participating Driver of an Accessible Taxicab must turn on the "Off Duty" light when the Driver begins to travel to the pick up location

§3-08(c) Fine: \$100 Appearance NOT Required

(d) No Prior Pick-Ups. A participating driver of an accessible vehicle who has accepted a dispatch from the Dispatcher must not accept any other Passenger before picking up the Wheelchair Passenger.

§3-08(d) Fine: \$100 Appearance NOT Required

(e) Base Station Owner Responsibility. The Owner of a
Base Station is responsible for ensuring that any
Drivers of affiliated Accessible Vehicles, accept
dispatches.

§3-08(e) Fine: \$50 Appearance NOT Required

§3-09 <u>Fares.</u>

(a) Fares Amounts. Fares for transporting Wheelchair Passengers following a dispatch will be the same as the current Taxicab fares set by the Commission.

(b) <u>Rules for Calculating Fares.</u>

(1) A Participating Driver of an Accessible Vehicle must not charge a fare to a Wheelchair Passenger higher than that indicated on the Taximeter.

§3-09(b)(1) Fine: \$100 Appearance NOT Required

(2) A Participating Driver MUST NOT turn on the Taximeter until the later of:

(i) The time the Vehicle actually arrives at the point of pick up.

(ii) The pick-up time indicated by the Dispatcher

(3) The fare can include any wait time from the time the Taximeter is turned on until the trip begins.

§3-09(b)(2)-(3) Fine: \$50 Appearance NOT Required

Exception. A Participating Driver who has accepted a dispatch and who finds, upon arriving at the pickup location, that none of the passengers is a Wheelchair Passenger, can:

(1) Refuse to provide transportation to the passenger(s), or

(2) Provide transportation but charge twice the otherwise applicable fare.

## \$3-10 <u>Driver Duties Regarding Wheelchair Passengers.</u>

(a) <u>Assisting the Passenger. A Participating Driver:</u>

(1) Must assist the Wheelchair Passenger to and from the curbside to enter and exit the Vehicle.

(3) Is not required to assist a Wheelchair Passenger beyond the curbside.

Appearance NOT Required

§3-10(a) Fine: \$50

(b) Packages. A Participating Driver must place the Wheelchair Passenger's packages and parcels in the Vehicle and secure them and must retrieve them

for the Wheelchair Passenger at the end of the trip.

§3-10(b) Fine: \$50 Appearance NOT Required

(c) <u>Service Animal(s) and Companions.</u> A Participating Driver must accept and provide transportation in the Accessible Vehicle for a Wheelchair Passenger's Service Animal(s) and for as many companions as can be seated in the vehicle.

§3-10(c) Fine: \$50 Appearance NOT Required

(d) Waiting for the Wheelchair Passenger. A
Participating Drive who has accepted a dispatch
must wait for the Wheelchair Passenger to appear
curbside at the pick up point for at least ten
minutes after the time of pickup indicated by the
Dispatcher.

§3-10(d) Fine: \$50 Appearance NOT Required

(e) <u>Notice to Dispatcher. A Participating Driver who</u>
<u>has accepted a dispatch must notify the Dispatcher</u>
in the proper manner:

(1) What time the driver has arrived at the pickup location

(2) Whether a Passenger is a Wheelchair Passenger

(3) Whether the Driver has picked up any Passengers

(4) When the trip is completed

(5) The amount of the fare

(6) The Driver's availability to accept a new dispatch.

§3-10(e) Fine: \$50 Appearance NOT Required

#### Statement of Basis and Purpose of Rules

These rules are proposed pursuant to sections 1043 and 2303 of the Charter and section 19-503 of the Administrative Code of the City of New York. The rules are part of a project undertaken by the Taxi and Limousine Commission ("TLC") to revise its existing rule book. The first phase of this project consists of reorganizing and redrafting TLC's rules, to enhance their clarity and accessibility without substantive change. Accordingly, these rules are not intended to make any changes to TLC's current policies, procedures or operations.

During this first phase of the rules revision project, all of TLC's existing rules will be redrafted, then posted on a chapter-by-chapter basis on the TLC Web site for review and discussion by interested members of the public. Each chapter will be revised based on that discussion, then published for public comment and public hearing pursuant to the City Administrative Procedure Act (CAPA). Because this phase of the rules revision is intended to involve no substantive changes to the rules, and as announced at the Commission meeting held on August 7, 2008, public hearings will be held separately from monthly stated Commission meetings.

When this process has been completed for all TLC rules, the complete set of rules will be presented to the Commission for promulgation simultaneously with repeal of the current set of TLC rules. The revised rules will replace the existing rules compiled in chapter 35 of the Rules of the City of New York. It is anticipated that the promulgation of the revised rules and repeal of the current rules will occur in 2010.

After the first phase of its rules revision is completed, TLC will move to the second phase, which will involve the assessment of its rules for more substantive changes.

The rules proposed here are as follows:

 $\label{lem:current} \mbox{Current Rule Chapters revised} \qquad \mbox{Proposed Rule Chapters} \\ \mbox{in this rule-making}$ 

Chapter 16, Dispatch of Chapter 3,
Accessible Vehicles Accessible Vehicles

existing rules, specifically:  $\bullet \qquad \text{The rules clarify, consistent with existing practice,}$ 

The proposed rule makes several substantive changes to the

that the TPEP equipment may function as the dispatch equipment.

The rules clarify that they are in effect only while there is a dispatcher.

● m24

## LATE NOTICE

# HEALTH AND HOSPITALS CORPORATION

SOLICITATIONS

Goods

MICROSED CONCENTRATOR - MFR. MEDICAL CHEMICAL – Competitive Sealed Bids – PIN# 21-10-028 – DUE 04-15-10 AT 11:00 A.M.

● HEMAGEN DIAGNOSTIC - LAB REAGENTS

TOXOPLASMA, CHAGAS EIA, ETC. - Competitive
Sealed Bids - PIN# 21-10-027 - DUE 04-15-10 AT 11:00 A.M.

DIAGNOSTIC REAGENT - LEGIONELLA ANTIGEN,
SHEALTH ELLID ETC. Competitive Scaled Bids

● DIAGNOSTIC REAGENT - LEGIONELLA ANTIGEN,
SHEALTH FLUID, ETC. - Competitive Sealed Bids PIN# 21-10-030 - DUE 04-15-10 AT 11:00 A.M.
● SIGMA ALDRICH CELL CULTURE PRODUCTS,
ALBUMIN BOVINE SERUM, PHOSPHATE BUFFERED
SALINE, ETC. - Competitive Sealed Bids - PIN# 21-10-029
- DUE 04-15-10 AT 11:00 A.M.

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

Jacobi Medical Center, Purchasing Department 7 South, Building #4, 1400 Pelham Parkway, Bronx, NY 10461. Rosemarie Miele - Phone: (718) 918-3983; Fax: (718) 918-7823; Email: rosemarie.miele@nbhn.net

## **READER'S GUIDE**

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

#### NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

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

## CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

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

## VENDOR ENROLLMENT APPLICATION

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

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

## Attention Existing Suppliers:

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

If you are uncertain whether you have already submitted an application, call us at (212) 857-1680.

## SELLING TO GOVERNMENT TRAINING WORKSHOP

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

## PRE-QUALIFIED LIST

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

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

#### **NON-MAYORAL ENTITIES**

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

#### PUBLIC ACCESS CENTER

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

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

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

#### PROMPT PAYMENT

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

#### PROCUREMENT POLICY BOARD RULES

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

#### COMMON ABBREVIATIONS USED IN THE CR

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

appearing in the CR:
AB Acceptable Brands List
ACAccelerated Procurement
AMTAmount of Contract
BLBidders List
CSBCompetitive Sealed Bidding
(including multi-step)
CB/PQCB from Pre-qualified Vendor List
CPCompetitive Sealed Proposal
(including multi-step)

CP/PQ......CP from Pre-qualified Vendor List
CR........The City Record newspaper
DA.......Date bid/proposal documents available
DUE......Bid/Proposal due date; bid opening date

EM ......Emergency Procurement
IG .....Intergovernmental Purchasing
LBE .....Locally Based Business Enterprise

M/WBE .....Minority/Women's Business Enterprise
NA...........Negotiated Acquisition
NOTICE....Date Intent to Negotiate Notice was published

in CR DLB.....Award to Other Than Lowest Responsible & Responsive Bidder/Proposer

PIN......Procurement Identification Number
PPB......Procurement Policy Board
PO. Procure State Vandary List

PQ ......Pre-qualified Vendors List
RS.....Source required by state/federal law or grant

SCE ......Service Contract Short-Term Extension
DP ......Demonstration Project

 $ST/FED.....Subject\ to\ State\ \&/or\ Federal\ requirements$ 

## KEY TO METHODS OF SOURCE SELECTION

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

## ${\bf CSB}.....{\bf Competitive~Sealed~Bidding}$

(including multi-step)

Special Case Solicitations/Summary of Circumstances:

## $CP......Competitive Sealed Proposal \\ (including multi-step)$

CP/1 .......Specifications not sufficiently definite
CP/2 ......Judgement required in best interest of City
CP/3 ......Testing required to evaluate

## CB/PQ/4.... CP/PQ/4 CB or CP from

CP/PQ/4 ....CB or CP from Pre-qualified Vendor List/

 $\label{eq:continuous} Advance\ qualification\ screening\ needed \\ DP\ .....Demonstration\ Project$ 

SS......Sole Source Procurement/only one source
RS......Procurement from a Required Source/ST/FED
NA......Negotiated Acquisition

For ongoing construction project only:

NA/8......Compelling programmatic needs

NA/9......New contractor needed for changed/additional

NA/10......Change in scope, essential to solicit one or limited number of contractors

NA/11......Immediate successor contractor required due to termination/default

For Legal services only:

NA/12......Specialized legal devices needed; CP not advantageous

WA ......Solicitation Based on Waiver/Summary of
Circumstances (Client Services/BSB or CP
only)

WA1 ......Prevent loss of sudden outside funding

WA2 ......Existing contractor unavailable/immediate need WA3 ......Unsuccessful efforts to contract/need continues

 $IG...... \textbf{Intergovernmental Purchasing} \ (award \ only)$ 

IG/F.....Federal
IG/S....State

IG/O .....Other

IG/O .....Other

EM .....Emergency Procurement (award only) An unforeseen danger to:

EM/A....Life

EM/B.....Safety

EM/C.....Property

EM/D.....A necessary service

AC ......Accelerated Procurement/markets with significant short-term price fluctuations

SCE......Service Contract Extension/insufficient time; necessary service; fair price

Award to Other Than Lowest Responsible & Responsive Bidder or Proposer/Reason (award only)

OLB/a.....anti-apartheid preference OLB/b.....local vendor preference

OLB/c....recycled preference

# OLB/d......other: (specify) **HOW TO READ CR PROCUREMENT NOTICES**

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

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

## SAMPLE NOTICE:

## **POLICE**

## DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

 $Services\ (Other\ Than\ Human\ Services)$ 

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

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

NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New

York, NY 10007. Manuel Cruz (646) 610-5225.

**☞** m27-30

## ITEM

POLICE DEPARTMENT

DEPARTMENT OF YOUTH SERVICES ■ SOLICITATIONS

Services (Other Than Human Services)

BUS SERVICES FOR CITY YOUTH PROGRAM CSB PIN # 056020000293 DUE 04-21-03 AT 11:00 am

Use the following address unless otherwise specified in notice, to secure, examinesubmit bid/proposal documents; etc.

## EXPLANATION

Name of contracting division

Type of Procurement action

Category of procurement

Short Title

Method of source selection Procurement identification number Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.

Paragraph at the end of Agency Division listing giving contact information, or submit bid/information or and Agency Contact address

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

Indicates New Ad

Date that notice appears in City Record

## NUMBERED NOTES

m27-30

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