



THE CITY RECORD

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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BROOKLYN BOROUGH PRESIDENT

■ PUBLIC HEARINGS

UNIFORM LAND USE REVIEW PROCEDURE

NOTICE IS HEREBY GIVEN that, pursuant to Sections 82 and 197-C of the New York City Charter, the Brooklyn Borough President will hold a public hearing on the following matters in the **Borough President's Court Room, Brooklyn Borough Hall, 209 Joralemon Street, Brooklyn, New York 11201, commencing at 6:00 P.M. on Wednesday July 27, 2011.**

CALENDAR ITEM 1

ADMIRAL'S ROW PLAZA ZONING MAP AMENDMENT; ZONING TEXT AMENDMENT ZONING SPECIAL PERMITS; ZONING CERTIFICATION; PROPERTY ACQUISITION AND DISPOSITION COMMUNITY DISTRICT 2 110375 - 110378 ZSK; 110379 ZCK; 110380 PQQ; 110381 PPK; 110382 ZMK; 110383 ZRK

In the matter of applications submitted by the Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for: a) the grant of special permits pursuant to Sections 74-743(a)(2); 74-744(c); 74-53; and, 74-922 of the Zoning Resolution; (b) the acquisition of property located at the Brooklyn Navy Yard; (c) disposition to the Brooklyn Navy Yard Development Corporation of city-owned property, subject to restrictions; and, (d) an amendment of the Zoning Map from an M1-2 District to an M1-4 District. This would facilitate 153,000 square feet of retail development, including a 74,000 square foot supermarket, and 127,000 square feet of industrial space.

CALENDAR ITEM 2

SPECIAL 4TH AVENUE ENHANCED COMMERCIAL DISTRICT ZONING MAP AMENDMENT; ZONING TEXT AMENDMENT COMMUNITY DISTRICTS 2, 6, 7 110386 ZMK; 110387 ZRK

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 the amendment of the Zoning Map by establishing a Special 4th Avenue Enhanced Commercial District (EC) bounded by a line midway between Atlantic Avenue and Pacific Street, 4th Avenue, Pacific Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, the northeasterly boundary line of James J. Byrne Memorial Park and Playground, a line 100 feet southeasterly of 4th Avenue, 24th Street, 4th Avenue, Prospect Avenue, a line 100 feet

northwesterly of 4th Avenue, 6th Street, 4th Avenue, Douglass Street, and a line 100 feet northwesterly of 4th Avenue. This would facilitate ground floor retail use along Fourth Avenue for new developments.

Note: To request a sign language interpreter, or to request TTD services, call Mr. Kevin Parris at (718) 802-3856 at least five business days before the day of the hearing.

jy20-27

QUEENS BOROUGH PRESIDENT

■ PUBLIC HEARINGS

Notice is hereby given that a Public Hearing will be held by the Borough President of Queens, Helen Marshall, on **Thursday, July 28, 2011 at 10:30 A.M.**, in the Borough Presidents Conference Room located at 120-55 Queens Boulevard, Kew Gardens, New York 11424, on the following items:

NOTE: Individuals requesting Sign Language Interpreters should contact the Borough President's Office, (718) 286-2860, TDD users should call (718) 286-2656, no later than **FIVE BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.**

CD07 - BSA #93-95 BZ - IN THE MATTER of an application submitted by Akerman Senterfitt LLC on behalf of 149-58 Realty Co., pursuant to Section 11-411 of the NYC Zoning Resolution, for a waiver of the Board's rules of Practice and Procedure, for a reopening and an extension of the term of the variance for twenty years that expired on June 10, 2007 in an R3A district, located at **149-56/58 Cross Island Parkway**, Block 4662 Lots 36 and 38, Zoning Map 7d, Whitestone, Borough of Queens.

CD04 - BSA #118-95 BZ - IN THE MATTER of an application submitted by Carl A. Sulfaro, Esq, on behalf of White Castle System, Inc., pursuant to Section 72-21 of the NYC Zoning Resolution, to extend term of a special permit for a drive through component of an existing eating and drinking establishment (Use Group 6) in an C1-2/R6 district located at **89-03 57th Avenue**, Block 1845, Lot 41, Zoning Map 13c, Elmhurst, Borough of Queens.

CD13 - BSA #35-11 BZ - IN THE MATTER of an application submitted by The Law Office of Fredrick A. Becker on behalf of Congregation Ohel, pursuant to Section 72-21 of the NYC Zoning Resolution, for a variance to facilitate renovation and enlargement of the existing structures for use as a synagogue and community facility in an R2A district, located at **226-20 Francis Lewis Boulevard**, Block 12825 Lot 149, Zoning Map 19a, Cambria Heights, Borough of Queens.

jy22-28

CITY COUNCIL

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT the Council has scheduled the following public hearings on the matters indicated below:

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, 250 Broadway, 16th Floor,

New York City, New York 10007, commencing at 9:30 A.M. on Monday, July 25, 2011:

TEDDY'S BAR & GRILL

BROOKLYN CB - 1 C 080491 ZMK

Application submitted by The Glef, Ltd. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No 12c, by establishing within an existing R6B District a C2-4 District bounded by a line midway between North 9th Street and North 10th Street, Berry Street, North 7th Street, and a line 100 feet northwesterly of Berry Street, as shown on a diagram (for illustrative purposes only) dated February 28, 2011.

TD BANK

QUEENS CB - 7 C 100175 ZMQ

Application submitted by TD Bank, NA pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 7d, by establishing within an existing R3A District a C1-2 district bounded by 14th Avenue, Cross Island Parkway Service Road South, a line 100 feet northerly of 15th Avenue, and 148th Street, as shown on a diagram (for illustrative purposes only) dated February 14, 2011, and subject to the conditions of CEQR Declaration E-271.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 11:00 A.M. on Monday, July 25, 2011.

ST. PAUL'S EVANGELICAL LUTHERAN CHURCH BROOKLYN CB - 1 20115689 HKK (N 110296 HKK)

Designation (List No. 441/LP-2418) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the St. Paul's Evangelical Lutheran Church, located at 334 South 5 Street (Block 2462, Lot 2), as an historic landmark.

BROOKLYN UNION GAS

BROOKLYN CB - 2 20115756 HKK (N 110345 HKK)

Designation (List 442/LP-2336) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Brooklyn Union Gas Company Building, located at 176 Remsen Street (part of Block 255, Lot 36), as an historic landmark.

FREE PUBLIC BATHS

MANHATTAN CB - 6 20115757 HKM (N 110344 HKM)

Designation (List No. 442/LP-2435) by the Landmarks Preservation Commission pursuant to 3020 of the New York City Charter regarding the landmark designation of the Free Public Baths of the City of New York East 54th Street Bath and Gymnasium, located at 342-348 East 54th Street (Block 1346, Lot 32), as an historic landmark.

97-36 43RD AVENUE - P.S./I.S. 311

QUEENS CB - 4 20105361 SCQ

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 800-Seat Primary/Intermediate School Facility to be located at 97-36 43rd Avenue (Block 1628, Lot 21), Borough of Queens, Community School District No. 24.

476 SEAT PRIMARY SCHOOL/PECK SLIP SCHOOL MANHATTAN CB - 1 20115806 SCM

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 476-Seat Primary School Facility to be located at 1 Peck Slip (Block 106, Lot 6), Borough of Manhattan, Community School District No. 2.

WEST 43RD STREET HIGH SCHOOL

MANHATTAN CB - 4 20125005 SCM

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 1400-Seat High School Facility (Beacon High School Replacement) to be located at 530 West 44th Street (Block 1072, Lot 15), Borough of Manhattan, Community School District No. 2.

P.S. 315-QUEENS

QUEENS CB - 4 20125006 SCQ
Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 1100-Seat Primary School Facility to be located at 96-18 43rd Avenue (Block 1613, Lot 17), Borough of Queens, Community School District No. 24.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 1:00 P.M. on Monday, July 25, 2011.

TRUXTON RESIDENCE

BROOKLYN CB - 16 C 110250 HAK
Application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
a) the designation of property located at 21 Truxton Street (Block 1542, Lot 44) as an Urban Development Action Area; and
b) an Urban Development Action Area 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 selected by HPD;

to facilitate development of a five story building with approximately 48 units, to be developed under the Department of Housing Preservation and Development's Supportive Housing Loan Program.

GOTHAM CENTER

QUEENS CB - 2 C 110225 PPQ
Application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for a change to the amount of public parking required in connection with development pursuant to the disposition of one city-owned property located at 28-10 Queens Plaza South (Block 420), Borough of Queens, Community District 2, pursuant to zoning.

Note: This formerly city-owned property was sold pursuant to a previously approved application (C 010260 PPQ), submitted by the Department of Citywide Administrative Services and approved by the City Planning Commission on May 23, 2001, Cal. No. 18. The previously approved application required that development pursuant to the disposition include a specified amount of public parking.

jy19-25

CITY PLANNING COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission Scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, July 27, 2011 at 10:00 A.M.

BOROUGH OF THE BRONX

Nos. 1, 2, 3, 4, 5 & 6

CROTONA PARK EAST/WEST FARMS REZONING & TEXT AMENDMENT

No. 1

CD 3, 6 C 100310 ZMX
IN THE MATTER OF an application submitted by Industco Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d:

- 1. changing from an M1-1 District to an R6A District property bounded by a line midway between Longfellow Avenue and Boone Avenue and its northeasterly prolongation, a service exit of Cross Bronx Expressway, Boone Avenue, and East 172nd Street;
2. changing from an M1-1 District to an R7A District property bounded by Boone Avenue, a service exit of Cross Bronx Expressway, a line 200 feet northeasterly of East 174th Street, a line 100 feet southeasterly of Boone Avenue, East 173rd Street, a line 50 feet southeasterly of Boone Avenue, a line 350 feet southwesterly of East 172nd Street, Sheridan Expressway, Westchester Avenue, Whitlock Avenue, Freeman Street, Boone Avenue, and the former centerline of Boone Avenue;
3. changing from an M1-1 District to an R7X District property bounded by a line 100 feet southeasterly of Boone Avenue, a line 200 feet northeasterly of East 174th Street, a service exit of Cross Bronx Expressway, Sheridan Expressway, East 173rd Street and its southeasterly centerline prolongation;
4. changing from an R7-1 District to an R8X District property bounded by Longfellow Avenue, Boston Road, West Farms Road, a line 250 northeasterly of Rodman Place, a line 100 feet southeasterly of Longfellow Avenue and its northeasterly prolongation, a line 100 feet easterly of Longfellow Avenue, and Cross Bronx Expressway;
5. changing from an M1-1 District to an R8X District property bounded by:
a. a line 100 feet southeasterly of Longfellow Avenue and its northeasterly prolongation, a line 250 feet northeasterly of Rodman Place, West Farms Road, the southeasterly prolongation of the northeasterly street line of Rodman Place, and a service exit of Sheridan Expressway; and
b. a line 50 feet southeasterly of Boone Avenue, East 173rd Street and its southeasterly centerline prolongation,

Sheridan Expressway, and a line 350 feet southwesterly of East 172nd Street;

- 6. establishing within a proposed R6A District a C2-4 District bounded by:
a. a line midway between Longfellow Avenue and Boone Avenue and its northeasterly prolongation, a line 100 feet northeasterly of East 174th Street, Boone Avenue, and a line 100 feet southwesterly of East 174th Street;
b. a line midway between Longfellow Avenue and Boone Avenue, a line 100 feet northeasterly of East 173rd Street, Boone Avenue and East 173rd Street; and
7. establishing within a proposed R7A District a C2-4 District bounded by:
a. Boone Avenue, a line 100 feet northeasterly of East 174th Street, a line 100 feet southeasterly of Boone Avenue, and a line 100 feet southwesterly of East 174th Street; and
b. Boone Avenue, a line 100 feet northeasterly of East 173rd Street, a line 100 feet southeasterly of Boone Avenue, East 173rd Street, a line 50 feet southeasterly of Boone Avenue, and a line 350 feet southwesterly of East 172nd Street;
8. establishing within a proposed R7X District a C2-4 District bounded by:
a. a line 100 feet southeasterly of Boone Avenue, a line 100 feet northeasterly of East 174th Street, West Farms Road, and a line 100 feet southwesterly of East 174th Street; and
b. a line 100 feet southeasterly of Boone Avenue, a line 100 feet northeasterly of East 173rd Street, West Farms Road, and East 173rd Street; and
9. establishing within a proposed R8X District a C2-4 District bounded by:
a. Longfellow Avenue, a line 80 feet northeasterly of Rodman Place, a line 100 feet southeasterly of Longfellow Avenue, and Rodman Place;
b. a line 70 feet northwesterly of West Farms Road, a line 250 northeasterly of Rodman Place, West Farms Road, and Cross Bronx Expressway; and
c. a line 50 feet southeasterly of Boone Avenue, East 173rd Street, West Farms Road, a line 100 feet southwesterly of East 173rd Street, a line 100 feet southeasterly of Boone Avenue, East 172nd Street, West Farms Road, and a line 350 feet southwesterly of East 172nd Street;

as shown in a diagram (for illustrative purposes only) dated May 9, 2011 and subject to the conditions of CEQR Declaration E-277.

No. 2

CD 3, 6 N 100311 ZRX
IN THE MATTER OF an application submitted by Industco Holdings LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York concerning Appendix F (Inclusionary Housing designated areas) and related Sections pertaining to the establishment of Inclusionary Housing designated areas in Community Districts 3 and 6, and the modification of Section 74-743 (Special provisions for bulk modifications) regarding lot coverage calculations in large-scale general developments within the boundaries of Community District 3, in the Borough of the Bronx.

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

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 districts are specified in APPENDIX F (Inclusionary Housing Designated Areas) of this Resolution.

Table with 2 columns: Community District and Zoning District. Lists various districts and their corresponding zoning codes.

74-743
Special provisions for bulk modification

- (a) For a #large-scale general development#, the City Planning Commission may permit:
(7) modification of the definition of #outer court# in Section 12-10 (DEFINITIONS) and the provisions of Section 23-84 (Outer Court Regulations) to include any open area that is bounded on all sides but one by #building# walls and is not otherwise a #yard# or an #inner court#, provided that:
(ii) the minimum distance between a #legally required window# facing onto such #outer court#

and a #building# wall shall be 30 feet, measured in a horizontal plane at the sill level of, and perpendicular to, such window for the full width of the rough window opening;

- (8) in an #Inclusionary Housing designated area# in a C4-7 District within the boundaries of Manhattan Community District 7, for the purpose of applying the Inclusionary Housing Program within such #Inclusionary Housing designated area#, as set forth in a restrictive declaration:

- (ii) modification of the requirements regarding distribution of #affordable housing units#, as defined in Section 23-911, specified in paragraph (b) of Section of Section 23-96 (Requirements for Generating Sites); or

- (9) within the boundaries of Community District 3 in the Bronx, portions of any #building#, at any level, that contain permitted or required #accessory# off-street parking spaces, to be excluded from the calculation of #lot coverage#.

- (b) In order to grant a special permit pursuant to this Section for any #large-scale general development#, the Commission shall find that:

- (7) where the Commission permits the exclusion of #lot area# or #floor area# in accordance with the provisions of paragraph (a)(5) of this Section or modification of the base and maximum #floor area ratios# or requirements regarding distribution of #affordable housing units# in accordance with paragraph (a)(8) of this Section, such modification will facilitate a desirable mix of #uses# in the #large-scale general development# and a plan consistent with the objectives of the Inclusionary Housing Program and those of Section 74-74 (Large-Scale General Development) with respect to better site planning; and

- (8) where the Commission permits portions of #buildings# containing #accessory# parking spaces to be excluded from the calculation of #lot coverage# in accordance with the provisions of paragraph (a)(7) of this Section, the exclusion of #lot coverage# will result in a better site plan and a better relationship among #buildings# and open areas than would be possible without such exclusion and therefore benefit the residents of the #large-scale general development#; and

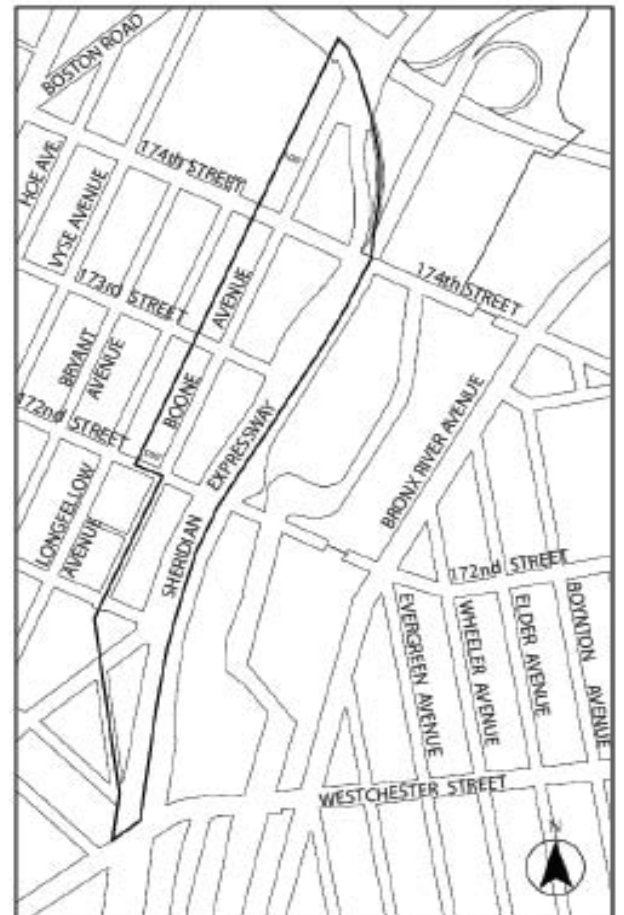
- (9) a declaration with regard to ownership requirements in paragraph (b) of the #large-scale general development# definition in Section 12-10 (DEFINITIONS) has been filed with the Commission.

APPENDIX F
Inclusionary Housing Designated Areas

The Bronx

The Bronx Community District 3
In the R6A, R7A, R7X and R8X Districts within the areas shown on the following Map 1:

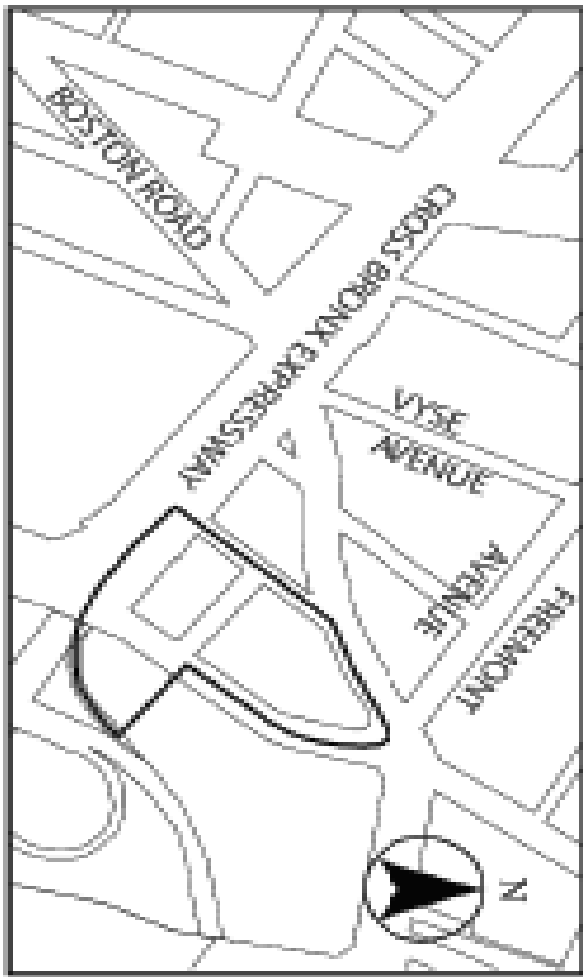
Map 1 -



Portion of Community District 3, The Bronx

The Bronx Community District 6
In the R7A, R7X, and R8A and R8X Districts within the areas shown on the following Maps 1, 2, 3, and 4 and 5:

Map 5 -



Portion of Community District 6, The Bronx

No. 3

CD 3 C 100312 ZSX
IN THE MATTER OF an application submitted by Industco Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743* of the Zoning Resolution:

- a. to allow the distribution of total allowable floor area, dwelling units and lot coverage without regard for zoning lot line and zoning district boundaries;
- b. allow the location of buildings without regard for the applicable height and setback and court regulations; and
- c. to exclude portions of a building containing permitted or required accessory off-street parking spaces to be excluded from the calculation of lot coverage;

in connection with two proposed mixed use developments (Zoning Lot A, Block 3013, Lots 12, 29, 31, 35, 37 & 46 and Zoning Lot B, Block 3014, Lots 9, 15 & 45), in R7A/C2-4**, R8X** and R8X/C2-4** Districts, within a Large-Scale General Development bounded by Boone Avenue, East 173rd Street, West Farms Road, and a line approximately 331 feet southwesterly of East 172nd Street.

* Note: Section 74-743 is proposed to be changed under a concurrent related application (N 100311 ZRX) for a zoning text amendment.

** Note: The site is proposed to be rezoned from an M1-1 District to R7A/C2-4, R8X and R8X/C2-4 Districts under a concurrent related application (C 100310 ZMX).

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

No. 4

CD 3 C 100313 ZSX
IN THE MATTER OF an application submitted by Industco Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-745 of the Zoning Resolution to allow the distribution of required or permitted accessory off-street parking spaces without regard for zoning lot lines, in connection with two proposed mixed use developments (Zoning Lot A, Block 3013, Lots 12, 29, 31, 35, 37 & 46 and Zoning Lot B, Block 3014, Lots 9, 15 & 45), in R7A/C2-4**, R8X** and R8X/C2-4** Districts, within a Large-Scale General Development bounded by Boone Avenue, East 173rd Street, West Farms Road, and a line approximately 331 feet southwesterly of East 172nd Street.

** Note: The site is proposed to be rezoned from an M1-1 District to R7A/C2-4, R8X and R8X/C2-4 Districts under a concurrent related application (C 100310 ZMX).

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

No. 5

CD 3 C 110234 HAX
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 1525 West Farms Road (Block 3014, Lot

45) as an Urban Development Action Area; and

- b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property.

to facilitate the disposition of the property to an adjacent leasehold owner for future development of affordable housing.

No. 6

CD 3 C 110297 ZSX
IN THE MATTER OF an application submitted by Industco Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744 of the Zoning Resolution to allow residential and non residential uses to be arranged within a building without regard for the use regulation set forth in Section 32-42 (Location within buildings), in connection with two proposed mixed use developments (Zoning Lot A, Block 3013, Lots 12, 29, 31, 35, 37 & 46 and Zoning Lot B, Block 3014, Lots 9, 15 & 45), in R7A/C2-4**, R8X** and R8X/C2-4** Districts, within a Large-Scale General Development bounded by Boone Avenue, East 173rd Street, West Farms Road, and a line approximately 331 feet southwesterly of East 172nd Street.

** Note: The site is proposed to be rezoned from an M1-1 District to R7A/C2-4, R8X and R8X/C2-4 Districts under a concurrent related application (C 100310 ZMX).

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.

NOTICE

On Wednesday, July 27, 2011, at 10:00 A.M., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning a zoning map amendment and zoning text amendments as well as special permits for a large-scale general development project (LSGD) and the disposition of a City-owned property. The zoning map amendment would change the existing M1-1 and R7-1 zoning districts to a mix of R6A, R7A, R7X, and R8X residential districts with selected C2-4 commercial overlays for eleven blocks located in the Crotona Park East and West Farms neighborhoods of the Bronx in Community Districts 3 and 6. The proposed actions would facilitate a proposal by the applicant, Industco Holdings, LLC, to develop ten new primarily residential buildings of which seven would comprise a large-scale general development (LSGD). Comments are requested on the DEIS and will be accepted until Monday, August 8, 2011.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 10DCP017X.

**BOROUGH OF MANHATTAN
 No. 7**

COMMUNITY HEALTH CARE NETWORK

CD 3 C 110247 PPM
IN THE MATTER OF an application submitted by the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property, located at 150 Essex Street (Block 354 Lot 12).

Nos. 8, 9 & 10

M1-6D/WEST 28TH STREET REZONING

No. 8

CD 5 C100063 ZMM
IN THE MATTER OF an application submitted by 249 W 28th Street Properties, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map Section No. 8d, by changing an M1-5 District to an M1-6D* District property bounded by West 30th Street, a line 100 feet westerly of Fashion Avenue (7th Avenue), West 28th Street and a line 100 feet easterly of Eight Avenue, as shown on a diagram (for illustrative purposes only), dated April 25, 2011, and subject to the conditions of CEQR Declaration E-276.

*Note: An M1-6D District is proposed to be created under a concurrent related application N 110285 ZRY for a Zoning Text Amendment.

No. 9

CD 5 C100064 ZSM
IN THE MATTER OF an application submitted by 249 W 28th Street Properties, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended Public Parking Garage with a maximum capacity of 325 spaces on portions of the ground floor, cellar level and sub-cellar level of a proposed mixed-use development on property located at 241-251 West 28th Street a.k.a. 240-250 West 29th Street (Block 778, Lots 13, 16, 18 & 66), in an M1-6D* District.

*Note: An M1-6D District is proposed to be created under a concurrent related application N 110285 ZRY for a Zoning Text Amendment. The site also is proposed to be rezoned by changing an M1-5 District to the M1-6D District under a concurrent related application C 100063 ZMM. Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

No. 10

N 110285 ZRY

CD 5
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 to create a new zoning district, M1-6D, and to modify related Sections pertaining to the establishment of the new district; and to modify Appendix F to facilitate a new Inclusionary Housing designated area.

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

* * *

**Article 1
 General Provisions**

**Chapter 1
 Title, Establishment of Controls and Interpretation of Regulations**

* * *

**11-122
 Districts established**

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

* * *

Manufacturing Districts

* * *

- M1-6 Light Manufacturing District (High Performance)
- M1-6D Light Manufacturing District (High Performance)
- M1-6M Light Manufacturing District (High Performance)

* * *

**Chapter 5
 Residential Conversion of Existing Non-Residential Buildings**

* * *

**15-012
 Applicability within C6-1G, C6-2G, M1-5A, ~~M1-5B~~ or M1-6D Districts**

#Conversions# in #buildings#, or portions thereof, in C6-1G or C6-2G Districts shall be permitted only by special permit pursuant to Section 74-782 (Residential conversion within C6-1G, C6-2G, C6-2M, C6-4M, M1-5A, M1-5B, M1-5M and M1-6M Districts).

Except as specifically set forth in Sections 15-013 and 15-026, the provisions of this Chapter are not applicable in M1-5A or M1-5B Districts.

In M1-6D Districts, the conversion to #dwelling units# of non-residential buildings erected prior to January 1, 1977, or portions thereof, shall be permitted subject to Sections 15-11 (Bulk Regulations), 15-12 (Open Space Equivalent) and 15-30 (Minor Modifications), paragraph (b), except as superseded or modified by the provisions of Section 42-481 (Residential uses).

* * *

**Article II
 Residence District Regulations**

**Chapter 3
 Bulk Regulations for Residential Buildings in Residence Districts**

* * *

**23-90
 INCLUSIONARY HOUSING**

* * *

**23-954
 Additional requirements for compensated developments**

- (a) Height and setback in #Inclusionary Housing designated areas#
 - (1) In #Inclusionary Housing designated areas#, except within:
 - (i) #Special Mixed Use Districts#;
 - (ii) R10 Districts without a letter suffix; and
 - (iii) #large-scale general developments# in C4-7 Districts within the boundaries of Manhattan Community District 7, subject to the provisions of a restrictive declaration; ;
 - the #compensated development# must comply with the height and setback regulations of Sections 23-633 (Street wall location and height and setback regulations in certain districts) or 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts), as applicable.
- (2) In #Inclusionary Housing designated areas# within #Special Mixed Use Districts#, the #compensated development# must comply with the provisions of paragraphs (a) or (b) of Section 123-662 (All buildings in Special Mixed Use Districts with R6, R7, R8, R9 and R10 District designations), as applicable. However, where the #Residence District# designation is an R6 District without a letter suffix, the #compensated

development# must comply with the height and setback regulations of Section 23-633, regardless of whether the #building# is #developed# or #enlarged# pursuant to the Quality Housing Program.

Article IV Manufacturing District Regulations

Chapter 1 Statement of Legislative Intent

41-10 PURPOSES OF SPECIFIC MANUFACTURING DISTRICTS

41-11 M1 Light Manufacturing Districts (High Performance)

These districts are designed for a wide range of manufacturing and related uses which can conform to a high level of performance standards. Manufacturing establishments of this type, within completely enclosed buildings, provide a buffer between Residence (or Commercial) Districts and other industrial uses which involve more objectionable influences. New residential development is New residences are excluded from these districts, except for:

- (a) joint living-work quarters for artists in M1-5A and M1-5B Districts;
(b) dwelling units in M1-5M and M1-6M Districts; and
(c) dwelling units in M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, where authorized by the City Planning Commission, both to protect residences from an undesirable environment and to ensure the reservation of adequate areas for industrial development; and
(d) dwelling units in M1-6D Districts.

Chapter 2 Use Regulations

42-02 Residential Use

In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, the #use# regulations governing M1 Districts shall apply, except that #residential uses# may be permitted by authorization of the City Planning Commission in accordance with the provisions of Section 42-47 (Residential Uses in M1-1D through M1-5D Districts), subject to the regulations of Sections 43-61 (Bulk Regulations for Residential Uses in M1-1D through M1-5D Districts) and 44-28 (Parking Regulations for Residential Uses in M1-1D through M1-5D Districts).

In the M1-1 District bounded by 95th Avenue, 148th Street, 97th Avenue and 147th Place in Community District 12 in the Borough of Queens, the #use# regulations of an M1 District shall apply, except that #residential use# is allowed subject to the #bulk# regulations of Section 43-01 (Applicability of this Chapter) and the #accessory# off-street parking regulations of Section 44-024 (Applicability of regulations in an M1-1 District in Community District 12 in the Borough of Queens).

In M1-6D Districts, #residences# shall be permitted in accordance with the #use# regulations set forth in Section 42-48, the #bulk# regulations set forth in Section 43-62, and the parking regulations applicable in C6-4 Districts as set forth in Article III, Chapter 6, and as modified, pursuant to Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens).

42-10 USES PERMITTED AS-OF-RIGHT

42-131 M1-5A and M1-5B Districts

M1-5A M1-5B

The regulations governing M1 Districts shall apply in M1-5A and M1-5B Districts except where the special #use# regulations set forth in Section 42-14, paragraph D(D) (Special Uses in M1-5A and M1-5B Districts) provide otherwise.

42-133 Provisions for dwelling units in certain M1-5 or M1-6 Districts

- (a) In M1-5 and M1-6 Districts, except for M1-6D Districts, located within the rectangle formed by West 23rd Street, Fifth Avenue, West 31st Street, and Eighth Avenue, no new #dwelling units# shall be permitted. However, #dwelling units# which the Chairperson of the City Planning Commission determines were occupied on September 1, 1980 shall be a permitted #use# provided that a complete application to permit such #use# is filed by the owner of the #building# or the occupant of a #dwelling unit# in such #building# not later than June 21, 1983. Such #dwelling units# shall comply with the requirements of Sections 15-026 or 15-22, where applicable and with Section 15-23. For the purposes of Article 7C of the New York State Multiple Dwelling Law, such a determination of #residential#

occupancy on September 1, 1980, shall be deemed to permit #residential use# as-of-right for such #dwelling units#.

- (b) In M1-6 Districts located within the rectangle formed by West 35th Street, Fifth Avenue, West 40th Street and Sixth Avenue, no #dwelling units# shall be permitted, except that:

- (1) #dwelling units# which the Chairperson of the City Planning Commission determines were occupied on May 18, 1981 shall be a permitted #use# provided that a complete application to permit such #use# is filed by the owner of the #building# or the occupant of the #dwelling unit# not later than June 21, 1983. For the purposes of Article 7C of the New York State Multiple Dwelling Law, such a determination of #residential# occupancy shall be deemed to permit #residential use# as-of-right for such #dwelling unit#; and
(2) in any #building# for which an alteration application for #conversion# of #floor area# used for non-#residential use# to #dwelling units# or for an #extension# or minor #enlargement# of existing #residential use#, was filed prior to May 18, 1981, #dwelling units# shall be permitted, provided that such alterations shall comply with the regulations in effect on the date of such filing. The right to #convert# to #dwelling units# or #extend# or #enlarge# existing #residential use# pursuant to the provisions of this subsection shall expire one year from July 23, 1981, unless a temporary or permanent certificate of occupancy has been issued; and
(3) in M1-6D Districts, #residential use# shall be permitted as-of-right subject to the supplemental #use# regulations set forth in Section 42-48 (Supplemental Use Regulations in M1-6D Districts).

42-40 SUPPLEMENTARY USE REGULATIONS AND SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES

42-47 Residential Uses in M1-1D through M1-5D Districts

In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, new #residences# or #enlargements# of existing #residences# may be permitted by authorization of the City Planning Commission provided the #zoning lot# existing on June 20, 1988 meets the criteria of paragraph (a), (b), or (c) of this Section.

42-48 Supplemental Use Regulations in M1-6D Districts

All permitted #uses# in M1-6D Districts, as set forth in Section 42-10 (USES PERMITTED AS-OF-RIGHT), shall comply with the provisions set forth in this Section, inclusive.

42-481 Residential use

#Residential use# shall be permitted in M1-6D Districts only in accordance with the provisions of this Section. For the purposes of this Section, a "qualifying #building#" shall be any #building# that existed on (date of referral), and which contained at least 50,000 square feet of #floor area# on such date.

- (a) Residential use as-of-right #Residential use# shall be permitted as-of-right on any #zoning lot# that, on (date of referral), was not occupied by a qualifying #building#. Prior to issuance of a building permit on such #zoning lot#, an affidavit shall be submitted to the Department of Buildings from a professional engineer or a registered architect, licensed under the laws of the State of New York, stating that no #building# on such #zoning lot# contained at least 50,000 square feet of #floor area# on (date of referral).
(b) Residential use by certification #Residential use# shall be permitted on a #zoning lot# that, on (date of referral), was occupied by one or more qualifying #buildings#, only upon certification by the Chairperson of the City Planning Commission that the #zoning lot# will contain at least the amount of non-#residential floor area# that existed within qualifying #buildings# on the zoning lot on (date of referral), subject to the following:
(1) preservation of non-#residential floor area# within existing non-qualifying #buildings# on the #zoning lot# shall not be counted toward meeting the requirements of this certification;
(2) #floor area# from #community facility uses# with sleeping accommodations shall not be counted toward meeting the requirements of this certification; and
(3) non-#residential floor area# converted to #residential# vertical circulation and lobby space need not be replaced as non-

#residential floor area#.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to provide the amount of non-#residential floor area# that existed within qualifying #buildings# on (date of referral) on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from non-#residential# to #residential#, or for the demolition of a qualifying #building# and its replacement by a new #building# containing #residences#.

42-482 Community facility uses

The #community facility use# regulations applicable in M1 Districts shall not apply in M1-6D Districts. In lieu thereof, all #community facility uses# listed in Use Groups 3 and 4 shall be permitted, except that #community facilities# with sleeping accommodations shall only be permitted in accordance with paragraphs (a) or (b) of this Section, as applicable. =

For the purposes of this Section, a "qualifying #building#" shall be any #building# that existed on (date of referral), and which contained at least 50,000 square feet of #floor area# on such date.

- (a) #Community facilities# with sleeping accommodations shall be permitted as-of-right on any #zoning lot# that, on (date of referral), was not occupied by a qualifying #building#. Prior to issuance of a building permit on such #zoning lot#, an affidavit shall be submitted to the Department of Buildings from a professional engineer or a registered architect, licensed under the laws of the State of New York, stating that no #building# on such #zoning lot# contained at least 50,000 square feet of #floor area# on (date of referral).
(b) #Community facilities# with sleeping accommodations shall be permitted on a #zoning lot# that, on (date of referral), was occupied by one or more qualifying #buildings#, only upon certification by the Chairperson of the City Planning Commission that the #zoning lot# will contain at least the amount of non-#residential floor area# that existed within qualifying #buildings# on the zoning lot on (date of referral), subject to the following:
(1) preservation of non-#residential floor area# within existing non-qualifying #buildings# on the #zoning lot# shall not be counted toward meeting the requirements of this certification;
(2) #floor area# from #community facility uses# with sleeping accommodations shall not be counted toward meeting the requirements of this certification; and
(3) non-#residential floor area# converted to #community facility# with sleeping accommodations or #residential# vertical circulation and lobby space need not be replaced as non-#residential floor area#.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to provide the amount of non-#residential floor area# that existed within qualifying #buildings# on (date of referral) on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from non-#residential# to #community facility# with sleeping accommodations, or for the demolition of a qualifying #building# and its replacement by a new #building# containing a #community facility# with sleeping accommodations.

- (c) on #narrow streets#, ground floor #community facility uses# shall be subject to the streetscape provisions set forth in Section 42-485 (Streetscape Provisions).

42-483 Commercial uses

The #commercial use# regulations applicable in M1 Districts shall apply in M1-6D Districts except as follows:

- (a) #Transient hotels# shall be allowed, except that #developments# or #enlargements# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with paragraph (a) of Section 42-481 (Residential use), shall only be allowed upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal has been met for the area in which such #transient hotel# is located, as set forth below, or, where such "residential development goal" has not been met, by special permit pursuant to Section 74-802 (In M1-6D Districts).

Residential Development Goal Specified by Area For #zoning lots# located within an area bounded by West 28th Street, West 30th Street, a line 100

feet west of Seventh Avenue, and a line 100 feet east of Eighth Avenue, the residential development goal shall be met when at least 865 #dwelling units# within such area have received certificates of occupancy subsequent to [date of enactment].

(b) Food stores, including supermarkets, grocery stores, or delicatessen stores, shall not be limited as to size of establishment.

(c) On #narrow streets#, ground floor #commercial uses# shall be subject to special streetscape provisions as set forth in Section 42-485 (Streetscape Provisions).

(d) All #uses# listed in Use Group 10 shall be permitted without limitation, except as provided for in paragraph (c) of this Section.

42-484 Manufacturing uses

In M1-6D Districts, the #manufacturing use# regulations applicable in #Special Mixed Use Districts#, as set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive, shall apply.

42-485 Streetscape Provisions

On #narrow streets#, for #zoning lots# with #street# frontage of 50 feet or more, ground floor #uses# limited to Use Groups 6A, 6C, 7B, 8A, 8B, 9A, 10A, 12A and 12B shall have a depth of at least 30 feet from the #street wall# and shall extend along a minimum of 50 percent of the width of the #street# frontage of the #zoning lot#. The remainder of the #street# frontage of the #zoning lot# may be occupied by any permitted #uses#, lobbies, or entrances to parking spaces, except that lobbies shall be limited to a total width of 40 feet. No minimum 30 foot depth requirement shall apply where a reduction in such depth is necessary in order to accommodate a #residential lobby# or vertical circulation core.

On #narrow streets#, for #zoning lots# with #street frontage# of less than 50 feet, no special ground floor #use# limitations or minimum 30 foot depth of #use# requirement shall apply.

Enclosed parking spaces, or parking spaces covered by a #building#, including such spaces #accessory# to #residences#, shall be permitted to occupy the ground floor provided they are located beyond 30 feet of the #street wall#.

For any #development# or #enlargement# that includes a ground floor #street wall#, each ground floor #street wall# occupied by #uses# listed in Use Groups 1 through 15, not including #dwelling units#, shall be glazed with transparent materials which may include show windows, transom windows or glazed portions of doors. Such transparency shall occupy at least 50 percent of the surface area of that portion of the ground floor #street wall# located between a height of two feet and 12 feet, or the height of the ground floor ceiling, whichever is higher, above the level of the adjoining sidewalk. The lowest point of any such required transparency shall not be higher than four feet above the level of the adjoining sidewalk, with the exception of transom windows, and the minimum width of any such required transparency shall be two feet. In addition, the maximum width of a portion of the ground floor level #street wall# without transparency shall not exceed ten feet. However, the transparency requirements of this Section shall not apply to that portion of the ground floor level #street wall# occupied by an entrance to a parking facility.

42-50 SIGN REGULATIONS

42-59 Sign Regulations in M1-6D Districts
In M1-6D Districts, #signs# are permitted subject to the signage regulations applicable in C6-4 Districts, as set forth in Section 32-60 (Sign Regulations), inclusive.

Chapter 3 Bulk Regulations

43-01 Applicability of this Chapter

In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, the #bulk# regulations governing M1 Districts shall apply to #community facility#, #commercial#, and #manufacturing uses#, and the regulations of Section 43-61 (Bulk Regulations for Residential Uses in M1-1D through M1-5D Districts) shall apply to #residential uses# authorized pursuant to Section 42-47 (Residential Uses in M1-1D through M1-5D Districts). M1-6D Districts shall be subject to the #bulk# regulations set forth in Section 43-62 (Bulk Regulations in M1-6D Districts).

43-12 Maximum Floor Area Ratio

M1 M2 M3

In all districts, as indicated, for any #zoning lot#, the maximum #floor area ratio# shall not exceed the #floor area ratio# set forth in the following table, except as otherwise provided in the following Sections:

Section 43-121 (Expansion of existing manufacturing buildings)

Section 43-122 (Maximum floor area ratio for community facility buildings)
Section 43-13 (Floor Area Bonus for Public Plazas)

Section 43-14 (Floor Area Bonus for Arcades)

Section 43-15 (Existing Public Amenities for which Floor Area Bonuses Have Been Received)

Section 43-16 (Special Provisions for Zoning Lots Divided by District Boundaries)

Section 43-61 (Bulk Regulations for Residential Uses in M1-1D through M1-5D Districts)

Section 43-62 (Bulk Regulations in M1-6D Districts)
Any given #lot area# shall be counted only once in determining the #floor area ratio#.

Table with 2 columns: Maximum Permitted #Floor Area Ratio#, Districts. Rows include 1.00 (M1-1), 2.00 (M1-2 M1-4 M2-1 M2-3 M3), 5.00 (M1-3 M1-5 M2-2 M2-4), 10.00 (M1-6)

For #zoning lots# containing both #community facility use# and #manufacturing# or #commercial use#, the total #floor area# used for #manufacturing# or #commercial use# shall not exceed the amount permitted in the preceding table or by the bonus provisions in Sections 43-13 or 43-14.

Notwithstanding any other provisions of this Resolution, the maximum #floor area ratio# in an M1-6 District shall not exceed 12.0.

43-122 Maximum floor area ratio for community facilities

M1

In the districts indicated, for any #community facility use# on a #zoning lot#, the maximum #floor area ratio# shall not exceed the #floor area ratio# set forth in the following table:

Table with 2 columns: Maximum Permitted #Floor Area Ratio#, Districts. Rows include 2.40 (M1-1), 4.80 (M1-2), 6.50 (M1-3 M1-4 M1-5), 10.00 (M1-6)

In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, for any #zoning lot# containing both #residential use# and #community facility use#, the total #floor area# used for #residential use# shall not exceed the amount permitted in Section 43-61 (Bulk Regulations for Residential Uses in M1-1D through M1-5D Districts).

43-13 Floor Area Bonus for Public Plazas

M1-6

In the district indicated, except for M1-6D Districts, for each square foot of #public plaza# provided on a #zoning lot#, in accordance with the provisions of Section 37-70, inclusive, the total #floor area# permitted on that #zoning lot# under the provisions of Section 43-12 (Maximum Floor Area Ratio) may be increased by six square feet. However, the provisions of this Section shall not apply to #zoning lots# that are both within 100 feet of the western #street line# of Seventh Avenue and between West 28th and West 30th Streets in the Borough of Manhattan.

43-14 Floor Area Bonus for Arcades

M1-6

In the district indicated, except for M1-6D Districts, for each square foot of #arcade# provided on a #zoning lot#, the total #floor area# permitted on the #zoning lot# under the provisions of Section 43-12 (Maximum Floor Area Ratio) may be increased by three square feet. However, the provisions of this Section shall not apply to #zoning lots# that are both within 100 feet of the western #street line# of Seventh Avenue and between West 28th and West 30th Streets in the Borough of Manhattan.

43-43 Maximum Height of Front Wall and Required Front Setbacks

M1 M2 M3

In all districts, as indicated, if the front wall or any other portion of a #building or other structure# is located at the #street line# or within the #initial setback distance# as set forth in the following table, the height of such front wall or other portion of a #building or other structure#, except as otherwise set forth in this Section, shall not exceed the maximum height above #curb level# set forth in the following table. Above such maximum height and beyond the #initial setback distance#, the #building or other structure# shall not penetrate the #sky exposure plane# set forth in the following table.

The regulations of this Section shall apply except as otherwise provided in Sections 43-42 (Permitted Obstructions), 43-44 (Alternate Front Setbacks) or 43-45 (Tower Regulations). In M1-1 Districts, for #community facility buildings# the maximum height of a front wall shall be 35 feet or three #stories#, whichever is less, and the height above the #street line# shall be 35 feet, and in M1-4 Districts, for #community facility buildings#, the maximum height of a front wall shall be 60 feet or six #stories#, whichever is less.

For #zoning lots# in M1-6 Districts that are both within 100 feet of the western #street line# of Seventh Avenue and between West 28th and West 30th Streets in the Borough of

Manhattan, the #street wall# of a #building# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to a minimum height of 125 feet or the height of the #building#, whichever is less, and a maximum height of 150 feet. Above a height of 150 feet, no portion of a #building# may penetrate a #sky exposure plane# except for towers, pursuant to Section 43-45 (Tower Regulations). The #sky exposure plane# shall begin at a height of 150 feet above the #street line# and rise over the #zoning lot# at a slope of 5.6 feet of vertical distance for each foot of horizontal distance on a #wide street#, and at a slope of 2.7 feet of vertical distance for each foot of horizontal distance on a #narrow street#. The provisions of Section 43-44 (Alternate Front Setbacks) shall not apply. On the ground floor, recesses shall be permitted where required to provide access to the #building#, provided such recesses do not exceed three feet in depth as measured from the #street line#. Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#. However, no recesses shall be permitted within 20 feet of an adjacent #building# and within 30 feet of the intersection of two #street lines#.

43-61 Bulk Regulations for Residential Uses in M1-1D through M1-5D Districts

The following regulations shall apply to any #development# or #enlargement# authorized pursuant to Section 42-47 (Residential Uses in M1-1D through M1-5D Districts):

(a) The total amount of #residential floor area# permitted on any #zoning lot# shall not exceed a #floor area ratio# of 1.65.

On #zoning lots# containing both #residential use# and #community facility#, #manufacturing# or #commercial use#, the maximum #floor area# shall be the maximum #floor area# permitted for either the #commercial# or #manufacturing use# as set forth in Sections 43-12 (Maximum Floor Area Ratio) through 43-14 (Floor Area Bonus for Arcades), or the #community facility use# as set forth in Section 43-122 (Maximum floor area ratio for community facility buildings), or the #residential use# as set forth in this Section, whichever permits the greatest amount of #floor area#.

On #zoning lots# containing both #residential use# and #manufacturing# or #commercial use#, the total #floor area# used for #manufacturing# or #commercial use# shall not exceed the amount permitted by Sections 43-12 through 43-14.

(b) The maximum number of #dwelling units# shall equal the total #residential floor area# provided on the #zoning lot# divided by 675. Fractions equal to or greater than three quarters resulting from this calculation shall be considered to be one #dwelling unit#.

(c) The maximum #building# height above #curb level# shall be 32 feet.

(d) No such #development# or #enlargement# shall be permitted within 30 feet of the #rear lot line#.

(e) The maximum distance from the #street line# to the #street wall# of such #development# shall be ten feet, unless modified by the Commission pursuant to Section 44-28 (Parking Regulations for Residential Uses in M1-1D through M1-5D Districts).

(f) No #side yards# shall be required. However, if any open area extending along a #side lot line# is provided at any level it shall have a width of not less than eight feet. However, #enlargements# of #single-family# or #two-family residences# existing as of June 20, 1988, shall be exempt from this requirement, provided such #enlarged building# does not exceed a height of two #stories#.

43-62 Bulk Regulations in M1-6D Districts

43-62.1 Floor area regulations in M1-6D Districts

(a) The maximum #floor area# ratio for #zoning lots# shall be 10.0, and no #floor area# bonuses shall apply, except as set forth in paragraph (b) of this Section.

(b) In #Inclusionary Housing designated areas#

For M1-6D Districts mapped within an #Inclusionary Housing designated area#, the provisions of Section 23-90 (INCLUSIONARY HOUSING) applicable to R10 Districts without a letter suffix shall apply, as modified in this Section.

(1) For #zoning lots# that do not contain #residences#, the maximum #floor area ratio# shall be 10.0.

(2) The maximum base #floor area ratio# for #zoning lots# containing #residences# shall be 9.0 plus an amount equal to 0.25 times the non-#residential floor area ratio# provided on the #zoning lot#, provided that such base #floor area ratio# does not exceed 10.0. Such #floor area ratio# may be increased to a maximum of 12.0 only through the provision of #lower income housing# pursuant to Section 23-90 (INCLUSIONARY HOUSING), inclusive.

43-62.2 Maximum lot coverage in M1-6D Districts
Any story of a #building# containing #dwelling units# shall not exceed a maximum #lot coverage# of 70 percent for

#interior# or #through lots# and 100 percent for #corner lots#. However, where any such level contains parking spaces or non-residential uses#, such level shall be exempt from #lot coverage# regulations.

**43-623
Density in M1-6D Districts**

The provisions of 35-40 (APPLICABILITY OF DENSITY REGULATIONS TO MIXED BUILDINGS) shall apply. The applicable factor shall be 790.

**43-624
Yard regulations in M1-6D Districts**

In M1-6D Districts, the provisions of Section 43-20 (Yard Regulations) shall apply, except that #residential# portions of a #building# shall provide a #rear yard# with a minimum depth of 30 feet at any level not higher than the floor level of the lowest #story# containing #dwelling units# with a #window# opening upon such #rear yard#. On any #through lot# that is 110 feet or more in depth from #street# to #street#, a #rear yard equivalent# shall be provided within 15 feet of the centerline of the #through lot# or #through lot# portion. In the case of a #through lot# on which a #rear yard equivalent# is provided, the requirements of this Section shall apply as if such #rear yard equivalent# were two adjoining #rear yards#.

**43-625
Height and setback in M1-6D Districts**

In M1-6D Districts, the height and setback provisions of this Section shall apply to all #buildings#.

(a) Rooftop regulations

(1) Permitted obstructions

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures) may penetrate a maximum height limit or #sky exposure plane#, provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet.

In addition, on #narrow streets#, a maximum base height or #sky exposure plane# may be penetrated pursuant to the following.

(i) Structural columns

Structural columns may penetrate a maximum height limit or #sky exposure plane#, provided that they are one story or less in height, have a #street wall# no greater than 30 inches in width, and are spaced not less than 15 feet on center.

(ii) Dormers

(a) On any #street# frontage, the aggregate width of all dormers at the maximum base height shall not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all such dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.

(b) The aggregate width of dormers at the maximum base height facing the #rear yard line# or #rear yard equivalent# shall not exceed 60 percent of the length of wall of the #building# facing a #rear yard line# at the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all such rear dormers shall be decreased by one percent of the width of the #building# wall facing the #rear lot line#, at the level of the highest #story# entirely below the maximum base height. Where two rear setbacks are provided as set forth in paragraph (b)(3)(ii) of this Section, the aggregate width of rear dormers,

measured separately within each setback, shall not exceed 60 percent of the length of

#building# wall facing a #rear yard line# at the highest #story# entirely below each rear setback. For each foot of height that a dormer is above the level of a setback, the aggregate width of dormers within such setback shall be decreased by one percent of the width of the highest #story# entirely below such setback.

In the case of a #through lot# on which a #rear yard equivalent# is provided, the requirements of this Section shall apply as if such #rear yard equivalent# were two adjoining #rear yards#.

(2) Screening requirements for mechanical equipment

For all #developments# and #enlargements#, and conversions of non-residential buildings# to #residences#, all mechanical equipment located on any roof of a #building# or other structure# shall be fully screened on all sides. However, no such screening requirements shall apply to water tanks.

(b) Height and setback

(1) #Street wall# location

The #street wall# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to at least the minimum base height specified in paragraph (b)(2) of this Section. On the ground floor, recesses shall be permitted where required to provide access to the #building#, provided such recesses do not exceed three feet in depth as measured from the #street line#.

Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#. However, no recesses shall be permitted within 20 feet of an adjacent #building# and within 30 feet of the intersection of two #street lines#.

(2) Base height

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 125 feet and a maximum base height of 150 feet.

On #narrow streets#, beyond 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 85 feet and a maximum base height of 125 feet.

As an alternative, the minimum and maximum base heights applicable to a #wide street# may apply along a #narrow street# to a distance of 100 feet from a #wide street#.

(3) Required setbacks and maximum #building# heights

(i) Along #wide streets#

The provisions of this paragraph, (b)(3)(i), shall apply to #buildings#, or portions thereof, located on #wide streets# and on #narrow streets# within 100 feet of a #wide street#. The portion of such #building# above a height of 150 feet shall be set back from the #street wall# of the #building# at least 10 feet along a #wide street# and at least 15 feet along a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#. The maximum height of such #buildings# shall be 290 feet. In addition, the gross area of each of either the highest two or three #stories# of such #building# shall not exceed 80 percent of the gross area of the #story# directly below such highest two or three #stories#.

(ii) Along #narrow streets#

The provisions of this paragraph, (b)(3)(ii), shall apply to #buildings#, or portions thereof, located on #narrow streets# beyond 100 feet of a #wide street#. No portion of such #building# or other structure# shall penetrate a #sky exposure plane# which begins at a height of 125 feet above the #narrow street line# and rises over the #zoning lot# with a slope of four feet of vertical distance for every foot of horizontal distance. The maximum height of such #buildings# shall be 210 feet. However, any portion of such #building# or other structure# that is located beyond 15 feet of the #street line# may penetrate such #sky exposure

plane#, provided such portion does not exceed a height of 210 feet. In addition, the gross area of each of the top two #stories# of a #building# may not be greater than 80 percent of the gross area of the #story# directly below such top two #stories#.

In addition, for #buildings# containing #residences#, no portion of such #building# exceeding a height of 125 feet shall be nearer to a #rear yard line# than ten feet. Alternatively, a pair of setbacks may be provided in accordance with the following:

- (a) a setback of five feet from the #rear yard line# shall be provided between a height of 85 feet and 125 feet; and
- (b) a setback of ten feet from the #rear yard line# shall be provided between a height of 125 and 165 feet.

However the heights of such setbacks shall be vertically equidistant from a height of 125 feet.

In the case of a #through lot# on which a #rear yard equivalent# is provided, the requirements of this Section shall apply as if such #rear yard equivalent# were two adjoining #rear yards#.

(4) Maximum length of #building# wall

The maximum length of any #story# located entirely above a height of 150 feet shall not exceed 150 feet. Such length shall be measured in plan view by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a level of 150 feet.

**43-626
Courts in M1-6D Districts**

Residential portions of #buildings# shall be subject to the court provisions applicable in R10 Districts as set forth in Section 23-80 (Court Regulations, Minimum Distance between Windows and Walls or Lot Lines and Open Area Requirements), inclusive.

* * *

**Chapter 4
Accessory Off-Street Parking and Loading Regulations**

* * *

**44-022
Applicability of regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a portion of Community Districts 1 and 2 in the Borough of Queens**

Special regulations governing permitted or required #accessory# off-street parking are set forth in Article I, Chapter 3.

**44-023
Applicability of regulations in M1-1D through M1-5D Districts**

In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, the parking regulations governing M1 Districts shall apply to #manufacturing#, #commercial# or #community facility uses#, and the regulations of Section 44-28 (Parking Regulations for Residential Uses in M1-1D through M1-5D Districts) shall apply to #residential uses# authorized pursuant to Section 42-47 (Residential Uses in M1-1D through M1-5D Districts).

**44-024
Applicability of regulations in M1-6D Districts**

In M1-6D Districts, the parking regulations governing M1 Districts shall apply to #commercial# and #manufacturing uses#. For #residential# and #community facility uses#, the parking regulations applicable in C6-4 Districts as set forth in Article III, Chapter 6, shall apply.

In addition, parking regulations shall be modified by Article 1, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens), as applicable.

**44-024 44-025
Applicability of regulations in an M1-1 District in Community District 12 in the Borough of Queens**

In the M1-1 District bounded by 95th Avenue, 148th Street, 97th Avenue and 147th Place in Community District 12 in the Borough of Queens, the #accessory# off-street parking regulations of an M1 District shall apply, except that the #accessory# off-street parking regulations for an R5 District set forth in Article II, Chapter 5, shall apply to #residential uses#.

* * *

**44-28
Parking Regulations for Residential Uses in M1-1D through M1-5D Districts**

In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, the regulations of this Section shall apply to #residential uses# authorized pursuant to Section 42-47 (Residential Uses in

M1-1D through M1-5D Districts).
* * *

**52-46
Conforming and Non-conforming Residential Uses in M1-1D through M1-5D Districts**

In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, a #building# containing conforming or #non-conforming residential uses# may be #enlarged# and the #residential uses extended# thereby, provided that no non-#residential uses# exist above the level of the first #story# ceiling.

Such #enlargement# is subject to all of the following regulations:

- (1) There shall be no increase in the number of #dwelling units# in the #building# beyond the lawful number in existence on December 21, 1989.
- (2) The total amount of #residential floor area# in the #building# shall not exceed 500 square feet additional to the #residential floor area# in existence on December 21, 1989, or a #floor area ratio# of 1.65, whichever is less.
- (3) No #residential enlargement# shall be permitted within 30 feet of the #rear lot line#.
- (4) No #enlarged# portion shall exceed a height of 32 feet above #curb level#.
- (5) No #side yards# shall be required. However, if any open area extending along a #side lot line# is provided at any level it shall have a width of not less than eight feet. However, #enlargements# of #single-family# or #two-family residences# existing as of June 20, 1988 shall be exempt from this requirement, provided such #enlarged building# does not exceed a height of two #stories#.

#Enlargements# in excess of those permitted above, and #enlargements# that create additional #dwelling units# may be permitted by authorization of the City Planning Commission, pursuant to the regulations of Section 42-47 (Residential Uses in M1-1D through M1-5D Districts) and Section 42-48 (Supplemental Use Regulations in M1-6D Districts).

* * *
**52-50
DAMAGE OR DESTRUCTION**

* * *
**52-53
Buildings or Other Structures in All Districts**

* * *
**52-531
Permitted reconstruction or continued use**

In all districts, if any #building#, except a #building# subject to the provisions of Section 52-54 (Buildings Designed for Residential Use in Residence Districts), or of Section 52-56 (Multiple Dwellings in M1-D Districts), which is substantially occupied by a #non-conforming use# is damaged or destroyed by any means, including any demolition as set forth in Sections 52-50 et seq., to the extent of 50 percent or more of its total #floor area#, such #building# may either:

* * *
For the purposes of this Section, any #single-family# or #two family residence# located within an M1-1D, M1-2D, M1-3D, M1-4D, or M1-5D or M1-6D District and existing on June 20, 1988 shall be a conforming #use#.

* * *
**52-56
Multiple Dwellings in M1-1D through M1-5D Districts**

In the case of damage or destruction of less than 75 percent of the total #floor area# of a #non-conforming building# containing three or more #dwelling units# in an M1-1D, M1-2D, M1-3D, M1-4D or M1-5D District, such #building# may be repaired or reconstructed, and its #residential use# continued, subject to the following regulations:

- (a) there shall be no increase in the number of #dwelling units# in the #building# beyond the lawful number in existence prior to such damage and destruction; and
- (b) there shall be no increase to the pre-existing amount of #floor area# except as expressly provided in Section 52-46 (Conforming and Non-conforming Residential Uses in M1-D Districts).

#Enlargements# in excess of those permitted above, and #enlargements# that create additional #dwelling units# may be permitted by authorization of the City Planning Commission pursuant to the regulations of Section 42-47 (Residential Uses in M1-1D through M1-5D Districts).

* * *
**52-62
Buildings Containing Residences in M1-1D through M1-5D Districts**

In M1-1D, M1-2D, M1-3D, M1-4D and M1-5D Districts, vacant #floor area# in a #building# originally designed as #dwelling units# or #rooming units# may be occupied by a #residential use# provided that the requirements of either paragraph (a) or (b) are met.

* * *
**74-80
Transient Hotels**

**74-80 74-801
Transient Hotels in R10H Districts**
In R10H Districts, the City Planning Commission may

permit #transient hotels#. Where a #building# in existence on December 15, 1961, is located on a #zoning lot#, a substantial portion of which is located in an R10H District and the remainder in a #Commercial District#, the Commission may also permit the #conversion# of specified #floor area# within such #building# from #residential use# to #transient hotel use# without regard to the #floor area#, supplementary #use# or density regulations otherwise applicable in the #Commercial District#. The Commission may also allow any subsequent #conversion# of such specified #floor area# to and from #residential# or #transient hotel use# to occur without further Commission approval, subject to the conditions of the special permit.

* * *
**74-802
In M1-6D Districts**

In M1-6D Districts, in areas that have not met the "residential development goal" set forth in paragraph (a) of Section 42-483 (Commercial uses), the City Planning Commission may permit #developments# or #enlargements# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with Section 42-481 (Residential use), provided the Commission finds that:

- (a) sufficient development sites are available in the area to meet the residential development goal; or
- (b) a harmonious mix of #residential# and non-#residential uses# has been established in the area, and such #transient hotel# resulting from a #development# or #enlargement# is consistent with such character of the surrounding area.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

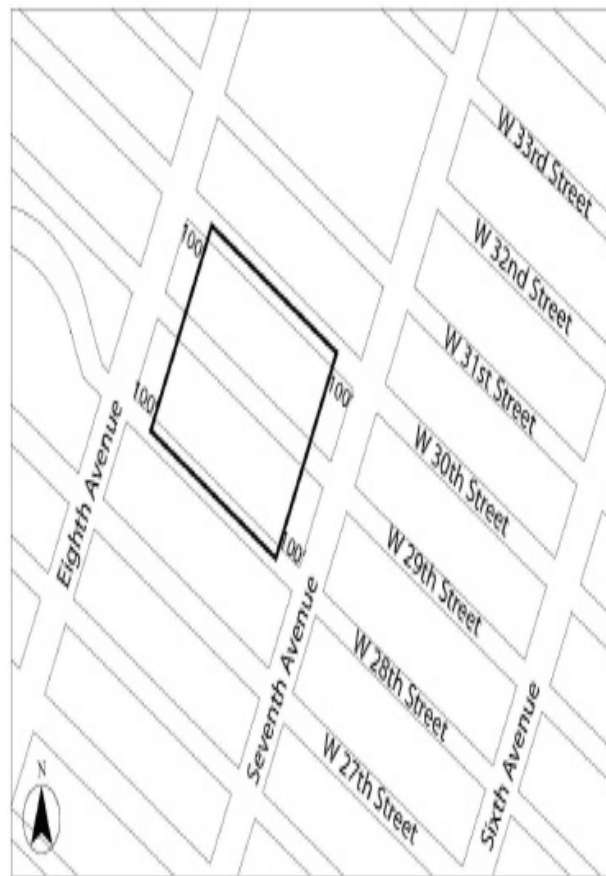
* * *
APPENDIX F: Inclusionary Housing Designated Areas

* * *
Manhattan, Community District 3
In the R7A, R8A and R9A Districts within the areas shown on the following Map 1:

Map 1
- MAP -

Manhattan, Community District 5
In the M1-6D Districts within the areas shown on the following Map 1:

Map 1



Map ____ . Portion of Community District 5, Manhattan

**No. 11
15 WILLIAM STREET GARAGE**
CD 1 C 110341 ZSM
IN THE MATTER OF an application submitted by 15 William (NY) Owner, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 166 spaces on portions of the ground floor, cellar, and sub-cellar of an existing mixed-use building on property located at 15 William Street (Block 25, Lots 27 and 1401-1722), in a C5-5 District, within the Special Lower Manhattan 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
**No. 12
ROCKAWAY FIREHOUSE REHAB**
CD 14 N 110272 HAQ
IN THE MATTER OF submitted by the Department of Housing Preservation and Development (HPD):

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

- a. the designation of property located at 58-03 Rockaway Beach Boulevard (Block 15926, Lot 44, p/o Lot 100 and p/o Lot 200) as an Urban Development Action Area;
 - b. and an Urban Development Action Area Project for such an area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of a portion of such property (Block 15926, p/o Lot 100 and p/o Lot 200) to a developer to be selected by HPD;

to facilitate the rehabilitation of an existing two-story building for community facility use and accessory outdoor activity space.

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

jy14-27

EMPLOYEES' RETIREMENT SYSTEM

■ INVESTMENT MEETING

Please be advised that the next Investment Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Tuesday, July 26, 2011 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor, Boardroom, Brooklyn, NY 11201-3751.

jy19-25

EQUAL EMPLOYMENT PRACTICES COMMISSION

■ MEETING

The next meeting of the Equal Employment Practices Commission will be held in the Commission's Conference Room/Library at 40 Rector Street, (14th Floor) on Thursday, July 28, 2011 at 9:15 A.M.

jy22-28

FINANCE

TREASURY

■ MEETING

PLEASE TAKE NOTICE THAT THERE WILL BE A Meeting of the Banking Commission on Thursday, July 28, 2011 at 12:00 P.M. in the Conference Room at 210 Joralemon Street, 5th Floor, Brooklyn.

Please allow extra time to get through building security.

jy20-27

FIRE

■ NOTICE

PLEASE TAKE NOTICE that in accordance with Sections 201 through 204 (inclusive) of the New York State Eminent Domain Procedure Law ("EDPL"), a Public Hearing will be held by the New York City Fire Department, on behalf of the City of New York, in connection with the acquisition of a property (Capital Project F202PENN), located at 265 Pennsylvania Avenue in the Borough of Brooklyn (Community District 5), for its continued use as a Fire Department Emergency Medical Services ("EMS") Station. The time and place of the hearing is as follows:

DATE: Wednesday, August 10, 2011
TIME: 10:00 A.M.
LOCATION: EMS Station 39, 265 Pennsylvania Avenue, Brooklyn, New York 11207

The purpose of this hearing is to inform the public of the proposed acquisition of this property and to review the public use to be served by the project and its impact on the community and its residents.

The property proposed to be acquired, 265 Pennsylvania Avenue, Brooklyn, New York, is located on the east side of Pennsylvania Avenue between Pitkin and Belmont Avenues. The property consists of Block 3738, Lot 7, as shown on the Tax Map of the City of New York for the Borough of Brooklyn.

The proposed property will be acquired for continued use as a Fire Department ambulance station. The property has been used for an ambulance station since 1987. The ambulance station houses nine (9) ambulance units and twenty-seven (27) ambulance tours in an approximately 8,250 square foot one-story building, and is staffed by approximately one hundred and twenty-five (125) employees who report over three shifts.

The continued use of this proposed property as an EMS facility is critical to maintaining Fire Department EMS operations in the area. Its location is well-situated to serve the surrounding community. Accordingly, alternative locations were not considered because equally-situated locations were not readily available.

Any person in attendance at this meeting will be given a reasonable opportunity to present oral or written statements, and to submit other documents concerning the proposed acquisition. Each speaker will be allotted a maximum of five (5) minutes. In addition, written statements may be

submitted to the Counsel to the Department at the address stated below, provided the comments are received no later than 5:00 P.M. on August 17th, 2011.

New York City Fire Department
Bureau of Legal Affairs
9 Metrotech Center, Room 4W-18
Brooklyn, NY 11201-3857
Attention: EMS Station 39 Acquisition

Important note: Property owners who may subsequently wish to challenge condemnation of their property via judicial review may do so only on the basis of issues, facts and objections raised at the Public Hearing.

jy18-22

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

FRANCHISE ADMINISTRATION

■ PUBLIC HEARINGS

NOTICE OF A FRANCHISE AND CONCESSION REVIEW COMMITTEE (FCRC) PUBLIC HEARING to be held on Monday, August 8, 2011 commencing at 1:00 P.M. at 125 Worth Street, Second Floor Auditorium, in the matter of proposed franchise agreements (the "proposed Franchise Agreements") authorizing Cablevision Systems New York City Corporation to provide cable television services in the Bronx and Brooklyn.

The proposed Franchise Agreements include, but are not limited to, provisions regarding consumer protection, public, educational, and government channels, and an institutional network. The term of the agreements as proposed would run through July 18, 2020.

Copies of the proposed Franchise Agreements are available for public inspection between the hours of 9:30 A.M. and 3:00 P.M., excluding Saturdays, Sundays and holidays, at the New York City Department of Information Technology and Telecommunications ("DoITT"), 2 Metrotech Center, 4th Floor, Brooklyn, New York, 11201, and (in accordance with Section 891.2 (a) of Title 16 of the New York State Codes, Rules and Regulations) at the offices of the City Clerk, 141 Worth Street, New York, New York 10013, commencing July 18, 2011 through August 8, 2011.

Hard copies of one or more of the proposed Franchise Agreements may be obtained at DoITT, 2 Metrotech Center, 4th Floor, Brooklyn, New York 11201, by appointment, at a cost of \$0.25 per page. All payments shall be made at the time of pickup by check or money order made out to the New York City Department of Finance. One or more of the proposed Franchise Agreements may also be obtained in PDF form at no cost, by email request. Interested parties should contact Roxanne Chambers by phone at 212-788-6610 or by email at RChambers@doitt.nyc.gov.

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

Recordings of the hearing may be cablecast on NYC TV Media Group channels.

jy15-a8

NOTICE OF A FRANCHISE AND CONCESSION REVIEW COMMITTEE (FCRC) PUBLIC HEARING to be held on Monday, August 8, 2011 commencing at 1:00 P.M. at 125 Worth Street, Second Floor Auditorium, in the matter of proposed franchise agreements (the "proposed Franchise Agreements") authorizing Time Warner Entertainment Company, L.P. and Time Warner NY Cable LLC to provide cable television services in Manhattan, Queens, Staten Island and Brooklyn.

The proposed Franchise Agreements include, but are not limited to, provisions regarding consumer protection, public, educational, and government channels, and an institutional network. The term of the agreements as proposed would run through July 18, 2020.

Copies of the proposed Franchise Agreements are available for public inspection between the hours of 9:30 A.M. and 3:00 P.M., excluding Saturdays, Sundays and holidays, at the New York City Department of Information Technology and Telecommunications ("DoITT"), 2 Metrotech Center, 4th Floor, Brooklyn, New York 11201, and (in accordance with Section 891.2 (a) of Title 16 of the New York State Codes, Rules and Regulations) at the offices of the City Clerk, 141 Worth Street, New York, New York 10013, commencing July 18, 2011 through August 8, 2011.

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Recordings of the hearing may be cablecast on NYC TV Media Group channels.

jy15-a8

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

Notice is hereby given that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **July 26, 2011 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 11-6169 -Block 1445, lot 44-34-51 84th Street – Jackson Heights Historic District
A neo-Georgian style attached house built in 1927 designed by Robert Tappan. Application is to modify a brick retaining wall installed without Landmark Preservation Commission permits. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 11-8552 - Block 8058, lot 5-14 Melrose Lane - Douglaston Historic District
A Colonial Revival style house built c. 1920. Application is to remodel and enlarge the existing garage. Zoned R1-1. Community District 11.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF STATEN ISLAND 10-8898 - Block 891, lot 205-91 Flagg Court - Ernest Flagg Estate
A garage constructed prior to 1909 and altered c.1989. Application is to alter the façade of the garage, and to construct an addition. Zoned R 1-1. Community District 2.

MODIFICATION OF USE AND BULK
BOROUGH OF STATEN ISLAND 11-8774 - Block 891, lot 205-91 Flagg Court - Ernest Flagg Estate
A garage constructed prior to 1909 and altered c.1989. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Bulk pursuant to Section 74-711 of the Zoning Resolution. Zoned R1-1 Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 11-8498 - Block 8775, lot 41-1901 Emmons Avenue - F.W.I.L. Lundy Brothers Restaurant-Individual Landmark
A Spanish Colonial Revival style restaurant building designed by Bloch & Hesse and built in 1934. Application is to legalize the installation of mechanical units and a sidewalk without Landmarks Preservation Commission permits, to construct a wall, and install a sidewalk canopy. Community District 15.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 11-5818 - Block 1951, lot 1-85 St. James Place, aka 185 Greene Avenue- Clinton Hill Historic District
An Italianate style brownstone rowhouse, built c. 1868 by William B. Nichols. Application to legalize the installation of an awning, light fixtures, and conduits without Landmarks Preservation Commission permits. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-0699 - Block 1918, lot 32-241 Washington Avenue - Clinton Hill Historic District
A neo-Grec style rowhouse designed by W.H. Gaylor and built in 1879. Application is to replace the sidewalk. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-1357 - Block 251, lot 1-1 Grace Court Alley - Brooklyn Heights Historic District
An apartment house built in 1925. Application is to replace windows. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-0873 - Block 253, lot 27-6 Grace Court Alley - Brooklyn Heights Historic District
A converted brick carriage house built c.1920. Application is to alter openings at the front and rear facades and construct a rooftop bulkhead. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 11-7865 - Block 20, lot 6-25 Jay Street, aka 19-27 Jay Street - DUMBO Historic District
A Renaissance Revival style factory building designed by Flemer & Koehler and built in 1892. Application is to construct a rooftop addition. Zoned MX-2/R-8A. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-1781 - Block 1, lot 10-Buildings 96, 146, 147, 148,309, 400, a garage and a pool Governor Island - Governor Island Historic District
A wood frame garage constructed mid-20th century; a shop building built in 1986; two one-story brick transformer buildings built in 1934; a ferry waiting room with Colonial style details built in 1917; a vernacular style church built c.1942 and later altered in the 1970s; an open air swimming pool built in the mid-20th century; and a neo-Georgian style barracks administration and training building designed by McKim, Mead and White, and built in 1929-30 with additions built in the 1950s and 1967-68. Application is to demolish six buildings, additions and a pool and install landscaping. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-7230 - Block 49, lot 2-111-113 Broadway, aka 2-10 Thames Street and 91-95

Trinity Place- Trinity Building - Individual Landmark
A neo-Gothic style commercial skyscraper designed by Francis H. Kimball and built in 1904-07. Application is to install awnings and signage. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-4750 - Block 214, lot 6-407-411 Greenwich Street - Tribeca West Historic District
A utilitarian store and loft building with Italianate style elements, designed by John M. Forster, and built in 1867. Application is to construct rooftop additions and to install new storefront infill. Zoned M1-5. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-9175 - Block 473, lot 14-484 Broadway - SoHo-Cast Iron Historic District
A store building built in 1879, designed by J. B. Snook, and altered in 1911. Application is to replace windows. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-8232 - Block 488, lot 22-400 West Broadway - SoHo-Cast Iron Historic District
Extension
An Italianate style store building, designed by William Jose, and built in 1870-71 and altered in the late 20th century. Application is to construct a new lobby entrance adjacent to the building. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-4401 - Block 535, lot 7501-2-6 West 4th Street, aka 693-697 Broadway – NoHo Historic District
A Beaux-Arts style store and office building, designed by William C. Frohne and built in 1908. Application is to replace storefront infill and signage. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-0464 - Block 506, lot 16-30 Charlton Street - Charlton-King- Vandam Historic District
An eclectic Georgian style apartment building built in 1927. Application is to legalize facade alterations, and the installation of windows, light fixtures, and intercom boxes all without Landmarks Preservation Commission permits, and to install through-wall air conditioning units. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-6192 - Block 572, lot 68-49 West 8th Street - Greenwich Village Historic District
A Greek Revival style rowhouse built in 1845 and altered in the early 20th century to accommodate stores at the first two floors. Application is to install signage. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-1018 - Block 617, lot 55-20 7th Avenue - Greenwich Village Historic District
A contemporary institutional building designed by Arthur A. Schiller and Albert Ledner and built in 1962-63. Application is to alter the ground floor, install canopies and rooftop mechanical equipment, and remove tiles from the facade. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-0043 - Block 623, lot 22-417 Bleecker Street - Greenwich Village Historic District
A hotel built in 1901 and altered in the 1930s. Application is to replace storefronts infill. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-8547 - Block 611, lot 69-139 West 10th Street - Greenwich Village Historic District
A house designed by Myndert Van Schaick and built in 1834. Application is to legalize the installation of a bracket sign and menu box without Landmarks Preservation Commission permits. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-0320 - Block 623, lot 53-277-279 West 11th Street - Greenwich Village Historic District
An apartment building, designed by George F. Pelham and built in 1906. Application is to replace entrance doors. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-1302 - Block 593, lot 13-3 Greenwich Avenue - Greenwich Village Historic District
A one-story commercial building built in the 20th century. Application is to legalize a wall constructed without Landmarks Preservation Commission permits. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-1522 - Block 606, lot 6-22 Greenwich Avenue - Greenwich Village Historic District
A building built in 1839 and remodeled after the turn of the century. Application is to reconstruct the primary facade. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-0801 - Block 745, lot 61-344 West 22nd Street - Chelsea Historic District
A Greek Revival style rowhouse built in 1841. Application is to construct a rear yard addition and reconstruct the rear façade. Zoned R7-B. Community District 4.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-9310 - Block 818, lot 37-5 West 16th Street - 5 West 16th Street Building – Individual Landmark
A Greek Revival style rowhouse, constructed c.1846 and altered to accommodate stores at the lower floors in 1894 and 1912, with a penthouse addition constructed in 1918. Application is to construct a barrier free access ramp and alter the storefront. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-1704 - Block 1265, lot 7501-

600 Fifth Avenue - Manufacturers Hanover Trust Building-Rockefeller Center-Individual Landmark
A commercial and office tower designed by Carson & Lundin and built in 1950-52 as part of the Art Deco style Rockefeller Center complex. Application is to install new storefront infill. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-1787 - Block 892, lot 19-135 East 36th Street - Murray Hill Historic District
An Italianate style rowhouse designed by Thomas Kilpatrick and built c. 1856. Application is to reconstruct the facades. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-9016 - Block 1218, lot 12-163 West 87th Street - Upper West Side/Central Park West Historic District
A Romanesque/Renaissance Revival style rowhouse designed by Gilbert A. Schellenger and built in 1889-1890. Application is to construct rooftop and rear yard additions. Zoned R7-2. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-0599 - Block 1202, lot 36-285 Central Park West - Upper West Side/Central Park West Historic District
A Beaux-Arts style apartment building designed by Robert Lyons and built in 1904-05. Application is to install HVAC louvers. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-0880 - Block 1206, lot 7501-327 Central Park West, aka 2 West 93rd Street - Upper West Side/Central Park West Historic District
A neo-Renaissance style apartment building designed by Nathan Korn and built in 1928-29. Application is to establish a Master Plan governing the future installation of windows. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-8578 - Block 1396, lot 63-124 East 62nd Street - Upper East Side Historic District
A residence built in 1869-70 and later altered in 1938 by Eldredge Snyder. Application is to legalize the installation of an areaway fence installed without Landmarks Preservation Commission permit(s). Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-0688 - Block 1383, lot 22-815 Madison Avenue - Upper East Side Historic District
A rowhouse built in 1881-82, and re-designed in the neo-Georgian style by Walter B. Chambers in 1926. Application is to replace the storefront infill. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-7941 - Block 1384, lot 69-2 East 70th Street - Upper East Side Historic District
A neo-Renaissance style apartment house designed by Rosario Candela and built in 1927-28. Application is to replace doors. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-9057 - Block 1408, lot 25-163 East 73rd Street - 163 East 73rd Street Building - Individual Landmark
A late Romanesque Revival style carriage house designed by Thomas Rae and built in 1896-97. Application is to construct a rooftop addition and reconstruct the rear facade. Zoned R8B. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-0252 - Block 1386, lot 1-900 Fifth Avenue - Upper East Side Historic District
A modern style apartment building designed by Sylvan Bien and built in 1958. Application is to install a metal and glass canopy. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-8566 - Block 1412, lot 164-116 East 78th Street - Upper East Side Historic District
A rowhouse built in the 1860s and re-designed in the neo-Georgian style by Rouse & Goldstone in 1909-10. Application is to install new ironwork, alter the penthouse facade and construct new bulkheads, and to demolish the existing rear facade and extension and construct a new rear yard addition. Zoned R8B. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-8149 - Block 1383, lot 57-822 Madison Avenue - Upper East Side Historic District
A neo-Grec style rowhouse, designed by Charles Buek and built in 1881-82 and altered in the early and mid 20th century. Application is to modify the window openings. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-7475 - Block 1388, lot 48-32 East 74th Street - Upper East Side Historic District
An International style residence designed by William Lescaze and built in 1934-35. Application is to relocate the entrance infill and construct rooftop and rear yard additions. Zoned R7B. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-9363 - Block 2062, lot 145-417 Convent Avenue - Hamilton Heights/ Sugar Hill Historic District
A Classic Revival style rowhouse designed by Henri Fouchaux and built in 1896-97. Application is to legalize the construction of a stair bulkhead without Landmarks Preservation Commission permits. Community District 9.

ADVISORY REPORT
BOROUGH OF MANHATTAN 11-5319 - Block 2878, lot 150-1771 Andrews Avenue South - Messiah Home for Children - Individual Landmark
A Jacobethan Revival style orphanage designed by Charles Brigham and built in 1905-08. Application is to replace windows, install window louvers and install rooftop mechanical equipment. Community District 5.

jy13-26

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday, July 26, 2011 at 9:30 AM**, at the Landmarks Preservation Commission will conduct a *public hearing* in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Landmarks and Landmark Sites. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

ITEMS TO BE HEARDPUBLIC HEARING ITEM No. 1

LP-2425
MADISON BELMONT (CHENEY SILK) BUILDING, 181-183 Madison Avenue (aka 31 East 33rd Street; 44-46 East 34th Street), Manhattan
[Community District 5]

PUBLIC HEARING ITEM No. 2

LP-2526
MADISON BELMONT (CHENEY SILK) BUILDING, FIRST FLOOR INTERIOR, 181-183 Madison Avenue (aka 31 East 33rd Street; 44-46 East 34th Street), Manhattan
[Community District 5]

PUBLIC HEARING ITEM No. 3

LP-2495
BARBIZON HOTEL FOR WOMEN, 140 East 63rd Street (aka 136-146 East 63rd Street; 813-817 Lexington Avenue), Manhattan:
Landmark Site: Borough of Manhattan Tax Map Block 1397, Lots 1501-1588
[Community District 8]

jy11-25

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday, August 2, 2011 at 2:00 P.M.**, at the Landmarks Preservation Commission will conduct a *public hearing* in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Historic District. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

ITEM TO BE HEARDPUBLIC HEARING ITEM No. 1

LP-2496
PROPOSED BEDFORD STUYVESANT/EXPANDED STUYVESANT HEIGHTS HISTORIC DISTRICT, Borough of Brooklyn

Boundary Description

The proposed Bedford-Stuyvesant/Expanded Stuyvesant Heights Historic District consists of the property bounded by a line beginning at the intersection of the western curblines of Malcolm X Boulevard and the northern curblines of Chauncey Street, westerly along the northern curblines of Chauncey Street, southerly across Chauncey Street along a line extending northerly from the eastern property line of 82 Chauncey Street, southerly along the eastern property line of 82 Chauncey Street, westerly along the southern property lines of 82 through 78 Chauncey Street and 419 Stuyvesant Avenue, westerly across Stuyvesant Avenue, southerly along the western curblines of Stuyvesant Avenue, northwesterly along the northern curblines of Fulton Street to a point in the middle of the roadbed of Lewis Avenue, northerly along a line extending up the middle of the roadbed of Lewis Avenue to its intersection with a point on a line which continues the northern curblines of Bainbridge Street, westerly along that line and the northern curblines of Bainbridge Street, northerly from the curblines to the western property line of 430 Lewis Avenue (aka 67 Bainbridge Street) through 424 Lewis Avenue, westerly along part of the southern property line of 422 Lewis Avenue, westerly along the southern property lines of 206 through 142-144 Decatur Street (aka 471-477 Marcus Garvey Boulevard), westerly to the eastern curblines of Marcus Garvey Boulevard, northerly along the eastern curblines of Marcus Garvey Boulevard, westerly across Marcus Garvey Boulevard to the southern property line of 140 Decatur Street (aka 464 Marcus Garvey Boulevard), westerly along the southern property lines of 140 Decatur Street (aka 464 Marcus Garvey Boulevard) and 138 Decatur Street, northerly along part of the western property line of 138 Decatur Street, westerly along the southern property lines of 136 through 132 Decatur Street, northerly along part of the western property line of 132 Decatur Street, westerly along the southern property line of 3 Albany Avenue, westerly across Albany Avenue, southerly along the western curblines of Albany Avenue, westerly to the northern building line of 8 Albany Avenue, westerly along the northern building line of 8 Albany Avenue, southerly along part of the eastern property line of 116 Decatur Street, westerly along the southern property lines of 116 through 110 Decatur Street and part of the southern property line of 108 Decatur Street, westerly along the southern property lines of 104 through 88 Decatur Street and 631 Throop Avenue, westerly to the eastern curblines of Throop Avenue, northerly along the eastern curblines of Throop Avenue, westerly across Throop

Avenue to the easternmost point of the southern property line of 70-72 Decatur Street (aka 644 Throop Avenue), westerly, northerly, and northwesterly along the southern property line of 70-72 Decatur Street (aka 644 Throop Avenue), northwesterly along the southern property lines of 68 through 52 Decatur Street, southwesterly along part of the eastern property line of 50 Decatur Street (aka 1497 Fulton Street), northwesterly along a line to the southern property line of 44 Decatur Street, northwesterly along the southern property line of 44 Decatur Street, southwesterly along part of the eastern property line of 42 Decatur Street, northwesterly along the southern property lines of 42 and 40 Decatur Street, southwesterly along part of the eastern property line of 38 Decatur Street, northwesterly along the southern property lines of 38 and 36 Decatur Street, northeasterly along the western property line of 36 Decatur Street, northerly across Decatur Street, westerly along the northern curblines of Decatur Street, northerly along the eastern curblines of Tompkins Avenue, westerly to the southern property line of 58-72 MacDonough Street (aka 468-480 Tompkins Avenue), westerly along the southern property line of 58-72 MacDonough Street (aka 469-480 Tompkins Avenue), northerly along the western property line of 58-72 MacDonough Street (aka 469-480 Tompkins Avenue), northerly to the southern curblines of MacDonough Street, easterly along the southern curblines of MacDonough Street, northerly across MacDonough Street to the western property line of 61-73 MacDonough Street (aka 458-466 Tompkins Avenue), northerly along the western property line of 61-73 MacDonough Street (aka 458-466 Tompkins Avenue), easterly along the northern property line of 61-73 MacDonough Street (aka 458-466 Tompkins Avenue), easterly across Tompkins Avenue, northerly along the eastern curblines of Tompkins Avenue, easterly to the northern property line of 467 Tompkins Avenue, easterly along the northern property line of 467 Tompkins Avenue, easterly to the northern property line of 91-97 MacDonough Street, easterly along the northern property lines of 91-97 through 129 MacDonough Street, southerly along part of the eastern property line of 129 MacDonough Street, easterly along the northern property line of 133 MacDonough Street, northerly along part of the western property line of 137 MacDonough Street, easterly along the northern property line of 137 MacDonough Street, southerly along part of the eastern property line of 137 MacDonough Street, easterly along the northern property line of 141 MacDonough Street (aka 622 Throop Avenue), easterly to a point in the middle of the roadbed of Throop Avenue, northerly along a line extending up the middle of the roadbed of the Throop Avenue to a point in the middle of its intersection with Macon Street, easterly along a line extending down the middle of the roadbed of Macon Street to its intersection with a point on a line which continues the eastern curblines of Throop Avenue, northerly along that line and the eastern curblines of Throop Avenue, easterly to the northern property line of 267 Macon Street (aka 579 Throop Avenue), easterly along the northern property lines of 267 Macon Street (aka 579 Throop Avenue) through 331 Macon Street and part of the northern property line of 333 Macon Street, northerly along the western property lines of 410 through 404 Marcus Garvey Boulevard (aka 394-400 Halsey Street) to the southern curblines of Halsey Street, easterly along the southern curblines of Halsey Street, southerly along the western curblines of Marcus Garvey Boulevard, easterly across Marcus Garvey Boulevard to the northern property line of 417 Marcus Garvey Boulevard, easterly along the northern property line of 417 Marcus Garvey Boulevard, southerly along part of the eastern property line 417 Marcus Garvey Boulevard, easterly along the northern property lines of 351 through 403 Macon Street, northerly along part of the western property line of 364 Lewis Avenue and the western property lines of 362 through 354-356 Lewis Avenue (aka 468-476 Halsey Street) to the southern curblines of Halsey Street, easterly along the southern curblines of Halsey Street, easterly across Lewis Avenue to its intersection with the eastern curblines of Lewis Avenue, northerly across Halsey Street, northerly along the eastern curblines of Lewis Avenue, easterly to the northern property line of 437 Halsey Street (aka 343-351 Lewis Avenue), easterly along the northern property lines of 437 Halsey Street (aka 343-351 Lewis Avenue) through 503 Halsey Street, northerly along the western property lines of 308 through 302 Stuyvesant Avenue (aka 568 Hancock Street), northerly across Hancock Street, northerly along the western property lines of 300 Stuyvesant Avenue (aka 561 Hancock Street) through 284 Stuyvesant Avenue (aka 624-632 Jefferson Avenue) to the southern curblines of Jefferson Avenue, easterly along the southern curblines of Jefferson Avenue, easterly across Stuyvesant Avenue, easterly along the southern curblines of Jefferson Avenue, southerly to the eastern property line of 273-279 Stuyvesant Avenue (aka 634 Jefferson Avenue), southerly along the eastern property line of 273-279 Stuyvesant Avenue (aka 634 Jefferson Avenue), easterly along part of the northern property line of 281 Stuyvesant Avenue, southerly along the eastern property lines of 281 Stuyvesant Avenue and 575 Hancock Street (aka 285 Stuyvesant Avenue), southerly across Hancock Street, southerly along the eastern property lines of 291 Stuyvesant Avenue (aka 576 Hancock Street) through 297 Stuyvesant Avenue and part of the eastern property line of 299 Stuyvesant Avenue, easterly along the northern property lines of 525 through 533 Halsey Street, southerly along part of the eastern property line of 553 Halsey Street, easterly along the northern property lines of 553A and 555 Halsey Street, northerly along part of the western property line of 557 Halsey Street, easterly along the northern property lines of 557 through 559 Halsey Street, southerly along part of the eastern property lines of 559 Halsey Street, easterly along the northern property lines of 561 through 573 Halsey Street and part of the northern property line of 254 Malcolm X Boulevard, northerly along the western property lines of 248 through 240 Malcolm X Boulevard (aka 654 Hancock Street) to the southern curblines of Hancock Street, easterly along the southern curblines of Hancock Street, and southerly along the western curblines of Malcolm X Boulevard to the point of the beginning.

[Community Board 3]

jy19-a1

TRANSPORTATION

NOTICE

NOTICE OF A JOINT PUBLIC HEARING of the Franchise and Concession Review Committee and the New York City Department of Transportation ("DOT") to be held on Monday, August 8, 2011, at 125 Worth Street, Borough of Manhattan, commencing at 1:00 P.M. relative to:

INTENT TO AWARD as a concession a Sole Source License Agreement ("Agreement") to the Fulton Mall Improvement Association ("FMIA"), whose address is 15 Metro Tech Center, 19th Floor, Brooklyn, NY 11201, to provide for the operation, management, and maintenance of a pedestrian plaza located on Dekalb Avenue between Fulton Street, Bond Street and Albee Square in Brooklyn ("Licensed Plaza"), including through DOT-approved events, sponsorships, and subconcession(s), including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that helps brand or promote the neighborhood or FMIA, and other similar merchandise within the Licensed Plaza. Subconcessions would be awarded based on solicitations issued by FMIA in the basic form of a Request for Proposals or Request for Bids, subject to DOT's prior written approval of both solicitation and award. FMIA will be required to invest any revenue generated by this concession into the maintenance, repair and/or improvement, including reasonable administrative costs, of the Licensed Plaza.

The Agreement will provide for one (1) five-year term, commencing upon written Notice to Proceed, with four (4) one-year renewal options, exercisable at the sole discretion of DOT.

LOCATION: A draft copy of the Agreement may be reviewed or obtained at no cost, commencing August 1, 2011 through August 8, 2011, between the hours of 10:00 A.M. and 4:00 P.M., excluding weekends and holidays at the NYC Department of Transportation, located at the NYC Department of Transportation, Office of Franchises, Concessions and Consents, 55 Water Street, 9th Floor, NY, NY 10041.

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

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

• jy22

NOTICE OF A SPECIAL JOINT PUBLIC HEARING of the Franchise and Concession Review Committee and the New York City Department of Transportation ("DOT") to be held on Monday, August 8, 2011, at 125 Worth Street, Borough of Manhattan, commencing at 1:00 P.M. relative to:

INTENT TO AWARD as a concession a Sole Source License Agreement ("Agreement") to the Meatpacking Improvement Association, Inc. ("MPIA") whose address is 111 Eighth Avenue, 15th Floor, New York, NY 10011, to provide for the operation, management, and maintenance of a pedestrian plaza located at Ninth Avenue from Gansevoort Street to 14th Street in Manhattan ("Licensed Plaza"), including through DOT-approved events, sponsorships, and subconcession(s), including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that helps brand or promote the neighborhood or MPIA, and other similar merchandise within the Licensed Plaza. Subconcessions would be awarded based on solicitations issued by MPIA in the basic form of a Request for Proposals or Request for Bids, subject to DOT's prior written approval of both solicitation and award. MPIA will be required to invest any revenue generated by this concession into the maintenance, repair and/or improvement, including reasonable administrative costs, of the Licensed Plaza.

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

• jy22

COURT NOTICES

SUPREME COURT

NOTICE

NEW YORK COUNTY
IA PART 6
NOTICE OF ACQUISITION
INDEX NUMBER 400791/11

In the Matter of the CITY OF NEW YORK, relative to acquiring title to certain real property needed for the construction of a

SANITATION GARAGE FOR MANHATTAN DISTRICTS 1, 2, AND 5

located within Tax Block 596 in the Borough of Manhattan, City and State of New York, which Tax Block is bounded by Spring Street on the south, Washington Street on the east, West Houston Street on the north, and West Street on the west.

PLEASE TAKE NOTICE, that by order of the Supreme Court of the State of New York, County of New York, IA Part 6 (Hon. Joan B. Lobis, J.S.C.), duly entered in the office of the Clerk of the County of New York on July 13, 2011, the application of the City of New York to acquire certain real property, for the construction of a Sanitation Garage for Manhattan Districts 1, 2, and 5, was granted and the City was thereby authorized to file an acquisition map with the Office of the City Register. Said map, showing the property acquired by the City, was filed with the City Register on July 14, 2011. Title to the real property vested in the City of New York on July 14, 2011.

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

PROPERTY ACQUIRED

Borough of Manhattan, Block 596, Part of Lots 1001 and 1002 (formerly part of Lot 50)

In the matter of describing metes and bounds of real property to be acquired for the Manhattan Districts 1, 2 and 5 Sanitation Garages, bounded by West Street, Washington Street and the southerly line of tax lot 1 in Manhattan tax block 596, in which all streets mentioned are as laid out prior to ACC #29972 as adopted on August 21, 1969 by the Board of Estimate of the City of New York, Borough of Manhattan, follows:

Commencing at a point on the intersection of the easterly line of the said West Street and the northerly line of the said Spring Street:

Running thence northwardly and along the said easterly line of West Street, for 406.93 feet to the Point of Beginning;

Thence northwardly and along the said easterly line of West Street, for 11.28 feet to a point on the southerly line of tax lot 1 in Manhattan tax block 596;

Thence eastwardly, forming an interior angle of 85°49'31" with the previous course and along the said southerly line of tax lot 1 in Manhattan tax block 596, for 220.72 feet to a point on the westerly line of the said Washington Street;

Thence southwardly and along the said westerly line of Washington Street, forming an interior angle of 90°02'00" with the previous course, for 11.25 feet to a point;

Thence westwardly through tax lot 1001 and 1002 in Manhattan tax block 596 and parallel to the said southerly line of tax lot 1 in Manhattan tax block 596, forming an interior angle of 89°58'00" with the previous course, for 219.91 feet back to the point of beginning.

This parcel consists of part of tax lots 1001 and 1002 (formerly known as tax lot 50) in Manhattan tax block 596, as shown on the "Tax Map" of the City of New York, Borough of Manhattan, and comprises an area of 2,479 square feet or 0.05690 acres.

THE ABOVE DESCRIBED PROPERTY HAS BEEN ACQUIRED SUBJECT TO (1) any interests that the United Parcel Service, Inc. may have with respect to Tax Block 596, Lot 1001; and, (2) any interests of the Board of Managers of the Spring Street Garage Condominium, on behalf of the Condominium's unit owners.

Damage Parcel Block Lot

Parcel	Block	Lot
1	596	Part of Lot 1001 and Part of Lot 1002

PLEASE TAKE FURTHER NOTICE, that pursuant to said Order, each and every person interested in the real property acquired in the above-referenced proceeding, shall have a period of one calendar year from the date of service of the Notice of Acquisition for this proceeding, in which to file a written claim, demand or notice of appearance with the Clerk of the Court of New York County, and to serve within the same time a copy thereof on the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, New York 10007. Pursuant to EDPL § 504, the claim shall include:

(A) the name and post office address of the condemnee; reasonable identification by reference to the acquisition map, or otherwise, of the property affected by the acquisition, and the condemnee's interest therein;

(B) a general statement of the nature and type of damages claimed, including a schedule of fixture items which comprise part or all of the damages claimed; and,

(C) if represented by an attorney, the name, address and telephone number of the condemnee's attorney.

Pursuant to EDPL § 503(C), in the event a claim is made for fixtures or for any interest other than the fee in the real property acquired, a copy of the claim, together with the schedule of fixture items, if applicable, shall also be served upon the fee owner of said real property.

PLEASE TAKE FURTHER NOTICE, that, pursuant to § 5-310 of the New York City Administrative Code, proof of

title shall be submitted to the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, New York 10007 on or before July 14, 2013 (which is two (2) calendar years from the title vesting date).

Dated: July 18, 2011, New York, New York
MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
100 Church Street, Rm 5-211
New York, New York 10007
Tel. (212) 788-0716

jy21-a3

PROPERTY DISPOSITION

CITY UNIVERSITY

SOLICITATIONS

Goods

SALE OF 2000 BLUE FORD ECONOLINE CLUB WAGON 15 PASSENGER VAN – Competitive Sealed Bids – PIN# JJ000711 – DUE 08-03-11 AT 4:00 P.M. – 44,305 miles (Automatic Transmission) fair condition, has some body damage scratches, AM/FM radio, VIN# 1FBSS31L5YHB71017.

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.
John Jay College, Purchasing Department, 555 West 57th St., Rm. 606, New York, NY 10019. Hazel Stewart (212) 237-8510; Fax: (212) 237-8922; hstewart@jjay.cuny.edu

jy19-29

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

SALE BY SEALED BID

SALE OF: POLICE BOAT AND HOIST, USED.

S.P.#: 11031

DUE: August 2, 2011

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.

jy20-a2

POLICE

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

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

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

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

INQUIRIES

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

FOR MOTOR VEHICLES

(All Boroughs):

- * College Auto Pound, 129-01 31 Avenue, College Point, NY 11354, (718) 445-0100
- * Gowanus Auto Pound, 29th Street and 2nd Avenue, Brooklyn, NY 11212, (718) 832-3852
- * Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2029

FOR ALL OTHER PROPERTY

- * Manhattan - 1 Police Plaza, New York, NY 10038, (212) 374-4925.
- * Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675.
- * Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.
- * Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.
- * Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.

j1-d31

PROCUREMENT

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

ADMINISTRATION FOR CHILDREN'S SERVICES

■ SOLICITATIONS

Human/Client Services

NON-SECURE DETENTION GROUP HOMES –

Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06811N0004 – DUE 05-31-13 AT 2:00 P.M. – The Administration for Children's Services, Division of Youth and Family Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 2:00 P.M. on 5/31/13.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*Administration for Children's Services, 150 William Street, 9th Floor, New York, NY 10038.
Patricia Chabla (212) 341-3505; Fax: (212) 341-3625;
patricia.chabla@dca.state.ny.us*

j1-n14

■ AWARDS

Human/Client Services

DENTAL SERVICES – Renewal –

PIN# 13008N0003CNVR001 – AMT: \$549,060.00 – TO: The Floating Hospital, Inc., 41-40 29th Street, LIC, NY 11101. The provision of Dental Services to youth in ACS's Division of and Family Justice (DYFJ) custody.

☛ jy22

Services (Other Than Human Services)

FIRE, SMOKE, SPRINKLER REPAIR SERVICES –

Competitive Sealed Bids – PIN# 06810ADM0013 – AMT: \$296,375.00 – TO: Island Fire Sprinkler NYC, LLC, 630 Broadway Avenue, Suite #1, Holbrook, New York, NY 11741.

☛ jy22

FIRE, SMOKE, SPRINKLER REPAIR SERVICES –

Competitive Sealed Bids – PIN# 06810ADM0012 – AMT: \$296,375.00 – TO: Island Fire Sprinkler NYC, LLC, 630 Broadway Avenue, Suite #1, Holbrook, New York, NY 11741.

● FIRE, SMOKE, SPRINKLER REPAIR SERVICES –

Competitive Sealed Bids – PIN# 06810ADM0014 – AMT: \$228,395.00 – TO: Island Fire Sprinkler NYC, LLC, 630 Broadway Avenue, Suite #1, Holbrook, New York, NY 11741.

☛ jy22

■ INTENT TO AWARD

Services (Other Than Human Services)

LEADERSHIP/MANAGERIAL DEVELOPMENT

TRAINING – Government to Government – PIN# 06811T0002 – DUE 07-29-11 AT 3:00 P.M. – This notice is placed as required to notify the public of the agency's intent to enter into a government to government procurement exceeding the small purchase limit with The City University of New York - Hunter College School of Social Work.

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

*Administration for Children's Services, 150 William Street, 9th Floor, New York, NY 10038.
Beverly Matthews (212) 341-3464; Fax: (212) 341-9830;
beverly.matthews@dca.state.ny.us*

☛ jy22-28

AGING

■ AWARDS

Human/Client Services

SENIOR SERVICES – Negotiated Acquisition – Available only from a single source –

Jewish Community Center of Staten Island
1466 Manor Road, Staten Island, NY 10314
PIN#: 12512SCNA507 - \$255,302

Central Harlem Senior Citizens Center, Inc.
34 West 134th Street, New York, NY 10037
PIN#: 12512SCNA369 - \$677,914

Regional Aid for Interim Needs, Inc.
811 Morris Park Avenue, Bronx, NY 10462
PIN#: 12512SCNA12D - \$446,280

Hudson Guild
441 West 26th Street, New York, NY 10001
PIN#: 12512SCNA349 - \$484,235

Regional Aid for Interim Needs, Inc.
811 Morris Park Avenue, Bronx, NY 10462
PIN#: 12512SCNA11M - \$474,118

YM YWHA of Washington Heights and Inwood, Inc.
54 Nagle Avenue, New York, NY 10040
PIN#: 12512SCNA30M - \$467,860

Bronx House, Inc.
990 Pelham Parkway South, Bronx, NY 10461
PIN#: 12512SCNA1YH - \$263,908

St. John St. Matthew Emanuel Lutheran Church
283 Prospect Avenue, Brooklyn, NY 11215
PIN#: 12512SCNA273 - \$434,027

Washington Heights Community Service, Inc.
650 West 187th Street, New York, NY 10033
PIN#: 12512SCNA30L - \$577,761

Institute for the Puerto Rican Hispanic Elderly
105 E22nd Street, Suite 615, New York, NY 10010
PIN#: 12512SCNA30Z - \$432,706

Stanley M Isaacs Neighborhood Center, Inc.
415 E93rd Street, New York, NY 10128
PIN#: 12512SCNA31D - \$362,122

Fort Greene Council, Inc.
966 Fulton Street, Brooklyn, NY 11238
PIN#: 12512SCNA23Y - \$226,336

Bedford Park Multi-Service Center for Seniors Citizens, Inc.
243 East 204th Street, Bronx, NY 10458
PIN#: 12512SCNA128 - \$308,997

Jewish Association for Services for the Aged
132 West 31st Street, 10th Floor, New York, NY 10001
PIN#: 12512SCNA10D - \$329,137

The Spanish Speaking Elderly Council-RAICES
460 Atlantic Avenue, Brooklyn, NY 11217
PIN#: 12512VRNA255 - \$282,997

Jewish Community Council of Greater Coney Island, Inc.
3001 West 37th Street, Brooklyn, NY 11224
PIN#: 12512SCNA21A - \$324,862

Jacob A Riis Neighborhood Settlement House
10-25 41st Avenue, Long Island City, NY 11101
PIN#: 12512SCNA40T - \$265,497

Henry Street Settlement
265 Henry Street, New York, NY 10002
PIN#: 12512SCNA340 - \$405,159

Fort Greene Council, Inc.
966 Fulton Street, Brooklyn, NY 11238
PIN#: 12512SCNA202 - \$938,275

Jewish Community Council of Greater Coney Island
3001 West 37th Street, Brooklyn, NY 11224
PIN#: 12512SCNA21C - \$291,222

Senior Citizens League of Flatbush, Inc.
550 Ocean Parkway, Brooklyn, NY 11218
PIN#: 12512SCNA297 - \$760,776

Jewish Community Council of Greater Coney Island
3001 West 37th Street, Brooklyn, NY 11224
PIN#: 12512SCNA21I - \$523,447

Korean Community Services of Metropolitan New York, Inc.
35-56 159th Street, Flushing, NY 11358
PIN#: 12512SCNA41A - \$450,522

Lenox Hill Neighborhood House, Inc.
331 East 70th Street, New York, NY 10021
PIN#: 12512SCNA30D - \$352,564

Wayside Out-Reach Development, Inc.
1746-60 Broadway, Brooklyn, NY 11207
PIN#: 12512SCNA21J - \$240,178

Riverdale Senior Services, Inc.
2600 Netherland Avenue, Bronx, NY 10468
PIN#: 12512SCNA188 - \$537,459

Union Settlement Association, Inc.
237 East 104th Street, New York, NY 10029
PIN#: 12512SCNA399 - \$321,980

Catholic Charities Neighborhood Services, Inc.
191 Joralemon Street, 14th Floor, Brooklyn, NY 11201
PIN#: 12512SCNA436 - \$508,417

The Spanish Speaking Elderly Council-RAICES
460 Atlantic Avenue, Brooklyn, NY 11217
PIN#: 12512SCNA21F - \$284,766

ARC XVI Fort Washington, Inc.
4111 Broadway, New York, NY 10033
PIN#: 12512SCNA305 - \$499,446

Canaan Baptist Church of Christ
132 West 116th Street, New York, NY 10026
PIN#: 12512SCNA328 - \$475,513

United Jewish Council of the East Side Inc.
235 East Broadway, New York, NY 10002
PIN#: 12512SCNA337 - \$411,277

Institute for the Puerto Rican Hispanic Elderly
105 E22nd Street, Suite 615, New York, NY 10010
PIN#: 12512SCNA10W - \$333,670

Jewish Community Council of Greater Coney Island
3001 West 37th Street, Brooklyn, NY 11224
PIN#: 12512SCNA224 - \$692,498

William Hodson Community Center, Inc.
1320 Webster Avenue, Bronx, NY 10456
PIN#: 12512SCNA10N - \$364,346

New York Foundation for Senior Citizens, Inc.
11 Park Place, Suite 1416, New York, NY 10007
PIN#: 12512SCNA30U - \$246,387

Crown Heights Preservation Corp.
483 Albany Avenue, Brooklyn, NY 11203
PIN#: 12512SCNA20B - \$274,315

Queens Community House, Inc.
108-25 62nd Drive, Forest Hills, NY 11375
PIN#: 12512SCNA437 - \$593,735

Queens Community House, Inc.
108-25 62nd Drive, Forest Hills, NY 11375
PIN#: 12512SCNA4A2 - \$332,541

Bronxworks, Inc.
60 East Tremont Avenue, Bronx, NY 10453
PIN#: 12512SCNA10L - \$502,666

Hamilton Madison House, Inc.
50 Madison Street, New York, NY 10038
PIN#: 12512SCNA30X - \$742,674

Tremont Community Senior Citizen Service Center
2070 Clinton Avenue, Bronx, NY 10457
PIN#: 12512SCNA190 - \$347,891

Corona Congregational Church
102-18 34th Avenue, Corona, NY 11368
PIN#: 12512SCNA496 - \$364,044

Fort Greene Council, Inc.
966 Fulton Street, Brooklyn, NY 11238
PIN#: 12512SCNA21B - \$234,629

Polish and Slavic Center, Inc.
177 Kent Street, Brooklyn, NY 11222
PIN#: 12512SCNA206 - \$365,950

Jamaica Service Program for Older Adults
162-04 Jamaica Avenue, 3rd Floor, Jamaica NY 11432
PIN#: 12512SCNA40X - \$342,957

New York Foundation for Senior Citizens, Inc.
11 Park Place, Suite 1416, New York, NY 10007
PIN#: 12512SCNA30Y - \$340,509

☛ jy22

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

■ AWARDS

Goods

BUILDING INFO AND DATA ANALYSIS SYSTEM –

Intergovernmental Purchase – PIN# 8571100799 – AMT: \$130,891.62 – TO: Oracle America Inc., 500 Oracle Parkway, Redwood Shores, CA 94065. NYS Contract #PT63783.

Suppliers wishing to be considered for a contract with the Office of General Services of New York State are advised to contact the Procurement Services Group, Corning Tower Room 3711, Empire State Plaza, Albany, NY 12242 or by phone: 518-474-6717.

☛ jy22

STANDARDS, CUSTOM, ORGANIC AND INORGANIC

(DEP) – Competitive Sealed Bids – PIN# 8571100280 – AMT: \$193,950.00 – TO: Accustandard, Inc., 125 Market Street, New Haven, CT 06513.

● **BABY FOOD AND INFANT FORMULA** – Competitive Sealed Bids – PIN# 8571100574 – AMT: \$372.75 – TO: Mivila Corp. dba Mivila Foods, 226 Getty Avenue, Paterson, NJ 07503.

● **BABY FOOD AND INFANT FORMULA** – Competitive Sealed Bids – PIN# 8571100574 – AMT: \$15,181.10 – TO: Universal Coffee Corporation, 123 47th Street, P.O. Box 320187, Brooklyn, NY 11232.

☛ jy22

■ VENDOR LISTS

Goods

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

1. Mix, Biscuit - AB-14-1:92
2. Mix, Bran Muffin - AB-14-2:91
3. Mix, Corn Muffin - AB-14-5:91
4. Mix, Pie Crust - AB-14-9:91
5. Mixes, Cake - AB-14-11:92A
6. Mix, Egg Nog - AB-14-19:93
7. Canned Beef Stew - AB-14-25:97
8. Canned Ham Shanks - AB-14-28:91
9. Canned Corned Beef Hash - AB-14-26:94
10. Canned Boned Chicken - AB-14-27:91
11. Canned Corned Beef - AB-14-30:91
12. Canned Ham, Cured - AB-14-29:91
13. Complete Horse Feed Pellets - AB-15-1:92
14. Canned Soups - AB-14-10:92D
15. Infant Formula, Ready to Feed - AB-16-1:93
16. Spices - AB-14-12:95
17. Soy Sauce - AB-14-03:94
18. Worcestershire Sauce - AB-14-04:94

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

j5-d31

EQUIPMENT FOR DEPARTMENT OF SANITATION –

In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:

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

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

j5-d31

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.

j5-d31

DESIGN & CONSTRUCTION

■ AWARDS

Construction / Construction Services

RENEWAL CONTRACT: RQ-A AND E – Renewal – PIN# 8502007VP0118P – AMT: \$500,000.00 – TO: Abel Bainnson Butz, LLP, 80 Eighth Avenue, Suite 1105, New York, NY 10011. RQ-A and E, Renewal of Requirements Contract for Landscape Architectural, Site Engineering and Construction Related Services, Brooklyn and Queens.

● **RENEWAL CONTRACT: RQ-A AND E** – Renewal – PIN# 8502007VP0117P – AMT: \$500,000.00 – TO: Quennell Rothschild plus Partners, LLP, 118 West 22nd Street, 12th Floor, New York, NY 10011. RQ-A and E, Renewal of Requirements Contract for Landscape Architectural, Site Engineering and Construction Related Services, Manhattan, The Bronx, and Staten Island.

☛ jy22

EDUCATION

CONTRACTS AND PURCHASING

■ SOLICITATIONS

Goods & Services

SNOW REMOVAL AT PETRIDES CAMPUS – Competitive Sealed Bids – PIN# B1931040 – DUE 08-24-11 AT 4:00 P.M. – The Contractor shall provide all labor, material, tools, equipment and supervision required and necessary to remove snow from the grounds and property of the Department of Education, Petrides Campus located at 715 Ocean Terrace, Staten Island, NY 10301. If you cannot download this RFB, please send an e-mail to vendorhotline@schools.nyc.gov with the RFB's number and title in the subject line of your e-mail. For all questions related to this RFB, please send an e-mail to sepstei@schools.nyc.gov with the RFB's number and title in the subject line of your e-mail.

There will be a pre-bid conference on Thursday, July 28th, 2011 at 10:00 A.M. at Michael Petrides Campus, 715 Ocean Terrace, Staten Island, NY 10301.

Bid Opening: Thursday, August 25th, 2011 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.

Department of Education, 65 Court Street, Room 1201 Brooklyn, NY 11201. Vendor Hotline (718) 935-2300 Vendorhotline@schools.nyc.gov

☛ jy22

EMPLOYEES' RETIREMENT SYSTEM

■ AWARDS

Services (Other Than Human Services)

SECURITY GUARD SERVICES CONTRACT – Negotiated Acquisition – PIN# 00907152011 – AMT: \$478,348.00 – TO: G4S Secure Solutions, Inc., 19 W. 44th St., Suite 300, NY, NY 10036. OGS did not extend contract for security guard services. The award resulted from a Negotiated Acquisition source selection method pursuant to PPB Rule Section 3-04(b)(2)(iii).

☛ jy22

ENVIRONMENTAL PROTECTION

CONTRACT MANAGEMENT

■ SOLICITATIONS

Services (Other Than Human Services)

TAX LITIGATION AVOIDANCE PROGRAM – Sole Source – Available only from a single source - PIN# 82611S0015 – DUE 08-12-11 AT 4:00 P.M. – DEP intends to enter into a Sole Source Agreement with Catskill Watershed Corporation (CWC), for CAT-402: Tax Litigation Avoidance Program. Pursuant to the 1997 Watershed Memorandum of Agreement and the 2007 Filtration Avoidance Determination ("FAD"), the City is required to fund a number of watershed protection and partnership programs. Compliance with these requirements, mandated by the US Environmental Protection Agency and the NY State Department of Health, allows the City to avoid the significant costs associated with constructing a filtration plant for the Catskill-Delaware System, which provides up to 90 percent of the City daily water supply. Any firm which believes it can also provide the required service in the future is invited to so, indicated by letter to: Department of Environmental Protection, Agency Chief Contracting Officer, 59-17 Junction Blvd., 17th Floor, Flushing, New York 11373. Debra Butlien, (718) 595-3423, dbutlien@dep.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.

Department of Environmental Protection, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373. Debra Butlien (718) 595-3426; dbutlien@dep.nyc.gov

☛ jy22-28

■ INTENT TO AWARD

Services (Other Than Human Services)

CRO-513 – Government to Government – PIN# 82612T0001 – DUE 08-12-11 AT 4:00 P.M. – DEP, Bureau of Water Supply, intends to enter into an Agreement with the County of Westchester for CRO-513: Westlake Early Warning System. It calls for the County to purchase and install remote a warning system that will issue electronic alerts in the event of high wastewater levels in the Westlake Trunk Sewer System. Because the Westlake Trunk Sewer System was constructed by the County of Westchester, this agreement to install an early warning system within the system shall be between NYCDEP and the County of Westchester. Any firm

which believes it can also provide the required service in the future is invited to do so, indicated by letter.

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. Debra Butlien (718) 595-3423; dbutlien@dep.nyc.gov

☛ jy22-28

FINANCE

CONTRACTS

■ INTENT TO AWARD

Services (Other Than Human Services)

OPERATION AND MAINTENANCE OF THE SHERIFF'S INCOME EXECUTION SYSTEM – Negotiated Acquisition – Available only from a single source - PIN# 8362010211641 – DUE 07-25-11 AT 3:30 P.M. – TO: Operation and Maintenance of the Sheriff's Income Execution System. Bank of New York Mellon, One Wall Street, 19th Floor, New York, NY 10286.

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 Finance, 1 Centre Street, New York, NY 10007. Rob Schaffer (212) 669-4477; Schafferr@finance.nyc.gov

jy18-22

FINANCIAL INFORMATION SERVICES AGENCY

CONTRACTS UNIT

■ AWARDS

Goods

INFORMATION TECHNOLOGY PRODUCTS AND ANCILLARY SERVICES FOR FISCAL YEAR 2012 REQUEST FOR PROPOSAL (RFP) – Competitive Sealed Proposals – PIN# 12711CA00097B – AMT: \$3,113,228.95 – TO: Compulink Technologies Inc., 214 West 29th Street, Suite 201, New York, NY 10001. Pursuant to Section 3-03 of the Procurement Policy Board Rules for Competitive Sealed Proposals, the Financial Information Services Agency (FISA) has awarded a contract for Information Technology Products and Ancillary Services for Fiscal Year 2012 to Compulink Technologies Inc. This contract award in the amount of \$3,113,228.95 shall be from 7/1/11 - 6/30/13.

FISA anticipates awarding this contract to multiple vendors. This contract will allow FISA to easily procure related groups of equipment and software required for FISA projects without conducting multiple solicitations for each related group of products.

☛ jy22

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

LUMAX TS PRO FIBEROPTIC CYSTOMETRY SYSTEM W/EMG – Competitive Sealed Bids – PIN# 231-12-011 – DUE 08-12-11 AT 9:30 A.M. – Bid document fee \$25.00 per set (check or money order) made payable to NYCHHC for hard copy. Copy of bid document can also be obtained free of charge by e-mailing Abraham Caban at Abraham.Caban@nychhc.org. Bid package request deadline is 08-04-11 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.

North Brooklyn Health Network, 100 North Portland Avenue, C-32, Brooklyn, NY 11205. Abraham Caban (718) 260-7593; Fax: (718) 260-7619; abraham.caban@nychhc.org

☛ jy22

Goods & Services

VIBRATION ANALYSIS AND MECHANICAL REPAIR OF ALL FANS AND PUMPS – Competitive Sealed Bids – PIN# 22212003 – DUE 08-01-11 AT 3:00 P.M. – Site visit scheduled for 07/26/11 at 10:00 A.M. Prospective bidders to meet in the Purchasing Department in Room 2A2 prior to site visit. No request for bids to be mailed out after 7/27/11.

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.

Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451. John Dixon (718) 579-5988; Fax: (718) 579-4788; john.dixon@nychhc.org

☛ jy22

Services (Other Than Human Services)

WINDOW WASHING SERVICES – Competitive Sealed Bids – PIN# QHN2011-1116QHC – DUE 08-26-11 AT 2:00

P.M. – There will be a mandatory pre-bid/site visit on Tuesday, 8/16/11 and Wednesday, 8/17/11 at 10:00 A.M. All concerned will meet in S Bldg., 2nd Floor, Purchasing Dept., 82-68 164th Street, Jamaica, NY 11432. Bid must be picked up prior to pre-bid. All concerned need to attend one day only.

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

Queens Health Network, 82-68 164th Street, "S" Building, 2nd Floor, Jamaica, NY 11432. Debra Baez (718) 883-6005; Fax: (718) 883-6222; pertuzd@nychhc.org

☛ jy22

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

■ SOLICITATIONS

Human / Client Services

NEW YORK/NY III SUPPORTED HOUSING CONGREGATE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 81608PO076300ROX00-R – DUE 09-18-12 AT 4:00 P.M. – The Department is issuing a RFP to establish 3,000 units of citywide supportive housing in newly constructed or rehabilitated single-site buildings for various homeless populations pursuant to the New York III Supported Housing agreement. The subject RFP will be open-ended and proposals will be accepted on an on-going basis. The RFP is available on-line at <http://www.nyc.gov/html/doh/html/acco/acco-rfp-nynycongregate-20070117-form.shtml>. A pre-proposal conference was held on March 6, 2007 at 2:00 P.M. at 125 Worth Street, 2nd Floor Auditorium, New York, N.Y. Any questions regarding this RFP must be sent in writing in advance to Contracting Officer at the above address or e-mailed to the above address. All proposals must be hand delivered at the Agency Chief Contracting Officer, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132, no later than September 18, 2012.

As a minimum qualification requirement for (1) the serious and persistent mentally ill populations, the proposer must be incorporated as a not-for-profit organization, and (2) for the young adult populations, the proposer must document site control and identify the source of the capital funding and being used to construct or renovate the building.

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

Health and Mental Hygiene, ACCO, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132. Huguette Beauport (347) 396-6633; hbeauport@health.nyc.gov

a6-s17

■ AWARDS

Human / Client Services

TRANSITIONS FOR CHILDREN – Renewal – PIN# 06A0010201R2X00 – AMT: \$1,277,799.00 – TO: Jewish Child Care Association of New York, 120 Wall Street, 12th Floor, New York, NY 10005.

● **FAITH BASED** – BP/City Council Discretionary – PIN# 11AC095001ROX00 – AMT: \$1,516,421.00 – TO: National Black Leadership Commission on Aids, Inc., 120 Wall Street, 23rd Floor, New York, NY 10005.

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HOMELESS SERVICES

■ AWARDS

Human / Client Services

TIER II HOMELESS FAMILY SHELTER – Request for Proposals – PIN# 07111P0002003 – AMT: \$5,450,800.00 – TO: Tolentine Zeiser, 2345 University Avenue, Bronx, NY 10468.

● **EXECUTIVE DEVELOPMENT TRAINING PROGRAM** – Other – PIN# 071-11S-01-1502 – AMT: \$50,000.00 – TO: Leadership Transformation Group, LLC, 121 West 27th Street, Suite 602, New York, NY 10001.

● **TIER II HOMELESS FAMILY SHELTER** – Renewal – PIN# 07107R0008CNVR001 – AMT: \$4,360,180.00 – TO: Phipps Community Development Corp./ 760-770 E. Tremont, 902 Broadway, New York, NY 10010.

☛ jy22

HUMAN RESOURCES ADMINISTRATION

CONTRACTS

■ SOLICITATIONS

Goods & Services

INSTALLATION, OPERATION AND MAINTENANCE OF LICENSED BEVERAGE MACHINES – Competitive Sealed Bids – PIN# 069-10-110-0011 – DUE 08-05-11 AT 3:00 P.M. – Pursuant to Section 1-12 of the NYC Concession Rules this procurement is being processed as a concession. A non-mandatory pre-bid conference will be held on Tuesday, July 26, 2011 at 2:00 P.M., at 180 Water Street, 7th Floor Conference Room, New York, NY 10038.

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

Human Resources Administration, 180 Water Street, 14th Floor, New York, NY 10038. Donna Wilson (212) 331-4843; Fax: (212) 331-3457; wilsond@hra.nyc.gov

jy12-25

PAYROLL ADMINISTRATION

■ SOLICITATIONS

Services (Other Than Human Services)

NYC EMPLOYEE DIRECT DEPOSIT PROGRAM –

Other – PIN# 2012OPARFQ01 – DUE 08-04-11 AT 3:00 P.M. – The NYC Office of Payroll Administration, in collaboration with the Mayor's Office of Operations and the NYC Office of Financial Empowerment (together, "the City"), is requesting Statements of Qualification from financial institutions willing to provide a free checking account to City employees, as well as to other individuals that receive recurring payments from the City, when such employees or other individuals opt to receive direct deposit of their City payment into such checking account.

Three copies of the response to this Request for Statements of Qualification ("RFQ") must be submitted.

A response to this RFQ may be submitted electronically (up to a capacity of 10MB) by email to Valerie Himelewski at vhimelewski@payroll.nyc.gov with the subject heading "RFQ re NYC Employee Direct Deposit Program."

Questions regarding this RFQ may be submitted in writing to Valerie Himelewski at vhimelewski@payroll.nyc.gov with the subject heading noted above by no later than July 22, 2011.

Please note the effect of this RFQ on financial institutions who are currently participating in the original phase of the City's direct deposit program launched in 2004. See the RFQ for further information in CROL.

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

Office of Payroll Admin., 1 Centre Street, Room 200N, New York, NY 10007. Valerie Himelewski (212) 669-3455; Fax: (212) 669-4626; vhimelewski@payroll.nyc.gov

jy14-a3

SMALL BUSINESS SERVICES

PROCUREMENT

■ AWARDS

Services (Other Than Human Services)

CITY-WIDE ECONOMIC DEVELOPMENT SERVICES IN THE BROOKLYN NAVY YARD – Sole Source – Available only from a single source - PIN# 801SBS100103 – AMT: \$21,478,000.00 – TO: Brooklyn Navy Yard Development Corporation, 63 Flushing Avenue, Unit 300, Brooklyn, NY 11205.

The New York City Department of Small Business Services awarded the Brooklyn Navy Yard Development Corporation a contract through sole source negotiations to provide in-house expertise in a wide variety of economic development services for the Brooklyn Navy Yard.

• jy22

AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

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

EDUCATION

■ PUBLIC HEARINGS

The Department of Education's (DOE) Chancellor's Committee on Contracts (COC) has been asked for approval to enter into contract negotiations with the following organization(s) for the services described below. Other organizations interested in providing these services to the DOE are invited to indicate their ability to do so in writing to Jay G. Miller at 65 Court Street, Room 1201, Brooklyn, NY, 11201. Responses should be received no later than 10:00 A.M., Friday, July 29, 2011. Any COC approval will be contingent upon no expressions of interest in performing services by other parties.

Items for Consideration:

1. Prevention and Intervention Services

Service(s): The Office of School Youth Development (OSYD) seeks approval of a 12-month contract extension with three vendors awarded competitive contracts through RFP 1C320, to continue providing substance abuse prevention, violence prevention and intervention services for New York City public and non-public schools.

The vendors listed below have agreed to provide these services at the same price, terms and conditions.

Vendor	Contract Number	Estimated Contract Cost Not-to-Exceed	Service	Component Number
Periwinkle Productions, Inc.	9602216	\$176,500	Direct Student Services	3
GroupWorks for Education, Inc.	9601967	\$100,000	Professional Development and Direct Student Services	1&3
Federation Employment and Guidance Services	9701007	\$46,000	Professional Development and Direct Student Services	1&3

Term: 9/1/11 – 8/31/12
Estimated Contract Cost Not-to-Exceed: \$322,500

• jy22

AGENCY RULES

ENVIRONMENTAL PROTECTION

■ NOTICE

NOTICE OF PUBLIC HEARING

SUBJECT: Opportunity to comment on the proposed promulgation by the Department of Environmental Protection of Rules Relating to the Sale of Tax Liens and Procedures Governing Complaint Resolution

DATE/TIME: August 22, 2011 at 11:00 A.M.

LOCATION: 345 Adams Street, 3rd Floor
Brooklyn, New York

Contact: Belinda Pantina
(718) 595-6552

Proposed Rule Adoption

Pursuant to the authority vested in the Commissioner of Environmental Protection by Section 1043 of the Charter of the City of New York, and sections 11-319(b)(11) and 11-322(b)(4) of the Administrative Code of the City of New York, the Department of Environmental Protection proposes to adopt the following rules relating to the sale of tax liens and procedures governing complaint resolution. The proposed rules were not included in the agency's most recent regulatory agenda. Please note that matter underlined is new.

Instructions

You may submit written comments about the proposed rule promulgation by mail to:

New York City Department of Environmental Protection
Office of Legal Affairs
Attention: Claudette Espanol
59-17 Junction Boulevard, 19th Floor
Flushing, NY 11373

or electronically through NYC RULES at www.nyc.gov/nycrules. The written comments may be sent on or before August 22, 2011.

You may deliver oral comments regarding the proposed rule at a public hearing to be held on August 22, 2011 at 345 Adams Street, 3rd Floor, Brooklyn, New York 11201, from 11:00 A.M. to 1:00 P.M. Persons who have questions about the hearing should contact Belinda Patina at the phone number listed above. To request a sign language interpreter or other form of reasonable accommodation for a disability at the hearing, please contact Belinda Pantina at the phone number shown above no later than two weeks prior to the hearing.

Summarized copies of the written and oral comments received at the hearing will be available one week after the hearing between the hours of 9:00 A.M. and 5:00 P.M. at the:

Department of Environmental Protection
Office of Legal Affairs
59-17 Junction Boulevard
19th Floor
Flushing, NY 11373

Statement of Basis and Purpose

Statutory Authority

Pursuant to the authority vested in the Commissioner of Environmental Protection by Section 1043 of the Charter of the City of New York and sections 11-319(b)(11) and 11-322(b)(4) of the Administrative Code of the City of New York ("Administrative Code"), the Department of Environmental Protection proposes to promulgate rules regarding the sale of tax liens and procedures governing complaint resolution.

Summary of Provisions

The proposed rule would add a new Chapter 33 to Title 15 of the Rules of the City of New York, to be titled Sale of Tax Liens and Complaint Resolution. The rule would largely reference DEP's existing procedures, currently codified in the New York City Water Board, Water and Wastewater Rate Schedule ("Water Board Rate Schedule"), which is currently available at http://www.nyc.gov/html/nycwaterboard/pdf/rates/fy2012_rates.pdf.

Section 33-01, Sale of Liens Arising from Outstanding Water and Wastewater Charges, references the identically-named section in the Water Board Rate Schedule. That section provides that if such a lien is sold:

- No bill issued before the date of the sale may be canceled or reissued without the approval of the Board or a court order, and
- Billing Programs will be available on a prospective basis only.

Section 11-322(b)(4) of the Administrative Code requires the New York City Department of Environmental Protection ("DEP") to promulgate rules governing agreements for the

payment in installments of any delinquent sewer rents, sewer surcharges, or water rents ("installment agreements"). Entering into an installment agreement would enable property owners to prevent the sale of tax liens on their property.

Section 33-02 of the proposed new rule references existing procedures in the Water Board Rate Schedule governing the following:

- Terms and conditions of installment agreements. A property owner may enter into an installment agreement with DEP for delinquent charges. The proposed sale of a tax lien or liens on the property owner's property will be cancelled after entering into the installment agreement. The installment agreement may include no minimum down payment and a repayment period of not more than 120 months. Property owners may choose to make a down payment or to have a shorter repayment period.
- Default – definition and consequences. Default is defined as when required payments are not made for a period of six months. The tax lien or tax liens on the subject property may be sold following default and DEP may exercise all available collection enforcement options, including termination of service. Default, however, may be cured if the property owner brings all installment payments and all current charges that are outstanding at the time of the default to a current status, including any outstanding interest and fees, prior to the date of sale. If default is not cured prior to the date of sale, the property owner will not be eligible to enter into an installment agreement for the subject property for five years, unless the Commissioner makes a finding of extenuating circumstances. The rule defines extenuating circumstances.

The rule would also provide that property owners will receive information regarding exemptions prior to entering into an installment agreement, that installment agreements should require monthly payments, and that property owners who enter into an installment agreement and have automated meter reading will receive a consolidated monthly bill starting in 2012.

Section 11-319(b)(11) of the Administrative Code requires DEP to promulgate rules identifying or describing any existing procedures governing challenges to sewer rent, sewer surcharge, and/or water rent. Section 33-03 would identify existing procedures in the Water Board Rate Schedule. In particular, property owners may file a written complaint of a disputed water bill within four years of the bill date. DEP will provide a response and decision, and the property owner may appeal.

The proposed rule is exempt from an analysis pursuant to section 1043(d) of the New York City Charter because it meets the exemption in 1043(d)(4) as a rule that implements particular mandates or standards set forth in newly enacted local laws with only minor, if any, exercise of agency discretion in interpreting such mandates or standards.

Caswell F. Holloway

Commissioner of Environmental Protection

Proposed New Rules Relating to the Sale of Tax Liens and Complaint Resolution

Section 1. Title 15 of the Rules of the City of New York is amended by adding a new Chapter 33 to read as follows:

Chapter 33

Sale of Tax Liens and Complaint Resolution

§ 33-01. Sale of Liens Arising from Outstanding Water and Wastewater Charges

Please refer to the New York City Water Board Water and Wastewater Rate Schedule, Part VIII – Collection Enforcement, Section 1, Sale of Liens Arising from Outstanding Water and Wastewater Charges.

§ 33-02. Installment Agreements

(a) Generally

A property owner may enter into an installment payment agreement with the Department of Environmental Protection or the Water Board for delinquent charges. Please refer to the New York City Water Board Water and Wastewater Rate Schedule, Part VIII – Collection Enforcement, Section 4, Installment Payment Agreements.

(b) Down payment

Please refer to the New York City Water Board Water and Wastewater Rate Schedule, Part VIII – Collection Enforcement, Section 4, Installment Payment Agreements.

(c) Payment schedule

An installment agreement must provide that the property owner will make payments on a monthly basis.

(d) Term of agreement

Please refer to the New York City Water Board Water and Wastewater Rate Schedule, Part VIII – Collection Enforcement, Section 4, Installment Payment Agreements.

(e) Default

(1) Definition of default:

Please refer to the New York City Water Board

Water and Wastewater Rate Schedule, Part VIII – Collection Enforcement, Section 4, Installment Payment Agreements.

(2) Consequences of default; cure of default:

Please refer to the New York City Water Board Water and Wastewater Rate Schedule, Part VIII – Collection Enforcement, Section 4, Installment Payment Agreements.

(3) Bar from executing future installment agreements:

Please refer to the New York City Water Board Water and Wastewater Rate Schedule, Part VIII – Collection Enforcement, Section 4, Installment Payment Agreements.

(4) “Extenuating circumstances” in which default in an installment agreement would be forgiven:

(i) “Extenuating circumstances” shall mean (1) the death of the signatory to the agreement, of any person named on the deed for the property or of a contributing household member, (2) a loss of income to the signatory, to any person named on the deed for the property or to a contributing household member due to his or her involuntary absence from the property for any consecutive period of six months or more for treatment of an illness, for military service, or pursuant to a court order, that results in a default of the agreement or inability to cure the default prior to the date of sale of the tax lien or tax liens or (3) a loss of income to the signatory to the agreement, to any person named on the deed for the property or to a contributing household member due to his or her unemployment for any consecutive period of six months or more that results in a default of the agreement or inability to cure the default prior to the date of sale of the tax lien or tax liens.

(ii) For purposes of this paragraph, “contributing household member” shall mean any person eighteen years of age or older who has lived in the property that is the subject of the installment agreement at least since the execution of the agreement and has paid household expenses since the execution of the agreement in an amount equal to at least fifty percent of each installment amount due under the agreement.

(iii) An application for a finding of extenuating circumstances may be made only on a form prepared by the Commissioner of Environmental Protection or his or her designee and shall include a certification by the applicant that extenuating circumstances exist. The Department of Environmental Protection may require additional documentation to support a claim of extenuating circumstances by a property owner. If the Department of Environmental Protection determines that the applicant has provided inaccurate information in the application, any installment agreement entered into based on the finding of extenuating circumstances shall be revoked and the property owner shall not be eligible to enter into an installment agreement with the department for the subject property for five years from the date of sale. The determination on an application for a finding of extenuating circumstances or on the accuracy of such application will be made by the Bureau of Customer Services of the Department of Environmental Protection. If the application is denied or if the information in the application is determined to be inaccurate, the property owner may appeal the determination within 30 days to the Commissioner of Environmental Protection or his or her designee.

(iv) No signatory to an installment agreement who has defaulted on such agreement and who, as a result of a finding of extenuating circumstances, has been allowed to enter into a second installment agreement for the subject property, shall be eligible to enter into any subsequent agreement on the subject property by applying for a finding of extenuating circumstances for the default of such second installment agreement. The same restriction shall apply to any other person whose change of circumstances was the basis, in whole or in part, for the original finding of extenuating circumstances.

(f) Information regarding exemptions

Property owners will be given information regarding eligibility for real property tax exemption programs prior to entering into an installment agreement under this section.

(g) Consolidated monthly bill

Beginning January 1, 2012, any property owner who has entered into an installment agreement with the Department of Environmental Protection and who has automated meter reading shall receive a consolidated monthly bill for current sewer rents, sewer surcharges and water rents and any payment due under such installment agreement.

§ 33-03 Complaint Resolution and Appeal Process

Please refer to the New York City Water Board Water and Wastewater Rate Schedule, Part IX – Customer Account Information and Complaint Resolution, Section 2, Complaint Resolution and Appeal Process for existing procedures governing challenges to the validity of any sewer rent, sewer surcharge, or water rent charge.

FINANCE

NOTICE

NOTICE OF PUBLIC HEARING

Subject: Opportunity to comment on the proposed amendment to Department of Finance Rules Relating to the Sale of Tax Liens.

Date / Time: August 22, 2011, 11:00 A.M.

Location: 345 Adams Street, 3rd floor
Brooklyn, New York

Contact: Beth Goldman
Deputy Commissioner for Legal Affairs
345 Adams Street, 3rd floor
Brooklyn, New York 11201
GoldmanBeth@finance.nyc.gov

Proposed Rule Amendment

Pursuant to the authority vested in the Commissioner of Finance by sections 389 (b) and 1043 of the New York City Charter, and section 11-322(b)(4) of the Administrative Code of the City of New York, and in accordance with section 1043 of the New York City Charter, the New York City Department of Finance proposes to adopt the following amendments to the Rules Relating to the Sale of Tax Liens, which are necessary to carry out the powers and duties delegated to the Commissioner of Finance by section 1504 of the New York City Charter. New matter is underlined; matter in [brackets] is deleted.

Instructions

- Prior to the hearing, you may submit written comments about this proposed rule amendment to the office of Beth Goldman, Deputy Commissioner for Legal Affairs, 345 Adams Street, 3rd Floor, Brooklyn, New York 11201 on or before August 22, 2011. Comments may also be submitted electronically to GoldmanBeth@Finance.nyc.gov or to the NYC Rules website at rules@finance.nyc.gov by August 22, 2011.
- If you would like to testify at the hearing, you must notify Joan Best at (718) 403-3669 at least three business days prior to the date scheduled for the hearing.
- To request a sign language interpreter or other form of reasonable accommodation for a disability at the hearing, please notify Joan Best at (718) 403-3669 no later than two weeks prior to the hearing.
- Written comments and a summary of oral comments received at the hearing will be available for public review beginning one day after the hearing at the office of Robert S. Dauman, Office of Legal Affairs, 345 Adams Street, 3rd floor, Brooklyn, New York 11201, between the hours of 9:00 A.M. and 5:00 P.M.

Statement of Basis and Purpose

Section 11-322(b)(4) of the Administrative Code of the City of New York requires that no later than September 1, 2011, the New York City Department of Finance promulgate rules governing installment agreements. These agreements would enable property owners to prevent the sale of tax liens on their property.

In accordance with the requirements of the Administrative Code, these rule amendments include:

- The terms and conditions of installment agreements
- The payment schedules
- The definition and consequences of default on an agreement

This rulemaking action also repeals outdated provisions of the rules, and adds a section that describes the authority of the Commissioner of Finance, based on the provisions of section 11-319(b) of the Administrative Code.

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

The proposed rule is exempt from an analysis pursuant to section 1043(d) of the New York City Charter because it meets the exemption in 1043(d)(4) as a rule that implements particular mandates or standards set forth in newly enacted local laws with only minor, if any, exercise of agency discretion in interpreting such mandates or standards.

David M. Frankel
Commissioner of Finance

Proposed Amendments to the Rules Relating to the Sale of Tax Liens

Section 1. Section 40-02 of the Rules Relating to the Sale of Tax Liens (19 RCNY Chapter 40) is repealed and replaced by a new section 40-02 to read as follows:

§40-02 **Payment of Tax Liens Prior to Sale.**

(a) *Payment due date.* Prior to the sale of a tax lien, the Commissioner shall provide the notice required by Administrative Code §11-320, and shall include in such notice the date by which any such tax lien must be satisfied in full in order to prevent the sale of the lien. In the event that no such date is included in the notice, the lien must be satisfied prior to the date of sale specified in the notice.

(b) *Method of payment.* Payment of a tax lien in accordance with subdivision (a) of this section may be made only in cash or by certified check or money order drawn to the order of the New York City Department of Finance, or in the case of water and sewer charges, the New York City Water Board.]

§40-02. Sale of tax liens.

The Commissioner, on behalf of the City of New York, may sell tax liens, either individually, in combinations, or in the aggregate, pursuant to the procedures provided in Chapter 3 of Title 11 of the Administrative Code, and is authorized by law to establish the terms and conditions of a sale of a tax lien or tax liens. The Commissioner may, in his or her discretion, sell a tax lien or tax liens through a competitive sale or a negotiated sale, including the negotiated sale of tax liens to a trust or other entity created by the City or in which the City has an ownership or residual interest.

The Commissioner shall sell such tax liens at a purchase price that, in the determination of the Commissioner, is in the best interests of the City. The amount of a tax lien that is sold shall be the unpaid amount of the lien as of the date of sale, including: any interest and penalties thereon, any taxes, assessments, sewer rents, sewer surcharges, water rents, any other charges that are made a lien subject to the provisions of Chapter 3 of Title 11 of the Administrative Code, the costs of any advertisements and notices given to effectuate the sale, any other charges that are due and payable, any surcharge imposed by law, and interest and penalties thereon, or such component of the amount thereof as shall be determined by the Commissioner, notwithstanding the amount paid for purchase of the tax lien or component of the amount thereof.

§2. Section 40-03 of such rules is amended to read as follows:

§40-03. Installment agreements.

[(a) *Execution of installment agreements following 60-day notice.* Notwithstanding any other provision of these rules, in the event that a tax lien is to be sold pursuant to a notice of sale of tax liens published not less than 60 days preceding the date of sale in compliance with Administrative Code §11-320, the Commissioner of Finance will not execute an in rem installment agreement for the affected property on or after the date of publication of such notice, unless

(1) the Commissioner includes in the 60-day notice published pursuant to Administrative Code §11-320, or publishes in the City Record on or prior to the date of publication of such 60-day notice, notice to the effect that an in rem installment agreement for an affected property may be executed under the terms specified in Administrative Code §11-405 or §11-409, whichever is applicable;

(2) such agreement is executed, and the required down payment is made, no later than the last date for payment specified in the notice pursuant to subdivision (a) of §40-02 of these rules, and in the manner specified in subdivision (b) of §40-02 of these rules;

(3) there is no outstanding in rem installment agreement for the affected property; and

(4) any unpaid water rents, sewer rents and/or sewer surcharges on the affected property, the collection of which is administered by the Department of Environmental Protection, are the subject of an agreement to pay such unpaid water rents, sewer rents and/or sewer surcharges in installments, executed with the Department of Environmental Protection, and any installments or other charges that have come due under such agreement have been paid.

(b) Notwithstanding the provisions of subdivision (a) of this section, the Commissioner of Finance, in his or her discretion, may, subsequent to the first date on which liens were sold pursuant to the 60-day notice, execute an installment agreement for a property whose liens were included in the 60-day notice, but were not sold on such first date on which liens were sold.

(c) *Preexisting installment agreements with unpaid installments or current taxes or charges.*

In the event that for any property that is included in the 60-day notice published pursuant to Administrative Code §11-320, an in rem installment agreement was executed prior to such publication, but for which timely payment of all required installments and current charges was not made, payment of any such installments and current charges on or after the date of publication of such notice will not prevent the sale of any liens remaining unpaid on the property.]

(a) *Generally.*

A property owner may enter into an installment agreement with the Department of Finance that allows for the payment in installments of any delinquent real property taxes or any charges that are made a lien on real property under Chapter 3 of Title 11 of the Administrative Code, excluding any delinquent sewer rents, sewer surcharges and water rents that are collected by the New York City Water Board. Except as provided in subdivision (g) of this section, when a property owner enters into an agreement with the Department of Finance for the payment of any such lien(s), any proposed sale of a tax lien(s) on a property will be cancelled.

(b) *Down payment*

The property owner is not required to remit a down payment for an installment agreement with the Department of Finance. However, the property owner may elect to remit a down payment in any amount.

(c) *Payment schedule*

An installment agreement must provide that the property owner make payments on a quarterly or monthly basis as determined by the Commissioner.

(1) Monthly installments: If an installment agreement requires monthly payments, then payments must be made by the first day of each month.

(2) Quarterly installments: If an installment agreement requires quarterly payments, then payments must be made by January 1, April 1, July 1 and October 1.

(d) *Term of agreement*

Installment agreements are for a term that is no less than eight years and no more than ten years. However, a property owner may elect for a term that is less than eight years.

(e) *Default*

(1) Definition of default:

The property owner will be in default of such agreement, if any installment required under an installment agreement remains unpaid for a period of six months from the date payment is required to be made under subdivision (c) of this section, or if any other tax or charge that becomes due on the property during the term of such agreement remains unpaid in whole or in part for a period of six months.

(2) Consequences of default; cure of default:

In the event of default of an installment agreement pursuant to paragraph (1) of this subdivision, the agreement may be cancelled and the tax lien(s) on the property that were required to be paid under the agreement, including any tax liens that became due during the term of the agreement, may be sold.

However, such default may be cured upon property owner's payment, prior to the date of the first tax lien sale that occurs following a default, of all past due installments required by the agreement, and all other charges that became due during the term of the agreement that are past due and unpaid at the time of the default, including interest and fees.

(3) Bar from executing future installment agreements:

If a default is not cured as described in paragraph (2) of this subdivision prior to the date of the first tax lien sale that occurs following such default, the owner of the affected property will not be eligible to enter into an installment agreement with the Department of Finance for the affected property for five years from the date of such sale, unless there is a finding of extenuating circumstances by the Department of Finance as described in paragraph (4) of this subdivision.

(4) "Extenuating circumstances" for purposes of paragraph (3) of this subdivision:

(i) "Extenuating circumstances" shall mean (1) the death of the signatory to the agreement, of any person named on the deed for the property or of a contributing household member, (2) a loss of income to the signatory, to any person named on the deed for the property or to a contributing household member due to his or her involuntary absence from the property for any consecutive period of six months or more for treatment of an illness, for military service, or pursuant to a court order, that results in a default of the agreement or inability to cure the default prior to the date of sale of the tax lien or tax liens or (3) a loss of income to the signatory to the agreement, to any person named on the deed for the property or to a contributing household member due to his or her unemployment for any consecutive period of six months or more that results in a default of the agreement or inability to cure the default prior to the date of sale of the tax lien or tax liens.

(ii) For purposes of this paragraph, "contributing household member" shall mean any person eighteen years of age or older who has lived in the property that is the subject of the installment agreement at least since the execution of the agreement and has paid household expenses since the execution of the agreement in an amount equal to at least fifty percent of each installment amount due under the agreement.

(iii) An application for a finding of extenuating circumstances may be made only on a form prepared by the Commissioner or his or her designee and shall include a certification by the applicant that extenuating circumstances exist. The Department of Finance may require additional documentation to support a claim of extenuating circumstances by a property owner. If the Department of Finance determines that the applicant has provided inaccurate information in the application, any installment agreement entered into based on the finding of extenuating circumstances shall be revoked and the property owner shall not be eligible to enter into an installment agreement with the Department for the subject property for five years from the date of sale. The determination on an application for a finding of extenuating circumstances or on the accuracy of such application will be made by the Payment Operations Division of the Department of Finance. If the application is denied or if the information in the application is determined to be inaccurate, the property owner may appeal the determination within 30 days to the Commissioner or his or her designee.

(iv) No signatory to an installment agreement who has defaulted on such agreement and who, as a result of a finding of extenuating circumstances, has been allowed to enter into a second installment agreement for the subject property, shall be eligible to enter into any subsequent agreement on the subject property by applying for a finding of extenuating circumstances for the default of such second installment agreement. The same restriction shall apply to any other person whose change of circumstances was the basis, in whole or in part, for the original finding of extenuating circumstances.

(f) Information regarding exemptions

Before a property owner enters into an installment agreement, the Department of Finance will give the owner information regarding eligibility for real property tax exemption programs. The Department of Finance may give such information to the owner in a manner that may include, but is not limited to, providing the information within the

text of an installment agreement and with lien sale notices.

(g) Property with multiple qualifying tax liens; installment agreements with the Department of Environmental Protection

Notwithstanding the execution of an installment agreement with the Department of Finance, any tax liens that are not made subject to the installment agreement with the Department of Finance will remain subject to the laws regarding eligibility for the sale of tax liens.

Example:

Under the Administrative Code, real property tax liens that are on property classified as class two, that is not a condominium or cooperative, may be sold if the real property tax liens are at least one year past due. Also under the Administrative Code, for the same type of class two property, tax liens for water and sewer charges may be sold if the liens have been unpaid for at least one year and total at least \$1,000.

If such a class two property has real property tax liens that have been unpaid for at least one year, and also has water and sewer liens that have been unpaid for at least one year and total at least \$1,000, the Department of Finance will cancel the tax lien sale of those real property tax liens when the owner of the property enters into an installment agreement with the Department of Finance to pay the unpaid real property tax liens that are subject to the proposed tax lien sale. However, the water and sewer liens may still be sold in a tax lien sale unless they are paid or the owner enters into an installment agreement with the Department of Environmental Protection to pay those water and sewer liens pursuant to that agency's rules for installment agreements.

(h) Effect on in rem foreclosure

Entering into an installment agreement pursuant to section 11-322(b) of the Administrative Code and this section will have no effect on whether a property will be excluded or severed from an in rem foreclosure action brought under Chapter 4 of Title 11 of the Administrative Code. Notwithstanding any other provision of these rules, the terms of installment agreements entered into with the Department of Finance that affect whether a property will be included in an in rem foreclosure action will continue to be governed by the provisions of Chapter 4 of Title 11 of the Administrative Code.

• jy22

HOUSING PRESERVATION & DEVELOPMENT**■ NOTICE****Notice of Promulgation of Rule**

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY vested in the City of New York Department of Housing Preservation and Development ("HPD") by Chapter 61 of the New York City Charter and by New York City Administrative Code §27-2090 and in accordance with section 1043(b) of the Charter, that HPD hereby promulgates the following rule. The rule was published in The City Record on June 2, 2011 and a Public Hearing was held on July 7, 2011.

Statement of Basis and Purpose of Final Rule

Several provisions of the Administrative Code have been amended. This rulemaking repeals and replaces Chapter 17 of Title 28 of the Rules of the City of New York pertaining to emergency repair charges and liens to align the rules with current statutes and the agency's process for receiving and deciding on objections to four types of charges: 1) emergency repair charges, 2) alternative enforcement repair program charges, 3) emergency demolition charges, and 4) charges for demolitions performed pursuant to a precept issued under the Building Code. All of these charges have tax lien status under the Administrative Code and are subject to the procedural requirements in Article 8 of Subchapter 5 of the Housing Maintenance Code.

Section one, Chapter 17 of Title 28 of the rules of the city of New York concerning "Amounts to be Filed as Tax Liens Pursuant to the Housing Maintenance Code" is REPEALED, and a new Chapter 17 is promulgated, to read as follows:

RULES PERTAINING TO OBJECTIONS TO CHARGES ENFORCED AS TAX LIENS PURSUANT TO §§27-2144, 27-2153(q), 28-215.1.1 AND 28-216.11 OF THE ADMINISTRATIVE CODE**§17-01 Scope.**

This chapter describes the process for making objections to municipal charges that are enforced as tax liens against properties pursuant to §§27-2144, 27-2153(q), 28-215.1.1 and 28-216.11 of the Administrative Code and any other municipal charges that may be made tax liens subject to the process described in Article 8 of Subchapter 5 of the Housing Maintenance Code.

§17-02 Definitions.

(a) In this chapter, the following terms have the following meanings:

- (1) "Administrative Code" means the New York City Administrative Code.
- (2) "Billing Application Detail" means a record kept by the Department of Finance that contains the date of a statement of account.
- (3) "Commissioner" means the Commissioner of the Department of Housing Preservation and Development or a person designated by him or her to exercise his or

her powers set forth in this chapter.

- (4) "Department" means the Department of Housing Preservation and Development.
- (5) "Housing Maintenance Code" means chapter two of title 27 of the Administrative Code.
- (6) "Owner" has the same meaning as described in Multiple Dwelling Law §4(44) and Administrative Code §27-2004(45)(a).
- (7) "Statement of Account" means a bill for taxes, charges and assessments that the Department of Finance sends to owners of real property.
- (8) "Tax Lien" means a lien arising pursuant to the provisions of Chapter 3 of Title 11 of the Administrative Code as a result of the nonpayment of any charges that are made a lien subject to the provisions of such chapter including any interest and penalties.

§17-03 Objection Procedure.

(a) The Department may file a lien for its expenses and fees incurred pursuant to Administrative Code §§27-2144, 27-2153(q), 28-215.1.1 and 28-216.11.

(b) Unless otherwise stated in Administrative Code §27-2146 and these rules,

- (1) an owner, or
- (2) a mortgagee or lienor, whose mortgage or lien would have priority over the Department's lien if not for the provisions of §27-2144,

who receives a statement of account pursuant to Administrative Code §27-2129 with a charge incurred pursuant to Administrative Code §§27-2125, 27-2153, 28-215.1.1 or 28-216.11 may notify the Department in writing of his or her objection to such charge.

(c) The "statement date" listed on the Department of Finance's billing application detail for a statement of account shall be presumptive evidence that such statement of account was mailed within five business days of the statement date to the person or entity registered with the Department of Finance.

(d) All objections to a charge on a statement of account shall be submitted in writing or electronically. Each objection shall be addressed to the Department to the attention of the Research and Reconciliation Unit, 100 Gold Street, Room 4A, New York, N.Y. 10038 or to www.hpderp@hpd.nyc.gov.

(e) Each objection to a charge on a statement of account shall:

- (1) specify the charge objected to and the nature of such objection and
- (2) include any documentation supporting the objection.

Any charge without specific objections from an owner shall be considered undisputed.

(f) Each objection to a charge on a statement of account shall be received by the Department prior to the due and payable date of such charge. Pursuant to Administrative Code §27-2129, if an owner does not notify the Department in writing of his or her objection to such a charge before the due and payable date as indicated on the statement of account, the owner may not contest the charge in any subsequent judicial or administrative proceeding.

(g) Unless otherwise stated in subdivision (c) of Administrative Code §27-2146, a written objection to a charge on a statement of account may not be based upon:

- (1) the lawfulness of the repair or other work done or,
- (2) the propriety and accuracy of the expense for which a lien is claimed.

(h) Within a reasonable time after receipt of a written objection to a charge on a statement of account, the Department will make a determination based on all the documentation received from the objecting owner as well as the records of the Department. The Department will then inform the objecting owner of such determination in writing, including the reasons for that decision.

• jy22

TAXI AND LIMOUSINE COMMISSION**■ NOTICE****Notice of Promulgation of 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") promulgates rules changing service requirements for owners of independent taxicabs.

These rules are promulgated pursuant to sections 1043 and 2303(b) of the Charter and section 19-503 of the Administrative Code of the City of New York.

On June 16, 2011, a public hearing was held by the TLC at the Bronx Borough Hall Rotunda, 851 Grand Concourse, Bronx, New York 10451. These rules will take effect 30 days after publication.

Statement of Basis and Purpose of Rule

These rules make six important changes to the Taxi and Limousine Commission's owner-must-drive requirements.

Background

The Taxi and Limousine Commission's existing rules require that some owners of independent taxicab medallions who bought their medallions after January 6, 1990 must drive their taxicabs. These owners must drive their taxicabs a

minimum of 210 nine-hour shifts per year. The current rules also specify that one owner must fulfill the entire driving requirement, even if ownership is shared by more than one person. This rule is known as the "owner-must-drive" requirement.

The purpose of the owner-must-drive requirement is to promote safety and good customer service. The TLC believes that taxicab drivers who own a medallion will operate the medallion more responsibly than those who do not because of the substantial financial stake an owner/driver has in the taxicab medallion. Studies have shown that owner-driven taxicabs have fewer accidents, fewer violations of rules, and higher vehicle inspection pass rates.

Electronic trip records from the taxicab technology system show widespread non-compliance with the owner-must-drive requirement. Industry advocates contend that the requirement is difficult for many owners to fulfill. In particular, under the current rule, a long-time owner-driver who wishes to retire or to reduce his or her work schedule must either sell the medallion or violate the owner-must-drive rules. Sale of a medallion can trigger capital gains taxes that may exceed the driver's equity in the medallion.

In November 2010, the Metropolitan Taxicab Board of Trade, the Committee for Taxi Safety, and the League of Mutual Taxicab Owners petitioned the TLC to relax the owner-must-drive requirements. This rule is the result of discussions between the TLC and those groups about the issues raised in their petition. The TLC's overriding policy goal is to give independent owners a reasonable degree of flexibility while preserving the advantages of owner-driven taxicabs.

Rule Changes

This rule:

1. Reduces the existing driving requirement for all owner-must-drive medallions from 210 nine-hour shifts per year to 180.
2. Allows individual owners who are at least 62 years old and have driven for at least 10 years to reduce their work schedule to 150 seven-hour shifts per year.
3. Ends the requirement that one owner must satisfy the entire driving requirement and allows driving duties to be divided among up to four owner-drivers, provided that each owns at least 10 percent of the medallion.
4. Creates an alternative service option for many owners. This option permits an owner to stop driving completely, while providing that the medallion is driven by a driver with a stake in the vehicle and a commitment to the industry. An owner must meet all of the following to take this option:
 - Current owners must have owned for at least two years.
 - Future owners must own and drive for at least ten years.
 - An owner must lease the medallion to a driver who either owns the taxicab vehicle or leases it with a conditional purchase agreement.
 - The driver must drive the vehicle an average of at least 120 hours per month.
 - The driver must drive at least 180 nine-hour shifts every calendar year.
 - The owner must sign up for the option for a calendar year before that calendar year begins.
 - The owner must pay a \$5,000 penalty for each calendar year (or \$2,500 for owners 62 and over).
5. As noted above, TLC records show that many owners have not complied with the owner-must-drive requirement under the current rule. Because of this, the rule:
 - substantially increases the penalties to ensure compliance with the more relaxed requirements by establishing a range of fines from \$1,000 to \$10,000 based on shifts missed, and,
 - adds penalties for agents who do not comply with owner-must-drive requirements for medallions that they manage by establishing a range of fines from \$1,000 to \$10,000 per medallion and/or suspension until compliance.
6. Finally, this rule permits an owner who buys an independent medallion together with a vehicle previously hacked-up with that medallion to continue to use that vehicle until its scheduled retirement date.

New material is underlined.

[Material inside brackets indicates deleted material.]

Section 1. The definitions set forth in section 51-03 of Chapter 51 of Title 35 of the Rules of the City of New York, are amended to read as follows:

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

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 or the Agent is not permitted to manage the Owner's Medallion(s).

Section 2. Section 58-03 of Chapter 58 of Title 35 of the Rules of the City of New York is amended by relettering

subdivisions (n) through (kk) as subdivisions (o) through (ll) and adding a new subdivision (n), to read as follows:

(n) Independent Medallion Driver is a Driver who meets the following requirements as to one Independent Medallion:

(1) The Driver drives the Taxicab an average of at least 120 hours per month;

(2) The Driver is either

A. the title owner of the Taxicab vehicle or

B. the lessee of the Taxicab vehicle and the vehicle lease has a conditional purchase agreement for the vehicle; and

(3) The Driver is not an Independent Medallion Driver for any other Independent Medallion.

Section 3. Section 58-03 of Chapter 58 of Title 35 of the Rules of the City of New York is amended by relettering subdivisions (bb) through (ll) as subdivisions (cc) through (mm) and adding a new subdivision (bb), to read as follows:

(bb) 10 % Business Entity Person is a Business Entity Person who owns at least 10% of a Business Entity.

Section 4. Section 58-05(d)(1) of Title 35 of the Rules of the City of New York is amended to read as follows:

(1) If an Applicant is an Independent Medallion Owner and acquires his or her interest in the Medallion on or after January 7, 1990:

(i) The Applicant, including an Applicant for a renewal License, must also have a Valid Taxicab Driver's License, and

(ii) The Applicant must pledge that he or she will personally drive the Taxicab enough hours to fulfill the applicable Owner-Must-Drive service requirements set forth in §58-20(a)(2)(ii) (3) for at least 10 years.

(iii) Exception. A Licensee who is a renewal Applicant and who is providing service with an Independent Medallion Driver as provided in Section 58-20(a)(4) of these rules does not need to maintain a Taxicab Driver's License if all of the following are met:

A. The Applicant acquired the Independent Medallion prior to July 1, 2011 and has owned it continuously;

B. The Applicant held a Taxicab Driver's License for at least two years; and

C. The Applicant met the service requirement specified in Section 58-20(a) (that is at least 210 nine-hour shifts per year or 180 nine-hour shifts per year) for at least two years.

Section 5. Section 58-05(d)(2) of Title 35 of the Rules of the City of New York is amended to read as follows:

(2) If the Applicant is a Business Entity, [then one Business Entity Person] one or more 10% Business Entity Persons must fulfill this requirement. One 10% Business Entity Person can provide the complete requirement or up to four 10% Business Entity Persons can divide up the requirement.

Section 6. Section 58-20(a) of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) *Hours of Operation*

(1) *Double Shift Requirement.* A Fleet or Minifleet must operate each of its operating Taxicabs for a minimum of two nine-hour shifts per day (for a total operating time of 18 hours per day) including weekends and holidays.

§58-20(a)(1) Fine: \$75 Appearance NOT REQUIRED

(2) *Minimum Hours of Operation for Independent Owner beginning July 1, 2011.*

(i) An Independent Medallion Owner must operate his/her Taxicab a minimum of 210 nine-hour shifts [per] each calendar year (for a total operating time of 1,890 hours per year).

[§58-20(a)(2)(i) Fine: \$100-\$350 and/or Appearance REQUIRED] suspension up to 30 days

(ii) *Owner-Must-Drive Rule.*

A. If the Owner acquired the Independent Medallion on or after January 7, 1990, the Owner must personally drive the Taxicab the required minimum number of hours.

B. If the Owner is a Business Entity this requirement must be fulfilled by:

1. One shareholder if the Owner is a corporation.

2. One partner if the Owner is a partnership.

3. One member if the Owner is a limited liability company.

§58-20(a)(2)(ii) Fine: \$100-\$350 and/or Appearance REQUIRED suspension up to 30 days

(3) *Minimum Hours of Operation for Independent Owner beginning July 1, 2011.*

(i) *General Rule.* From January 1, 2012, an Independent Medallion Owner who acquired the Independent Medallion on or after January 7, 1990 must drive his or her Taxicab a minimum of 180 nine-hour shifts each calendar year (for a total operating time of 1,620 hours per year).

A. *Enforcement.* Penalties for failing to comply with the

requirement will be determined by the number of required shifts not driven.

B. Transition Provisions. During calendar year 2011, an Independent Medallion Owner must drive his/her Taxicab a minimum 195 nine-hour shifts (for a total operating time of 1755 hours).

(ii) *Who Must Drive.* If the Owner is a Business Entity, the requirement must be filled by one or more 10% Business Entity Persons. One 10% Business Entity Person can provide the complete requirement or up to four 10% Business Entity Persons can divide up the requirement.

A. *Limited Exception as to Business Entity Persons.* For two years, from July 1, 2011 to June 30, 2013, a Business Entity Person who is not a 10% Business Entity Person can fulfill the Owner-Must-Drive requirement.

B. After July 1, 2013, the service requirement must be filled by one or more 10% Business Entity Persons.

(iii) *Special Rule for Individuals only.* An Independent Medallion Owner must drive his/her Taxicab a minimum of 150 seven-hour shifts each calendar year if he/she meets all of the following:

A. He/she is the sole Owner of the Independent Medallion. This exception is not available if an Independent Medallion is owned by a Business Entity with more than one Business Entity Person.

B. He/she is at least 62 years of age at the beginning of the calendar year.

C. He/she has owned the Independent Medallion at least 10 years prior to turning age 62 and has met the Owner-Must-Drive requirements during that period.

1. The Chairperson will use records generated by the Taxicab Technology System to determine whether an Owner has met the Owner-Must-Drive requirements.

2. For periods before the Taxicab Technology System was operating, the Chairperson will assume that the Owner met the Owner-Must-Drive requirements unless the Commission's licensing or adjudication records show that the requirement was not met.

(iv) *Special Rule for inheriting spouses.* A spouse inheriting an Independent Medallion from the sole Owner of that Medallion will not be required to meet the Owner-Must-Drive requirement for 180 days following the Owner's death.

A. After 180 days,

(1) the inheriting spouse is subject to the same requirement the deceased Owner was subject to (that is, 180 nine hour shifts or 150 seven hour shifts) if the deceased Owner was required to drive.

(2) the inheriting spouse is subject to the 180 nine hour shift requirement initially if the deceased Owner was not required to drive because the deceased Owner acquired the Medallion before January 7, 1990.

B. For purposes of determining compliance with the Owner-Must-Drive requirements, those requirements will be pro-rated on a monthly basis in any applicable calendar years to account for the 180 days for which compliance is excused.

Example: An Owner subject to the 150 day driving requirement dies on December 1, 2011. The minimum applicable requirement for calendar year 2011 will be 137 shifts. The minimum applicable requirement for calendar year 2012 will be 87 shifts.

§58-20(a)(3) Fine: For number of missed Appearance REQUIRED shifts in any calendar year
\$10,000 if 51 shifts or more missed
\$7,500 if at least 26 up to 50 shifts missed
\$6,000 if at least 11 up to 25 shifts missed
\$1,000 if 1 or more up to 10 shifts missed.

Commission can also seek revocation if 51 or more shifts missed

(4) *Independent Driver Option: Special Rule for Medallions Leased to Independent Medallion Drivers.*

(i) An Owner does not have to personally drive the minimum number of shifts and hours of operation for an Independent Medallion Owner as set forth in Section 58-20(a)(3)(i) of this Chapter if all of the requirements of this Section 58-20(a)(4) are met.

A. An Owner of an Independent Medallion who acquired the Medallion before July 1, 2011 must own the Medallion for at least two years before being able to be excused from the driving requirement under the Independent Driver Option.

B. An Owner of an Independent Medallion who acquires the Medallion on or after July 1, 2011, must own the Medallion for at least ten years and must meet the driving requirements of Section 58-20(a)(3) during those ten years before being able to be excused from the driving requirement under the Independent Driver Option.

C. *Driving History*

1. The Chairperson will use records generated by the Taxicab Technology System to determine whether an Owner has met the Owner-Must-Drive requirements.

2. For periods before the Taxicab Technology System was operating, the Chairperson will assume that the Owner met the Owner-Must-Drive requirements unless the

Commission's licensing or adjudication records show that the requirement was not met.

(ii) Service must be provided by Independent Medallion Driver.

A. An Independent Medallion Driver designated by the Owner must operate the Taxicab at least 180 nine-hour shifts in each calendar year.

B. A Driver is an Independent Medallion Driver if the Driver meets all of the following as to the Owner's Medallion:

1. The Driver drives the Taxicab an average of at least 120 hours per month;

2. The Driver is either

i. the title owner of the Taxicab vehicle or

ii. the lessee of the Taxicab vehicle and the vehicle lease has a conditional purchase agreement for the vehicle; and

3. The Driver is not an Independent Medallion Driver for any other Independent Medallion.

(iii) Penalty An Owner who provides the service required by section 58-20(a)(3) by electing to use the Independent Driver Option will pay a penalty each calendar year for failing to provide service personally. The penalty the Owner will pay is \$5,000, unless the Owner is 62 or older at the time of election, in which case the penalty is \$2,500.

(iv) Designating the Driver.

A. The Owner must designate the Independent Medallion Driver who will provide the 180 nine-hour shifts before an Owner can receive the benefit of this section 58-20(a)(4).

B. The Owner must designate the Independent Medallion Driver on a form specified by the Commission. An Owner will designate another Independent Medallion Driver by revoking the prior designation and filing a new designation.

C. Only one designation can be in effect for any Independent Medallion at any time and there can be only one Independent Medallion Driver for any Independent Medallion at any time.

D. An Owner can change the designated Independent Medallion Driver only one time each calendar year.

E. An Owner can designate no more than two Independent Medallion Drivers for any Independent Medallion in any one calendar year.

F. An Owner must immediately report to the Commission when the Owner has terminated or changed a designation or when a Driver ceases to be an Independent Medallion Driver for the Independent Medallion.

§58-20(a)(4)(iv)(F) Fine: \$1,000 Appearance NOT required

(v) Electing the Independent Driver Option provided in this Section

A. An Owner must notify the Commission by no later than November 1 of each year if the Owner elects to use the provisions of this section 58-20(a)(4) to provide service as required by section 58-20(a)(3)(i) in the next calendar year.

B. The Owner must have met the driving requirements of section 58-20(a)(4)(i) in order to be approved to elect the Independent Driver Option.

C. The Owner must use any forms required by the Commission.

D. When providing the Commission with notice that the Owner elects to use the provisions of this section 58-20(a)(4), the Owner must also provide, at the same time:

1. The designation of the Independent Medallion Driver required in section 58-20(a)(4)(iv)

2. The payment for the \$5,000 or \$2,500 penalty required in section 58-20(a)(4)(iii).

(vi) Owner Liable for non-performance. If the Owner's designated Independent Medallion Drivers fail to drive the minimum 180 nine-hour shifts, the Owner is liable for a violation of section 58-20(a)(3) for that calendar year.

A. The Owner's penalty will be determined by the number of shifts actually driven by the designated Independent Medallion Drivers plus any shifts driven by the Owner.

(vii) Owner Liable for non-compliance. If the Owner fails to meet and continue to meet all the requirements of this section 58-20(a)(4) for use of the Independent Driver Option at all times in any calendar year, the Owner is liable for a violation of section 58-20(a)(3) for that calendar year.

A. The Owner's penalty will be determined by the number of shifts actually driven by the Owner.

(iii)5 Waivers. Upon written request by an Owner, the [Commission]Chairperson can waive or modify the requirements of the Owner-Must-Drive rule, for a limited time, for good cause shown].

(i) The Chairperson can grant waivers for up to six months, and can grant extensions of those waivers for up to an additional six months.

(ii) The Chairperson will require an Owner to provide documentation for any requested waiver. Failure to provide required documentation will result in denial of the request for a waiver.

(iii) The Chairperson will grant waivers only for the following reasons and only after considering documentation:

A. Medical reasons.

B. Non-vacation travel for family or business reasons.

C. U.S. military service.

(iv) Waivers will result in a pro-rata reduction in the driving requirement in the calendar years applicable.

Example: A two month waiver will reduce the Owner-Must-Drive service requirement to 150 shifts in the calendar year granted.

[§58-20(a)(2)(iii) Fine: \$100-\$350 and/or Appearance REQUIRED] suspension up to 30 days

(6) Service Requirement Pro-Rated. Service requirements will be pro-rated on a monthly basis. The Commission will use pro-ration to determine, for example, the service requirements applicable to a buyer and a seller of an Independent Medallion in a year in which the Medallion is sold.

([3]7) Maximum Driving Hours. An Owner must not require a Driver to operate one or more Taxicabs for more than 12 consecutive hours.

§58-20(a)([3]7) Fine: \$50 Appearance NOT REQUIRED

Section 7. Section 63-11 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (e) to read as follows:

(e) Owner-Must-Drive Compliance.

(1) An Agent must ensure that each Independent Medallion

acquired by an Owner on or after January 7, 1990 must comply with the service requirements which that Medallion must follow under Section 58-20(a) of these Rules in each calendar year or partial calendar year that the Agent manages that Medallion.

§63-11(e)(1) Fine: \$1,000-\$10,000 per Appearance REQUIRED medallion and/or suspension until compliance

(2) In addition to any penalties the Commission can impose for a violation of this Rule, the Commission can also issue a Stop-Use Directive preventing an Agent from continuing to manage non-complying Independent Medallions.

(3) The Commission will post on its Web site a list of Independent Medallions currently subject to the service requirements of Section 58-20(a) of these Rules.

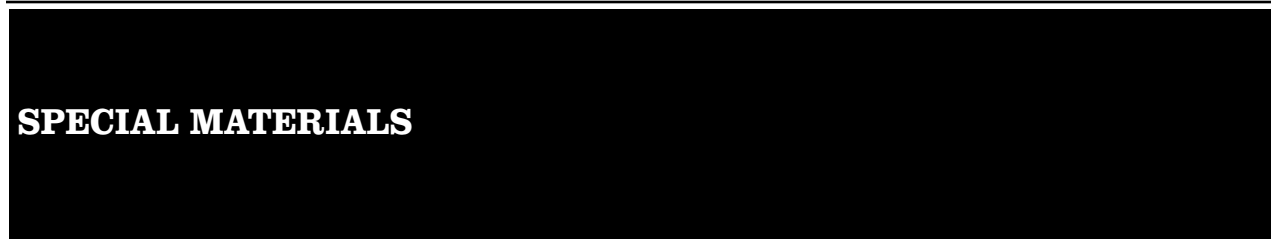
Section 8. Section 67-06(d) of Title 35 of the Rules of the City of New York is amended by adding a new paragraph (5), to read as follows:

(5) Transfer of Medallion and Vehicle. A vehicle which is in use with an Independent Medallion and is not at its Scheduled Retirement Date can continue in use with that Medallion following the transfer of that Medallion until its Scheduled Retirement Date if it passes all inspections and if the vehicle meets all of the following:

(i) the vehicle is acquired by a Transferee of an Independent Medallion together with that Medallion from the Transferor of that Independent Medallion and

(ii) the vehicle was operated by the Transferor of that Independent Medallion with that Medallion.

• jy22



CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

■ NOTICE

**OFFICIAL FUEL PRICE SCHEDULE NO. 6713
FUEL OIL AND KEROSENE**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 7/18/2011
3087064	1.0	#1DULSB50	CITY WIDE BY TW METRO FUEL OIL CORP.	+0748 GAL.	4.4075 GAL.
3187221	1.0	#2	CITY WIDE BY DELIVERY METRO FUEL OIL CORP.	+0880 GAL.	3.1822 GAL.
3187221	4.0	#2 >=80%	CITY WIDE BY DELIVERY METRO FUEL OIL CORP.	+0880 GAL.	3.2474 GAL.
3187221	5.0	#2 B100 <=20%	CITY WIDE BY DELIVERY METRO FUEL OIL CORP.	+0880 GAL.	3.3719 GAL.
2887105	1.0	#2DULS	CITY WIDE BY TW SPRAGUE ENERGY CORP	+0895 GAL.	3.3634 GAL.
2887105	1.1	#2DULS	P/U SPRAGUE ENERGY CORP.	+0895 GAL.	3.3284 GAL.
3187249	7.0	#2DULS >=80%	CITY WIDE BY DELIVERY CASTLE OIL CORPORATION	+0895 GAL.	3.3617 GAL.
3187249	8.0	#2DULS B100 <=20%	CITY WIDE BY DELIVERY CASTLE OIL CORPORATION	+0895 GAL.	3.4989 GAL.
3187249	9.0	#2DULS >=80%	P/U CASTLE OIL CORPORATION	+0895 GAL.	3.3224 GAL.
3187249	10.0	#2DULS B100 <=20%	P/U CASTLE OIL CORPORATION	+0895 GAL.	3.4559 GAL.
3187252	15.0	#2DULS	BARGE M.T.F. 111 & ST. GEORGE & WI METRO FUEL OIL CORP.	+0895 GAL.	3.3658 GAL.
3087065	2.0	#2DULSB50	CITY WIDE BY TW SPRAGUE ENERGY CORP.	+0700 GAL.	4.2263 GAL.
2887274	7.0	#2DULSDISP	DISPENSED SPRAGUE ENERGY CORP.	+0895 GAL.	3.6903 GAL.
3187222	2.0	#4	CITY WIDE BY TW CASTLE OIL CORPORATION	+1226 GAL.	3.0681 GAL.
3187222	3.0	#6	CITY WIDE BY TW CASTLE OIL CORPORATION	+1457 GAL.	3.0211 GAL.
3187263	1.0	JETA	FLOYD BENNETT METRO FUEL OIL CORP.	+0979 GAL.	3.7891 GAL.

**OFFICIAL FUEL PRICE SCHEDULE NO. 6714
FUEL OIL, PRIME AND START**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 7/18/2011
3087154	1.0	#2	MANH F & S PETROLEUM CORP.	+0880 GAL.	3.2660 GAL.
3087154	79.0	#2	BRONX F & S PETROLEUM CORP.	+0880 GAL.	3.2660 GAL.
3087154	157.0	#2	BKLYN, QUEENS, SI F & S PETROLEUM CORP.	+0880 GAL.	3.3460 GAL.
3087225	1.0	#4	CITY WIDE BY TW METRO FUEL OIL CORP.	+1226 GAL.	3.5117 GAL.
3087225	2.0	#6	CITY WIDE BY TW METRO FUEL OIL CORP.	+1457 GAL.	3.4202 GAL.

**OFFICIAL FUEL PRICE SCHEDULE NO. 6715
FUEL OIL AND REPAIRS**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 7/18/2011
3087115	1.0	#2	MANH & BRONX PACIFIC ENERGY	+0880 GAL.	3.0914 GAL.
3087115	80.0	#2	BKLYN, QUEENS, SI PACIFIC ENERGY	+0880 GAL.	3.0966 GAL.
3087218	1.0	#4	CITY WIDE BY TW PACIFIC ENERGY	+1226 GAL.	3.4530 GAL.
3087218	2.0	#6	CITY WIDE BY TW PACIFIC ENERGY	+1457 GAL.	3.4731 GAL.

**OFFICIAL FUEL PRICE SCHEDULE NO. 6716
GASOLINE**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 7/18/2011
3187093	6.0	E85	CITY WIDE BY TW SPRAGUE ENERGY CORP.	+1796 GAL.	3.0312 GAL.
2887274	6.0	PREM	CITY WIDE BY VEHICLE SPRAGUE ENERGY CORP.	+0598 GAL.	3.7497 GAL.
3187093	2.0	PREM	CITY WIDE BY TW SPRAGUE ENERGY CORP.	+0598 GAL.	3.4102 GAL.
3187093	4.0	PREM	P/U SPRAGUE ENERGY CORP.	+0598 GAL.	3.3311 GAL.
2887274	1.0	U.L.	MANH P/U BY VEHICLE SPRAGUE ENERGY CORP.	+0896 GAL.	3.6469 GAL.
2887274	2.0	U.L.	BX P/U BY VEHICLE SPRAGUE ENERGY CORP.	+0896 GAL.	3.5469 GAL.
2887274	3.0	U.L.	BR P/U BY VEHICLE SPRAGUE ENERGY CORP.	+0896 GAL.	3.5469 GAL.
2887274	4.0	U.L.	QNS P/U BY VEHICLE SPRAGUE ENERGY CORP.	+0896 GAL.	3.5469 GAL.
2887274	5.0	U.L.	S.I. P/U BY VEHICLE SPRAGUE ENERGY CORP.	+0896 GAL.	3.5469 GAL.
3187093	1.0	U.L.	CITY WIDE BY TW SPRAGUE ENERGY CORP.	+0896 GAL.	3.2357 GAL.
3187093	3.0	U.L.	P/U SPRAGUE ENERGY CORP.	+0896 GAL.	3.1596 GAL.

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COMPTROLLER

NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the

City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007 on August 4, 2011, to the person or persons legally entitled an amount as certified to the Comptroller of the Corporation Counsel on damage parcels, as follows:

Table with 3 columns: Damage Parcel No., Block, Lot. Rows include 245 S, 308 S, 33 S and 15966, 15962, 15960.

Acquired in the proceeding, entitled: BEACH 43, 44 AND 45 AND CONCH DRIVE, ET AL subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

JOHN C. LIU NEW YORK CITY COMPTROLLER

jj21-a4

CHANGES IN PERSONNEL

ADMIN FOR CHILDREN'S SVCS FOR PERIOD ENDING 07/08/11

Table with 7 columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Admin for Children's Svcs.

HRA/DEPT OF SOCIAL SERVICES FOR PERIOD ENDING 07/08/11

Table with 7 columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for HRA/Dept of Social Services.

Table with 7 columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for various departments.

DEPT. OF HOMELESS SERVICES FOR PERIOD ENDING 07/08/11

Table with 7 columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Dept. of Homeless Services.

DEPARTMENT OF CORRECTION FOR PERIOD ENDING 07/08/11

Table with 7 columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Department of Correction.

PUBLIC ADVOCATE FOR PERIOD ENDING 07/08/11

Table with 7 columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Public Advocate.

CITY COUNCIL FOR PERIOD ENDING 07/08/11

Table with 7 columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for City Council.

CITY CLERK FOR PERIOD ENDING 07/08/11

Table with 7 columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for City Clerk.

READER'S GUIDE

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

NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION-RELATED SERVICES

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

VENDOR ENROLLMENT APPLICATION

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

SELLING TO GOVERNMENT TRAINING WORKSHOP

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

PRE-QUALIFIED LISTS

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

NON-MAYORAL ENTITIES

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

PUBLIC ACCESS CENTER

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

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

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

PROMPT PAYMENT

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

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City's website at www.nyc.gov/selltonyc

COMMON ABBREVIATIONS USED IN THE CR

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

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

KEY TO METHODS OF SOURCE SELECTION

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

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

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

HOW TO READ CR PROCUREMENT NOTICES

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

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

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

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

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

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

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

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

☛ m27-30

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