



THE CITY RECORD

Official Journal of The City of New York

THE CITY RECORD U.S.P.S. 0114-660
Printed on paper containing 30% post-consumer material

VOLUME CXLVI NUMBER 189

MONDAY, SEPTEMBER 30, 2019

Price: \$4.00

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THE CITY RECORD

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Published Monday through Friday except legal holidays by the New York City Department of Citywide Administrative Services under Authority of Section 1066 of the New York City Charter.

Subscription \$500 a year, \$4.00 daily (\$5.00 by mail). Periodicals Postage Paid at New York, NY
POSTMASTER: Send address changes to
THE CITY RECORD, 1 Centre Street,
17th Floor, New York, NY 10007-1602

Editorial Office/Subscription Changes:
The City Record, 1 Centre Street, 17th Floor,
New York, NY 10007-1602 (212) 386-0055

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOARD MEETINGS

MEETING

City Planning Commission

Meets in Spector Hall, 22 Reade Street, New York, NY 10007, twice monthly on Wednesday, at 10:00 A.M., unless otherwise ordered by the Commission.



City Council

Meets by Charter twice a month in Councilman's Chamber, City Hall, Manhattan, NY 10007, at 1:30 P.M.

Contract Awards Public Hearing

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, weekly, on Thursday, commencing 10:00 A.M., and other days, times and location as warranted.

Civilian Complaint Review Board

Generally meets at 10:00 A.M. on the second Wednesday of each month at 40 Rector Street, 2nd Floor, New York, NY 10006. Visit <http://www.nyc.gov/html/ccrb/html/meeting.html> for additional information and scheduling changes.

Design Commission

Meets at City Hall, Third Floor, New York, NY 10007. For meeting schedule, please visit nyc.gov/designcommission or call (212) 788-3071.

Department of Education

Meets in the Hall of the Board for a monthly business meeting on the Third Wednesday, of each month at 6:00 P.M. The Annual Meeting is held on the first Tuesday of July at 10:00 A.M.

Board of Elections

32 Broadway, 7th Floor, New York, NY 10004, on Tuesday, at 1:30 P.M. and at the call of the Commissioner.

Environmental Control Board

Meets at 100 Church Street, 12th Floor, Training Room #143, New York, NY 10007 at 9:15 A.M. once a month at the call of the Chairman.

Board of Health

Meets at Gotham Center, 42-09 28th Street, Long Island City, NY 11101, at 10:00 A.M., quarterly or at the call of the Chairman.

Health Insurance Board

Meets in Room 530, Municipal Building, Manhattan, NY 10007, at the call of the Chairman.

Board of Higher Education

Meets at 535 East 80th Street, Manhattan, NY 10021, at 5:30 P.M., on fourth Monday in January, February, March, April, June, September, October, November and December. Annual meeting held on fourth Monday in May.

Citywide Administrative Services

Division of Citywide Personnel Services will hold hearings as needed in Room 2203, 2 Washington Street, New York, NY 10004.

Commission on Human Rights

Meets on 10th Floor in the Commission's Central Office, 40 Rector Street, New York, NY 10006, on the fourth Wednesday of each month, at 8:00 A.M.

In Rem Foreclosure Release Board

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Tuesdays, commencing 10:00 A.M., and other days, times and location as warranted.

Franchise and Concession Review Committee

Meets in Spector Hall, 22 Reade Street, Main Floor, and other days, times and location as warranted.

Real Property Acquisition and Disposition

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, bi-weekly, on Wednesdays, commencing 10:00 A.M., and other days, times and location as warranted.

Landmarks Preservation Commission

Meets in the Hearing Room, Municipal Building, 9th Floor North, 1 Centre Street in Manhattan on approximately three Tuesday's each month, commencing at 9:30 A.M. unless otherwise noticed by the Commission. For current meeting dates, times and agendas, please visit our website at www.nyc.gov/landmarks.

Employees' Retirement System

Meets in the Boardroom, 22nd Floor, 335 Adams Street, Brooklyn, NY 11201, at 9:30 A.M., on the third Thursday of each month, at the call of the Chairman.

Housing Authority

Board Meetings of the New York City Housing Authority are scheduled for the last Wednesday of each month (except August) at 10:00 A.M. in the Board Room on the 12th Floor of 250 Broadway, New York, NY 10007 (unless otherwise noted). Any changes to the schedule will be posted here and on NYCHA's website at http://www.nyc.gov/html/nycha/html/about/boardmeeting_schedule.shtml to the extent practicable at a reasonable time before the meeting. For additional information, please visit NYCHA's website or contact (212) 306-6088.

Parole Commission

Meets at its office, 100 Centre Street, Manhattan, NY 10013, on Thursday, at 10:30 A.M.

Board of Revision of Awards

Meets in Room 603, Municipal Building, Manhattan, NY 10007, at the call of the Chairman.

Board of Standards and Appeals

Meets at 40 Rector Street, 6th Floor, Hearing Room "E" on Tuesdays at 10:00 A.M. Review Sessions begin at 9:30 A.M. and are customarily held on Mondays preceding a Tuesday public hearing in the BSA conference room on the 9th Floor of 40 Rector Street. For changes in the schedule, or additional information, please call the Application Desk at (212) 513-4670 or consult the bulletin board at the Board's Offices, at 40 Rector Street, 9th Floor.

Tax Commission

Meets in Room 936, Municipal Building, Manhattan, NY 10007, each month at the call of the President. Manhattan, monthly on Wednesdays, commencing 2:30 P.M.

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 in the Council Chambers, City Hall, New York, NY 10007, commencing, at 9:30 A.M. on October 3, 2019:

LOLA TAVERNA

MANHATTAN CB -2 20195715 TCM

Application, pursuant to Section 20-226 of the Administrative Code of the City of New York concerning the petition of Prinkipas LLC, for a new consent to operate, maintain and use an unenclosed sidewalk café, located at 210 6th Avenue.

25 CENTRAL PARK WEST

MANHATTAN CB -7 C 190390 ZMM

Application submitted by CPW Retail South LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 8c by establishing within an existing R10A District a C2-5 District, bounded by West 63rd Street, Central Park West, West 62nd Street, and a line 100 feet westerly of Central Park West, as shown on a diagram (for illustrative purposes only) dated May 20, 2019.

44-01 NORTHERN BOULEVARD REZONING

QUEENS CB -1 C 190124 ZMQ

Application submitted by 44-01 Northern Boulevard, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9b:

1. changing from an M1-1 District to an R6B District property, bounded by 44th Street, a line 100 feet southwesterly of 34th Avenue, 45th Street, and a line 200 feet southwesterly of 34th Avenue;
2. changing from an M1-1 District to an R7X District property, bounded by 44th Street, a line 200 feet southwesterly of 34th Avenue, 45th Street, and Northern Boulevard;
3. establishing within the proposed R6B District a C2-4 District, bounded by a line 150 feet northerly of Northern Boulevard, 45th Street, and a line 200 feet southwesterly of 34th Avenue; and
4. establishing within the proposed R7X District a C2-4 District, bounded by 44th Street, a line 150 feet northerly of Northern Boulevard, a line 200 feet southwesterly of 34th Avenue, 45th Street, and Northern Boulevard;

as shown on a diagram (for illustrative purposes only) dated May 20, 2019, and subject to the conditions of CEQR Declaration E-537.

**44-01 NORTHERN BOULEVARD REZONING
QUEENS CB -1 N 190125 ZRQ**

Application submitted by 44-01 Northern Boulevard, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

* * *

**APPENDIX F
Inclusionary Housing Designated Areas and Mandatory
Inclusionary Housing Areas**

* * *

QUEENS

* * *

Queens Community District 1

Map 7 - [date of adoption]

[PROPOSED MAP]



7 Mandatory Inclusionary Housing area see Section 23-154(d)(3)
Area 7 - [date of adoption], MIH Program Option 1 and Option 2

Portion of Community District 1, Borough of Queens

* * *

BRONX SPECIAL DISTRICTS TEXT UPDATE

BRONX CB -8 C 190403 ZMX

Application submitted by NYC Department of City Planning, pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 1a, 1b, 1c, and 1d:

1. eliminating a Special Natural Area District (NA-2), bounded by a boundary line of The City of New York, Riverdale Avenue, a line 300 feet southerly of West 261st Street, Independence Avenue, a line 600 feet northerly of West 256th Street, Arlington Avenue, West 254th Street, Henry Hudson Parkway West, West 252nd Street, Henry Hudson Parkway

East, West 253rd Street, The Post Road, West 252nd Street, Tibbett Avenue, West 244th Street, Manhattan College Parkway, Henry Hudson Parkway East, West 246th Street, Henry Hudson Parkway West, West 249th Street, Arlington Avenue, a line perpendicular to the easterly street line of Arlington Avenue distant 268 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Arlington Avenue and the northwesterly street line of West 246th Street, West 246th Street, Independence Avenue, West 240th Street, the centerline of the former West 240th Street and its westerly centerline prolongation, Douglass Avenue, West 235th Street, Independence Avenue, West 232nd Street, Henry Hudson Parkway, West 231st Street, Independence Avenue, the westerly centerline prolongation of West 230th Street, Palisade Avenue, a line 620 feet southerly of the westerly prolongation of the southerly street line of West 231st Street, the easterly boundary line of Penn Central R.O.W. (Metro North Hudson Line), the northerly, easterly and southeasterly boundary lines of a park and its southwesterly prolongation, Edsall Avenue (northerly portion), Johnson Avenue, the southerly boundary line of a park and its easterly and westerly prolongations, the U.S. Pierhead and Bulkhead Line, the northwesterly prolongation of the U.S. Pierhead and Bulkhead Line, and the westerly boundary line of a park and its southerly and northerly prolongations; and

2. establishing a Special Natural Resources District (SNRD), bounded by a boundary line of The City of New York, Riverdale Avenue, a line 300 feet southerly of West 261st Street, Independence Avenue, a line 600 feet northerly of West 256th Street, Arlington Avenue, West 254th Street, Henry Hudson Parkway West, West 252nd Street, Henry Hudson Parkway East, West 253rd Street, The Post Road, West 252nd Street, Tibbett Avenue, West 244th Street, Manhattan College Parkway, Henry Hudson Parkway East, West 246th Street, Henry Hudson Parkway West, West 249th Street, Arlington Avenue, a line perpendicular to the easterly street line of Arlington Avenue distant 268 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Arlington Avenue and the northwesterly street line of West 246th Street, West 246th Street, Independence Avenue, West 240th Street, the centerline of the former West 240th Street and its westerly centerline prolongation, Douglass Avenue, West 235th Street, Independence Avenue, West 232nd Street, Henry Hudson Parkway, West 231st Street, Independence Avenue, the westerly centerline prolongation of West 230th Street, Palisade Avenue, a line 620 feet southerly of the westerly prolongation of the southerly street line of West 231st Street, the easterly boundary line of Penn Central R.O.W. (Metro North Hudson Line), the northerly, easterly and southeasterly boundary lines of a park and its southwesterly prolongation, Edsall Avenue (northerly portion), Johnson Avenue, the southerly boundary line of a park and its easterly and westerly prolongations, the U.S. Pierhead and Bulkhead Line, the northwesterly prolongation of the U.S. Pierhead and Bulkhead Line, and the westerly boundary line of a park and its southerly and northerly prolongations.

Borough of the Bronx, Community District 8, as shown on a diagram (for illustrative purposes only) dated May 6, 2019.

**BRONX SPECIAL DISTRICTS TEXT UPDATE
CITYWIDE N 190430(A) ZRY**

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, establishing the Special Natural Resources District (Article XIV, Chapter 3), and modifying related provisions, including regulations related to Article X, Chapter 5 (Special Natural Areas District).

**PENINSULA HOSPITAL REDEVELOPMENT PLAN
QUEENS CB -14 C 190325 ZMQ**

Application submitted by Peninsula Rockaway Limited Partnership, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 30c:

1. eliminating from within an existing R5 District, a C1-2 District, bounded by a line 420 feet southerly of Beach Channel Drive, Beach 50th Street, Rockaway Beach Boulevard, and the easterly street line of former Beach 51st Street;
2. changing from an R5 District to a C4-4 District property, bounded by Beach Channel Drive, the westerly street line of former Beach 51st Street, a line 420 feet southerly of Beach Channel Drive, Beach 50th Street, Rockaway Beach Boulevard, and Beach 53rd Street; and
3. changing from a C8-1 District to a C4-3A District property, bounded by Rockaway Beach Boulevard, a line 100 feet easterly of Beach 52nd Street, a line 85 feet northerly of Shore Front Parkway, and Beach 52nd Street;

as shown on a diagram (for illustrative purposes only) dated May 6, 2019, and subject to the conditions of CEQR Declaration E-532.

**PENINSULA HOSPITAL REDEVELOPMENT PLAN
QUEENS CB -14 N 190364 ZRQ**

Application submitted by Peninsula Rockaway Limited Partnership, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying the use provisions of Article VII, Chapter 4 and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

* * *

ARTICLE VII - ADMINISTRATION

Chapter 4 - Special Permits by the City Planning Commission

* * *

**74-74
Large-Scale General Development**

* * *

**74-744
Modification of use regulations (a) #Use# modifications**

- (1) Waterfront and related #commercial uses#

* * *

- (2) Automotive sales and service #uses#

* * *

- (3) Retail establishments

* * *

- (4) #Physical culture or health establishments#

For a #large-scale general development# located within an #MIH site#, in a C4 District within Queens Community District 14, #physical culture or health establishments# shall be permitted as-of-right. The special permit provisions of Section 73-36 (Physical Culture or Health Establishments) shall not apply.

* * *

**APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

* * *

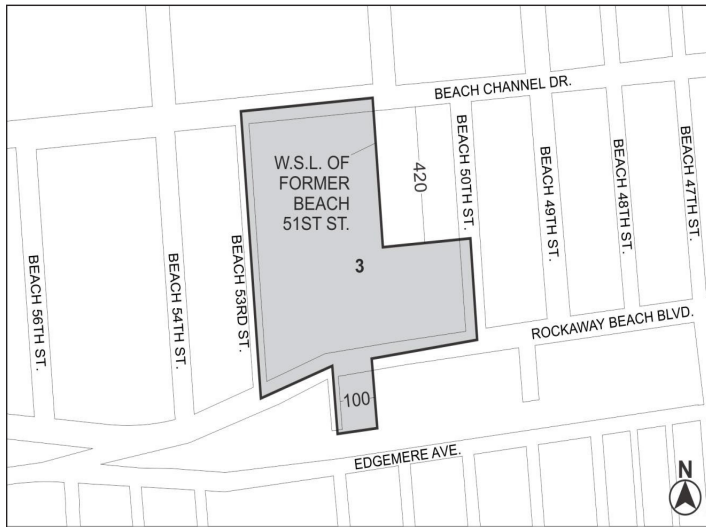
QUEENS

* * *

Queens Community District 14

* * *

Map 3 – (date of adoption)



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

Portion of Community District 14, Queens

**PENINSULA HOSPITAL REDEVELOPMENT PLAN
QUEENS CB -14 C 190366 ZSQ**

Application submitted by Peninsula Rockaway Limited Partnership, 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(a) (2) of the Zoning Resolution to modify:

1. the rear yard requirements of Section 23-533 (Required rear yard equivalents for Quality Housing buildings) and Section 35-53 (Modification of Rear Yard Requirements);
2. the side yard requirements of Section 35-54 (Special Provisions Applying Adjacent to R1 Through R5 Districts); and
3. the height and setback requirements of Section 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors) and Section 35-654 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors);

in connection with a proposed mixed used development, within a large-scale general development, on property, bounded by Beach Channel Drive, the westerly street line of former Beach 51st Street, a line 420 feet southerly of Beach Channel Drive, Beach 50th Street, Rockaway Beach Boulevard, a line 100 feet easterly of Beach 52nd Street, a line 85 feet northerly of Shore Front Parkway, Beach 52nd Street, Rockaway Beach Boulevard and Beach 53rd Street (Block 15842, Lot 1 & p/o Lot 100, Block 15843, Lot 1, and Block 15857 Lot 1 & p/o Lot 7), in a C4-4* and C4-3A* Districts.

* Note: The site is proposed to be rezoned by eliminating a C1-2 District within an existing R5 District and by changing an existing R5 and C8-1 Districts to C4-4 and C4-3A Districts under a concurrent related application for a Zoning Map change (C 190325 ZMQ).

Plans for this proposal are on file with the City Planning Commission and may be seen, at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

**PENINSULA HOSPITAL REDEVELOPMENT PLAN
QUEENS CB -14 C 190375 ZSQ**

Application submitted by Peninsula Rockaway Limited Partnership, 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(c) (1) of the Zoning Resolution to modify the surface area requirements of Section 32-64 (Surface Area and Illumination Provisions), in connection with a proposed mixed used development, within a large-scale general development, on property, bounded by Beach Channel Drive, the westerly street line of former Beach 51st Street, a line 420 feet southerly of Beach Channel Drive, Beach 50th Street, Rockaway Beach Boulevard, a line 100 feet easterly of Beach 52nd Street, a line 85 feet northerly of Shore Front Parkway, Beach 52nd Street, Rockaway Beach Boulevard and Beach 53rd Street (Block 15842, Lot 1 & p/o Lot 100, Block 15843, Lot 1, and Block 15857 Lot 1 & p/o Lot 7), in a C4-4* and C4-3A* Districts.

* Note: The site is proposed to be rezoned by eliminating a C1-2 District within an existing R5 District and by changing an existing R5 and C8-1 Districts to C4-4 and C4-3A Districts under a concurrent related application for a Zoning Map change (C 190325 ZMQ).

**PENINSULA HOSPITAL REDEVELOPMENT PLAN
QUEENS CB -14 C 190251 MMQ**

Application submitted by Peninsula Rockaway Limited Partnership, pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- the establishment of a portion of Beach 52nd Street between Rockaway Beach Boulevard and Shorefront Parkway;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5033 dated April 17, 2019 and signed by the Borough President.

The Subcommittee on Landmarks, Public Sitings, and Dispositions will hold a public hearing on the following matters in the Council Committee Room, 16th Floor, 250 Broadway, New York, NY 10007, commencing, at 1:00 P.M. on October 3, 2019:

**NME III WEST 140th & WEST 150th
MANHATTAN CB -10 C 190427 HAM**

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 207-209 West 140th Street (Block 2026, Lots 24 and 25) and 304-308 West 150th Street (Block 2045, Lot 98) as an Urban Development Action Area; and
 - b) 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 properties to a developer to be selected by HPD;

to facilitate the construction of two residential developments containing an approximate total of 52 affordable dwelling units.

**NME III WEST 140th & WEST 150th
MANHATTAN CB -10 C 190428 PQM**

Application submitted by the Department of Housing Preservation and Development, pursuant to Section 197-c of the New York City Charter, for the acquisition of property, located at 207-209 West 140th Street (Block 2026, Lots 24 and 25) and 304-308 West 150th Street (Block 2045, Lot 98) to facilitate a mixed-use development containing approximately 52 affordable housing units.

**RESILIENT HOUSING AND OPEN SPACE
BROOKLYN CBs -13, 15 C 190394 PQQ**

Application submitted by the Department of Housing Preservation and Development and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of properties located, at 3826 Cypress Avenue (Block 6973, Lot 22), 3749 Neptune Avenue (Block 7000, Lot 62), 124 Oxford Street (Block 8757, Lot 93), 12 Lake Avenue (Block 8796, Lot 55), 19 Lake Avenue (Block 8796, Lot 126), 2 Lake Avenue (Block 8796, Lot 178), 18 Stanton Road (Block 8800, Lot 92), 23 Stanton Road (Block 8800, Lot 102), 25 Stanton Road (Block 8800, Lot 187), 17 Webers Court (Block 8815, Lot 139), 25 Abbey Court (Block 8845, Lot 1976), 5 Beacon Court (Block 8845, Lot 2060), and 17 Noel Avenue (Block 8856, Lot 1656) to facilitate residential use.

**RESILIENT HOUSING AND OPEN SPACE
BROOKLYN CBs -13, 15 C 190395 PPK**

Application submitted by the Department of Housing Preservation and Development and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of properties located, at 3826 Cypress Avenue (Block 6973, Lot 22), 3749 Neptune Avenue (Block 7000, Lot 62), 124 Oxford Street (Block 8757, Lot 93), 12 Lake Avenue (Block 8796, Lot 55), 19 Lake Avenue (Block 8796, Lot 126), 2 Lake Avenue (Block 8796, Lot 178), 18 Stanton Road (Block 8800, Lot 92), 23 Stanton Road (Block 8800, Lot 102), 25 Stanton Road (Block 8800, Lot 187), 17 Webers Court (Block 8815, Lot 139), 25 Abbey Court (Block 8845, Lot 1976), 5 Beacon Court (Block 8845, Lot 2060), and 17 Noel Avenue (Block 8856, Lot 1656) to facilitate residential use.

RESILIENT HOUSING AND OPEN SPACE**QUEENS CBs -10, 14****C 190396 PCQ**

Application submitted by the Department of Housing Preservation and Development, the Department of Parks and Recreation, and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of properties located at:

Bayview Avenue & Broadway (Block 14225, Lots 178, 180), 25 Bayview Avenue (Block 14225, Lot 209), Bayview Avenue & Broadway (Block 14228, Lot 210), 145 Broadway (Block 14228, Lot 771), 160-69 Broadway (Block 14234, Lot 500), 66 Broadway (Block 14234, Lot 505), 4 Bridge Street (Block 14234, Lot 537), 25 102 Street (Block 14234, Lot 538), 2 Bridge Street (Block 14234, Lot 539), 7 Bridge Street (Block 14234, Lot 574), Broadway & 102 Street (Block 14234, Lots 580, 584 and 588), 75 Broadway (Block 14234, Lot 586), 73 Broadway (Block 14234, Lot 587) for a marsh restoration project;

592 Beach 43 Street (Block 15961, Lot 102), 596 Beach 43 Street (Block 15961, Lot 103), 598 Beach 43 Street (Block 15961, Lot 104) for a recreational use area;

455 Beach 37 Street (Block 15954, Lot 54) for an expansion to Bayswater Park; and

74-16 Hillmeyer Avenue (Block 16061, Lot 33) for an expansion to Brant Point Wildlife Sanctuary.

RESILIENT HOUSING AND OPEN SPACE**QUEENS CBs -10, 14****C 190397 PQQ**

Application submitted by the Department of Housing Preservation and Development and the Department of Citywide Administrative Services, pursuant to Section 197c of the New York City Charter, for the acquisition of properties located, at 14a Bayview Avenue (Block 14228, Lot 167), 99-01 162 Avenue (Block 14228, Lot 731), 99-41 Russell Street (Block 14231, Lot 819), 99-75 First Street (Block 14231, Lot 1120), 102-16 160 Avenue (Block 14234, Lots 280 and 281), 102-12a 160 Avenue (Block 14234, Lots 282 and 283), 102-14 Russell St (Block 14238, Lot 1044), 99-73 163 Road (Block 14243, Lot 1219), 99-69 163 Road (Block 14243, Lot 1222), 102-08 164 Road (Block 14254, Lot 1653), 99-76 165 Avenue (Block 14255, Lot 1791), 325 Bert Road (Block 15304, Lot 3), 10-11 Cross Bay Boulevard (Block 15315, Lot 43), 12 West 12 Road (Block 15317, Lot 32), 10 West 12 Road (Block 15317, Lot 33), 37 West 13 Road (Block 15317, Lot 67), 56 West 18 Road (Block 15323, Lot 17), 17 East 1 Road (Block 15376, Lot 710), 115 East 6 Road (Block 15400, Lot 10), 540 Crossbay Boulevard (Block 15400, Lot 40), 506 Cross Bay Boulevard (Block 15400, Lot 63), 18 East 6 Road (Block 15451, Lot 21), 18 East 6 Road (Block 15451, Lot 22), 9 Noel Road (Block 15452, Lot 26), 101 East 7 Road (Block 15454, Lot 31), 112 Noel Road (Block 15456, Lot 15), 206 East 6 Road (Block 15457, Lot 3), 610 Walton Road (Block 15457, Lot 30), 11 East 9 Road (Block 15460, Lot 28), 13 East 10 Road (Block 15461, Lot 30), 12-10 Cross Bay Blvd (Block 15477, Lot 18), 14-16 Cross Bay Boulevard (Block 15479, Lot 15), 12-04 Church Road (Block 15500, Lot 20), 20-14 Demerest Road (Block 15500, Lot 100), 14-50 Gipson Street (Block 15655, Lot 33), 462 Beach 43 Street (Block 15960, Lot 34), 466a Beach 43 Street (Block 15960, Lot 37), 478 Beach 43 Street (Block 15960, Lot 42), 569 Beach 43 Street (Block 15962, Lot 59), and 74-22 Alameda Avenue (Block 16062, Lot 33) for use as open space; 99-77 First Street (Block 14231, Lot 1123), 99-77 First Street (Block 14231, Lot 1124), 320 Beach 41 Street (Block 15830, Lot 20), 428 Beach 45 Street (Block 15967, Lot 14), 439 Beach 45 Street (Block 15968, Lot 92), 439 Beach 45 Street (Block 15968, Lot 94), 527 Beach 72 Street (Block 16065, Lot 48), 239 Beach 86 Street (Block 16120, Lot 65), 230 Beach 109 Street (Block 16164, Lot 20), 170 Beach 114 Street (Block 16186, Lot 65), 438 Beach 143 Street (Block 16293, Lot 60) to facilitate residential use.

RESILIENT HOUSING AND OPEN SPACE**QUEENS CBs -10, 14****C 190398 PPQ**

Application submitted by the Department of Housing Preservation and Development and the Department of Citywide Administrative Services, pursuant to Section 197c of the New York City Charter, for the disposition of properties located, at 14a Bayview Avenue (Block 14228, Lot 167), 99-01 162 Avenue (Block 14228, Lot 731), 99-41 Russell Street (Block 14231, Lot 819), 99-75 First Street (Block 14231, Lot 1120), 102-16 160 Avenue (Block 14234, Lots 280 and 281), 102-12a 160 Avenue (Block 14234, Lots 282 and 283), 102-14 Russell St (Block 14238, Lot 1044), 99-73 163 Road (Block 14243, Lot 1219), 99-69 163 Road (Block 14243, Lot 1222), 102-08 164 Road (Block 14254, Lot 1653), 99-76 165 Avenue (Block 14255, Lot 1791), 325 Bert Road (Block 15304, Lot 3), 10-11 Cross Bay Boulevard (Block 15315, Lot 43), 12 West 12 Road (Block 15317, Lot 32), 10 West 12 Road (Block 15317, Lot 33), 37 West 13 Road (Block 15317, Lot 67), 56 West 18 Road (Block 15323, Lot 17), 17 East 1 Road (Block 15376, Lot 710), 115 East 6 Road (Block 15400, Lot 10), 540 Crossbay Boulevard (Block 15400, Lot 40), 506 Cross Bay Boulevard (Block 15400, Lot 63), 18 East 6 Road (Block 15451, Lot 21), 18 East 6 Road (Block 15451, Lot 22), 9 Noel Road (Block 15452, Lot 26), 101 East 7 Road (Block 15454, Lot 31), 112 Noel Road (Block 15456, Lot 15), 206 East 6 Road (Block 15457, Lot 3),

610 Walton Road (Block 15457, Lot 30), 11 East 9 Road (Block 15460, Lot 28), 13 East 10 Road (Block 15461, Lot 30), 12-10 Cross Bay Blvd (Block 15477, Lot 18), 14-16 Cross Bay Boulevard (Block 15479, Lot 15), 12-04 Church Road (Block 15500, Lot 20), 20-14 Demerest Road (Block 15500, Lot 100), 14-50 Gipson Street (Block 15655, Lot 33), 462 Beach 43 Street (Block 15960, Lot 34), 466a Beach 43 Street (Block 15960, Lot 37), 478 Beach 43 Street (Block 15960, Lot 42), 569 Beach 43 Street (Block 15962, Lot 59), and 74-22 Alameda Avenue (Block 16062, Lot 33) for use as open space; 99-77 First Street (Block 14231, Lot 1123), 99-77 First Street (Block 14231, Lot 1124), 320 Beach 41 Street (Block 15830, Lot 20), 428 Beach 45 Street (Block 15967, Lot 14), 439 Beach 45 Street (Block 15968, Lot 92), 439 Beach 45 Street (Block 15968, Lot 94), 527 Beach 72 Street (Block 16065, Lot 48), 239 Beach 86 Street (Block 16120, Lot 65), 230 Beach 109 Street (Block 16164, Lot 20), 170 Beach 114 Street (Block 16186, Lot 65), 438 Beach 143 Street (Block 16293, Lot 60) to facilitate residential use.

RESILIENT HOUSING AND OPEN SPACE**STATEN ISLAND CBs -2, 3****C 190399 PCR**

Application submitted by the Department of Housing Preservation and Development, the Department of Parks and Recreation, the Department of Environmental Protection, and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of properties located at:

81 Andrews Street (Block 3410, Lot 60), 171 Graham Boulevard (Block 3760, Lots 33 and 35), 50 Baden Place (Block 3793, Lot 50), and 564 Lynn Street (Block 4688, Lot 30) for use as stormwater drainage features;

130 Goodall Street (Block 5309, Lot 28) and 355 Tennyson Drive (Block 5316, Lot 102) for an expansion to Crescent Beach Park;

492 Lipsett Avenue (Block 6400, Lot 49) for an expansion to Blue Heron Park; and

687 Yetman Avenue (Block 7859, Lot 40) for a shoreline protection project.

RESILIENT HOUSING AND OPEN SPACE**STATEN ISLAND CBs -2, 3****C 190400 PQR**

Application submitted by the Department of Housing Preservation and Development and the Department of Citywide Administrative Services, pursuant to Section 197c of the New York City Charter, for the acquisition of properties located at:

76 Freeborn Street (Block 3766, Lot 15), 956 Olympia Boulevard (Block 3792, Lot 9), 17 Crescent Beach (Block 5309, Lot 35) for use as open space;

13 Sunnymeade Village (Block 3122, Lot 169), 15 Sunnymeade Village (Block 3122, Lot 171), 17 Sunnymeade Village (Block 3122, Lot 173), 19 Sunnymeade Village (Block 3122, Lot 174), Sunnymeade Village (Block 3122, Lot 218), 16 Sunnymeade Village (Block 3122, Lot 220), 10 Sunnymeade Village (Block 3122, Lot 226), 123 Father Capodanno Boulevard (Block 3124, Lot 116), 320 Seaver Avenue (Block 3658, Lot 39), 350 Seaver Avenue (Block 3661, Lot 13), 398 Hamden Avenue (Block 3728, Lot 20), 181 Moreland Street (Block 3734, Lot 38), 183-185 Moreland Street (Block 3734, Lot 39), 187 Moreland Street (Block 3734, Lot 41), 176 Kiswick Street (Block 3736, Lot 20), 457 Lincoln Avenue (Block 3738, Lot 5), 111a Grimsby Street (Block 3795, Lot 37), 227a Freeborn Street (Block 3799, Lot 179), 521 Lincoln Avenue (Block 3802, Lot 5), 564b Midland Avenue (Block 3804, Lot 25), 612 Hunter Avenue (Block 3806, Lot 125), 263 Colony Avenue (Block 3811, Lot 21), 109a Mapleton Avenue (Block 3871, Lot 51), 770 Patterson Avenue (Block 3873, Lot 28), 529 Greeley Avenue (Block 3881, Lot 1), 1144 Olympia Boulevard (Block 3884, Lot 14), 1142 Olympia Boulevard (Block 3884, Lot 15), 477 Mill Road (Block 4030, Lot 24), 479 Mill Road (Block 4030, Lot 26), 90 Winham Avenue (Block 4043, Lot 66), 39 Seafoam Street (Block 4080, Lot 17), 25 Wavecrest Street (Block 4081, Lot 27), 54 Seafoam Street (Block 4081, Lot 66), 18 Center Place (Block 4084, Lot 49), 101 Cedar Grove Avenue (Block 4085, Lot 1), 16 Topping Street (Block 4085, Lot 32), 16 Topping Street (Block 4085, Lot 46), 101 Cedar Grove Avenue (Block 4085, Lot 68), 375 Milton Avenue (Block 4130, Lot 409), 208 Wiman Avenue (Block 5306, Lot 55), 214 Wiman Avenue (Block 5306, Lot 58), and 679 Yetman Avenue (Block 7859, Lot 46) to facilitate residential use.

RESILIENT HOUSING AND OPEN SPACE**STATEN ISLAND CBs -2, 3****C 190401 PPR**

Application submitted by the Department of Housing Preservation and Development and the Department of Citywide Administrative Services, pursuant to Section 197c of the New York City Charter, for the disposition of properties located at:

76 Freeborn Street (Block 3766, Lot 15), 956 Olympia Boulevard (Block 3792, Lot 9), 17 Crescent Beach (Block 5309, Lot 35) for use as open space;

13 Sunnymeade Village (Block 3122, Lot 169), 15 Sunnymeade Village (Block 3122, Lot 171), 17 Sunnymeade Village (Block 3122, Lot 173), 19 Sunnymeade Village (Block 3122, Lot 174), 18 Sunnymeade Village (Block 3122, Lot 218), 16 Sunnymeade Village (Block 3122, Lot 220), 10 Sunnymeade Village (Block 3122, Lot 226), 123 Father Capodanno Boulevard (Block 3124, Lot 116), 320 Seaver Avenue (Block 3658, Lot 39), 350 Seaver Avenue (Block 3661, Lot 13), 398 Hamden Avenue (Block 3728, Lot 20), 181 Moreland Street (Block 3734, Lot 38), 183-185 Moreland Street (Block 3734, Lot 39), 187 Moreland Street (Block 3734, Lot 41), 176 Kiswick Street (Block 3736, Lot 20), 457 Lincoln Avenue (Block 3738, Lot 5), 111a Grimsby Street (Block 3795, Lot 37), 227a Freeborn Street (Block 3799, Lot 179), 521 Lincoln Avenue (Block 3802, Lot 5), 564b Midland Avenue (Block 3804, Lot 25), 612 Hunter Avenue (Block 3806, Lot 125), 263 Colony Avenue (Block 3811, Lot 21), 109a Mapleton Avenue (Block 3871, Lot 51), 770 Patterson Avenue (Block 3873, Lot 28), 529 Greeley Avenue (Block 3881, Lot 1), 1144 Olympia Boulevard (Block 3884, Lot 14), 1142 Olympia Boulevard (Block 3884, Lot 15), 477 Mill Road (Block 4030, Lot 24), 479 Mill Road (Block 4030, Lot 26), 90 Winham Avenue (Block 4043, Lot 66), 39 Seafoam Street (Block 4080, Lot 17), 25 Wavecrest Street (Block 4081, Lot 27), 54 Seafoam Street (Block 4081, Lot 66), 18 Center Place (Block 4084, Lot 49), 101 Cedar Grove Avenue (Block 4085, Lot 1), 16 Topping Street (Block 4085, Lot 32), 16 Topping Street (Block 4085, Lot 46), 101 Cedar Grove Avenue (Block 4085, Lot 68), 375 Milton Avenue (Block 4130, Lot 409), 208 Wiman Avenue (Block 5306, Lot 55), 214 Wiman Avenue (Block 5306, Lot 58), and 679 Yetman Avenue (Block 7859, Lot 46) to facilitate residential use.

BLAKE HENDRIX - NIHOP

BROOKLYN CB - 5

20205026 HAK

Application submitted by the New York City Department of Housing Preservation and Development, pursuant to Article 16 of the General Municipal Law for an amendment to a previously approved urban development action area project located, at 586 Linwood Street (Block 4050, Lot 25); 669 Linwood Street (Block 4067, Lot 8); 806 Blake Avenue (Block 4058, Lot 18); 980 Dumont Avenue (Block 4081, Lot 23); 617 Cleveland Street (Block 4065, Lot 22); 291 Hinsdale Street (Block 3767, Lot 10); 289 Hinsdale Street (Block 3767, Lot 11); 287 Hinsdale Street (Block 3767, Lot 12); 285 Hinsdale Street (Block 3767, Lot 13); 848 Blake Avenue (Block 4060, Lot 16); and 588 Warwick Street (Block 4062, Lot 30).

EAST SIDE COASTAL RESILIENCY

MANHATTAN CB -3 and 6

C 190357 PQM

Application submitted by the Department of Transportation, the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property, located at:

1. The northeast corner of Montgomery Street and the FDR Drive, on the block, bounded by Water Street, Gouverneur Slip, the FDR Drive, and Montgomery Street (Block 244, p/o Lot 19), Manhattan Community District 3;
2. Approximately the center of the block, bounded by Delancey Street, the FDR Drive, Grand Street, and Lewis Street (Block 321, p/o Lot 1), Manhattan Community District 3;
3. The southeast corner of Columbia and East Houston Streets, on the block, bounded by East Houston Street, the FDR Drive, Delancey Street, and Columbia Street (Block 323, p/o Lot 1), Manhattan Community District 3; and
4. The west side of the FDR Drive between East 14th and East 10th Streets (Block 367, p/o Lot 1), Manhattan Community District 3;
5. The west side of the FDR Drive between East 15th and East 14th Streets (Block 988, p/o Lot 1), Manhattan Community District 6;
6. The west side of the FDR Drive between Avenue C and the FDR Drive (Block 990, p/o Lot 1), Manhattan Community District 6;
7. The southwest corner East 25th Street and Asser Levy Place, on the block, bounded by East 25th Street, Asser Levy Place, East 23rd Street, and First Avenue (Block 995, p/o Lot 5), Manhattan Community District 6; and
8. Part of the east side of the FDR Drive Right of Way between Avenue C and East 15th Street, Manhattan Community District 6;

for a flood protection system.

EAST SIDE COASTAL RESILIENCY

MANHATTAN CB -6

N 190356 ZRM

Application submitted by the New York City Department of Small Business Services, pursuant to Section 201 of the New York City Charter, for an amendment of Article VI, Chapter 2 (Special

Regulations Applying in the Waterfront Area) of the Zoning Resolution of the City of New York, modifying special regulations for zoning lots that include parks located in a marginal street, wharf or place in an M1-1 District.

Matter underlined is new, to be added;

Matter ~~struck out~~ is old, to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution.

ARTICLE VI - SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS

Chapter 2 - Special Regulations Applying in the Waterfront Area

* * *

62-59

Special Regulations for Zoning Lots That Include Parks

* * *

(c) In order to implement a portion of the East Side Coastal Resiliency Project described in the Final Environmental Impact Statement (FEIS) dated [date of final FEIS], located in a marginal street, wharf or place used as a park, in an M1-1 District located in Manhattan Community District 6, for #zoning lots predominantly developed# as a park, the requirements of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), inclusive, and Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, shall be deemed satisfied, and the certification, pursuant to Section 62-811 (Waterfront public access and visual corridors) shall not be required, provided that:

(1) the park will be open and accessible to the public, at a minimum from dawn to dusk, except when hazardous conditions are present that would affect public safety; and

(2) a maintenance and operation agreement providing for the maintenance and operation of the park in good condition is entered into with the City of New York, except that no such maintenance and operation agreement shall be required for a park developed and maintained by the State or the City of New York, any subdivision or agency of the State or the City, or any public authority or other entity created, pursuant to State or local statute for the purpose of operating such a park.

No excavation or building permit shall be issued within such #zoning lot predominantly developed# as a park, for the portion of the Coastal Resiliency Project implemented, pursuant to this paragraph (c), until all applicable Federal, State and local permits and approvals have been received, including, without limitation, permits and approvals of the New York State Department of Environmental Conservation.

* * *

Accessibility questions: Land Use Division - (212) 482-5154, by: Monday, September 30, 2019, 3:00 P.M.



s27-o3

CITY UNIVERSITY

■ PUBLIC HEARINGS

The Annual Manhattan Borough Hearing, will take place, on Monday, October 21, 2019, at 4:30 P.M., Hunter College, the Silberman School of Social Work, 1st Floor, Conference Room (Rooms 115/116), 2180 Third Avenue, New York, NY 10035.

◀ s30

COMMUNITY BOARDS

■ PUBLIC HEARINGS

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 11 - Thursday, October 10, 2019, 7:30 P.M., Bensonhurst Center for Rehabilitation and Healthcare, 1740 84th Street, Brooklyn.

Draft of Capital and Expense Budget Recommendations for Fiscal Year 2021.

s26-o10

ECONOMIC DEVELOPMENT CORPORATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Real Property Acquisitions and Dispositions Public Hearing, will be held on Monday, October 7, 2019, at 1 Centre Street, 20th Floor, Conference Room D, Borough of Manhattan, commencing at 10:00 A.M., relative to the conveyance of property, located at 121 West 125th Street, New York, NY 10027, Tax Block 1910, p/o Lot 1. The project site is comprised of a parcel of land in Central Harlem, Borough of Manhattan, situated between Adam Clayton Powell Boulevard and Lenox Avenue on the north side of 125th Street, within a C4-7 zoning district. The proposed action is a conveyance of the project site, by quitclaim deed, from the City of New York (the "City") to the New York State Urban Development Corporation d/b/a Empire State Development ("ESD"), pursuant to Section 14 of the New York State Urban Development Corporation Act, Chapter 174, Section 1 of the Laws of 1968, as amended (the "UDC Act"). Total consideration for the proposed conveyance is Twelve Million Dollars (\$12,000,000.00). The proposed action will facilitate an initiative by ESD, to implement approximately 413,000 gross square feet of mixed-use residential, commercial and civic development in accordance with the Modified General Project Plan for the 121 West 125th Street (Urban League Empowerment Center) Land Use Improvement and Civic Project (the "Project"). The Project will consist of a residential development (comprising approximately 171 dwelling units, of which approximately 70% will be affordable to households earning between 40% and 80% of Area Median Income and approximately 30% of which will be supportive housing units); retail space; a conference center; office space for the National Headquarters of the National Urban League; cultural space dedicated to a civil rights museum; a community facility; and additional commercial office space.

The project site is currently improved with a 160,000 gross square foot structure consisting of a 304-space public parking garage and 6 retail stores at grade level.

Pursuant to Section 14 of the UDC Act, by letter dated July 30, 2019, the President of ESD requested that the City convey its ownership interest in the property to ESD, and certified that the conveyance is necessary and convenient for ESD's corporate purposes, specifically for the implementation of the Project.

The discretionary actions required for the proposed project include: Conveyance of City-Owned property to ESD for the purpose of subsequent development; An Environmental Assessment Statement was conducted in 2008, pursuant to the State Environmental Quality Review Act (SEQRA) and concluded that there were no negative environmental impacts that could result from the implementation of the Project. Subsequently, a Technical Memorandum was produced in July 2019 which concluded that the latest proposed development program would not result in any significant adverse impacts beyond those disclosed in the 2008 environmental review.

This Notice of Public Hearing has been prepared, pursuant to the New York State Urban Development Corporation Act, Chapter 174, Section 1 of the Laws of 1968, as amended.

s23-o4

INDEPENDENT BUDGET OFFICE

■ NOTICE

The New York City Independent Budget Office Advisory Board, will hold a meeting on Wednesday, October 2, beginning at 8:30 A.M., at the offices of the NYC Independent Budget Office, 110 William Street, 14th Floor. There will be an opportunity for the public to address the advisory board during the public portion of the meeting.

Accessibility questions: Doug Turetsky (212) 442-0629, dought@ibo.nyc.ny.us, by: Tuesday, October 1, 2019, 5:00 P.M.



s24-o2

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, October 8, 2019, a public hearing will be held, at 1 Centre

Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact the Landmarks Commission, no later than five (5) business days before the hearing or meeting.

27 Cranberry Street - Brooklyn Heights Historic District
LPC-20-01971 - Block 215 - Lot 21 - **Zoning: R6**
CERTIFICATE OF APPROPRIATENESS

A vacant lot. Application is to construct a new building.

329 Vanderbilt Avenue - Clinton Hill Historic District
LPC-19-33357 - Block 1929 - Lot 2 - Zoning: R6B
CERTIFICATE OF APPROPRIATENESS

A carriage house, built in 19th century. Application is to alter the front and rear facades, remove a rear addition, and construct a rooftop addition.

244 Front Street - South Street Seaport Historic District
LPC-19-12027 - Block 107 - Lot 35 - **Zoning:**
CERTIFICATE OF APPROPRIATENESS

A vernacular style commercial building, with cast-iron shopfronts built in 1853. Application is to alter the rear façade to create recessed porches.

21 Greenwich Avenue - Greenwich Village Historic District
LPC-20-01939 - Block 610 - Lot 53 - **Zoning: C1-6**
CERTIFICATE OF APPROPRIATENESS

A Greek Revival style house, built in 1841. Application is to demolish a one-story extension, and construct a new building, stair and elevator bulkheads; install rooftop mechanical equipment; construct a rooftop addition; and modify an opening, at the ground floor.

61 7th Avenue South - Greenwich Village Historic District
Extension II
LPC-19-39118 - Block 587 - Lot 21 - **Zoning: C2-6**
CERTIFICATE OF APPROPRIATENESS

Two Rowhouses with commercial ground floor, originally built c. 1832, and altered extensively. Application is to modify an opening and install a ramp.

418 West 20th Street - Chelsea Historic District
LPC-20-02270 - Block 717 - Lot 53 - **Zoning: R8B**
CERTIFICATE OF APPROPRIATENESS

A Greek Revival style rowhouse, built in 1839-40. Application is to construct rear yard addition, excavate the rear yard and alter the rear facade.

547 West 26th Street - West Chelsea Historic District
LPC-20-02382 - Block 698 - Lot 10 - **Zoning: M1-5**
CERTIFICATE OF APPROPRIATENESS

A utilitarian garage, designed by Charles H. Caldwell and built in 1912-14. Application is to modify a masonry opening and install and replace doors.

319 West 84th Street - Riverside - West End Historic District
Extension I
LPC-20-00297 - Block 1246 - Lot 24 - **Zoning: R8B**
CERTIFICATE OF APPROPRIATENESS

A Romanesque Revival Style rowhouse, designed by George F. Pelham and built c. 1893-94. Application is to construct rear yard and rooftop additions.

155th Street Viaduct - Individual Landmark
LPC-19-39184 - Block - Lot - **Zoning:**
BINDING REPORT

A truss bridge and viaduct, designed by Alfred Pancoast Boller and built in 1890-95. Application is to install bus stops and alter railings.

4601 Fieldston Road - Fieldston Historic District
LPC-20-00947 - Block 5821 - Lot 2910 - **Zoning: R1-2**
CERTIFICATE OF APPROPRIATENESS

A Georgian Revival style house, designed by Dwight James Baum and built in 1927-1928. Application is to install fencing.

s25-o8

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing, by the New York City Department of Transportation. The hearing, will be held, at 55 Water Street, 9th Floor, Room 945, commencing at 2:00 P.M., on Wednesday, October 2, 2019. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice), at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 IN THE MATTER OF a proposed revocable consent authorizing 191 Douglass Realty, Inc., to construct, maintain and use a force main, encased in a concrete conduit, together with a manhole under Douglass Street, between Gowanus Canal and Bond Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2483**

From the Approval Date by the Mayor to June 30, 2020 - \$3,073/per annum

- For the period July 1, 2020 to June 30, 2021 - \$3,121
- For the period July 1, 2021 to June 30, 2022 - \$3,169
- For the period July 1, 2022 to June 30, 2023 - \$3,217
- For the period July 1, 2023 to June 30, 2024 - \$3,265
- For the period July 1, 2024 to June 30, 2025 - \$3,313
- For the period July 1, 2025 to June 30, 2026 - \$3,36
- For the period July 1, 2026 to June 30, 2027 - \$3,409
- For the period July 1, 2027 to June 30, 2028 - \$3,457
- For the period July 1, 2028 to June 30, 2029 - \$3,505
- For the period July 1, 2029 to June 30, 2030 - \$3,553

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

#2 IN THE MATTER OF proposed revocable consent authorizing ASM LLC, to construct, maintain and use a force main, encased in a concrete conduit, together with a manhole under Douglass Street, between Gowanus Canal and Bond Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2484**

From the Approval Date by the Mayor to June 30, 2020 - \$3,221/per annum

- For the period July 1, 2020 to June 30, 2021 - \$3,271
- For the period July 1, 2021 to June 30, 2022 - \$3,321
- For the period July 1, 2022 to June 30, 2023 - \$3,371
- For the period July 1, 2023 to June 30, 2024 - \$3,421
- For the period July 1, 2024 to June 30, 2025 - \$3,471
- For the period July 1, 2025 to June 30, 2026 - \$3,521
- For the period July 1, 2026 to June 30, 2027 - \$3,571
- For the period July 1, 2027 to June 30, 2028 - \$3,621
- For the period July 1, 2028 to June 30, 2029 - \$3,671
- For the period July 1, 2029 to June 30, 2030 - \$3,721

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

#3 IN THE MATTER OF a proposed revocable consent authorizing Bronx Commons Housing Development Fund Corporation, to construct, maintain and use an ADA accessible ramp, with steps on the south sidewalk of East 163rd Street, east of Melrose Avenue, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and schedule: **R.P. # 2487**

From the Approval Date to June 30, 2029 - \$25/per annum

the maintenance of a security deposit in the sum of \$15,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#4 IN THE MATTER OF a proposed revocable consent authorizing Cooper Union for the Advancement of Science and Art, to continue to maintain and use conduits under and along the easterly sidewalk of Fourth Avenue, between East 7th Street and Astor Place, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #628**

- For the period July 1, 2019 to June 30, 2020 - \$6,917
- For the period July 1, 2020 to June 30, 2021 - \$7,022
- For the period July 1, 2020 to June 30, 2022 - \$7,127
- For the period July 1, 2022 to June 30, 2023 - \$7,232
- For the period July 1, 2023 to June 30, 2024 - \$7,337
- For the period July 1, 2024 to June 30, 2025 - \$7,442
- For the period July 1, 2025 to June 30, 2026 - \$7,547
- For the period July 1, 2026 to June 30, 2027 - \$7,652
- For the period July 1, 2027 to June 30, 2028 - \$7,757
- For the period July 1, 2028 to June 30, 2029 - \$7,862

the maintenance of a security deposit in the sum of \$7,900 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#5 IN THE MATTER OF a proposed revocable consent authorizing Cooper Union for the Advancement of Science and Art, to continue to maintain and use conduits under, along and across Third Avenue, at East 7th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #629**

- For the period July 1, 2019 to June 30, 2020 - \$5,237
- For the period July 1, 2020 to June 30, 2021 - \$5,317
- For the period July 1, 2021 to June 30, 2022 - \$5,397
- For the period July 1, 2022 to June 30, 2023 - \$5,477
- For the period July 1, 2023 to June 30, 2024 - \$5,557
- For the period July 1, 2024 to June 30, 2025 - \$5,637
- For the period July 1, 2025 to June 30, 2026 - \$5,717
- For the period July 1, 2026 to June 30, 2027 - \$5,797
- For the period July 1, 2027 to June 30, 2028 - \$5,877
- For the period July 1, 2028 to June 30, 2029 - \$5,957

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

#6 IN THE MATTER OF a proposed revocable consent authorizing CBP 441 Ninth Avenue Owner LLC, to construct, maintain and use electrical sockets and conduits on the north sidewalk of West 34th Street west of 9th Avenue; south sidewalk of West 35th Street west of 9th Avenue and on the west sidewalk of 9th Avenue north of West 34th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2485**

From the approval Date to June 30, 2020 - \$1,739/per annum

- For the period July 1, 2020 to June 30, 2021 - \$1,762
- For the period July 1, 2021 to June 30, 2022 - \$1,785
- For the period July 1, 2022 to June 30, 2023 - \$1,808
- For the period July 1, 2023 to June 30, 2024 - \$1,831
- For the period July 1, 2024 to June 30, 2025 - \$1,854
- For the period July 1, 2025 to June 30, 2026 - \$1,877
- For the period July 1, 2026 to June 30, 2027 - \$1,900
- For the period July 1, 2027 to June 30, 2028 - \$1,923
- For the period July 1, 2028 to June 30, 2029 - \$1,946
- For the period July 1, 2029 to June 30, 2030 - \$1,969

the maintenance of a security deposit in the sum of \$18,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#7 IN THE MATTER OF a proposed revocable consent authorizing George Roger Waters, to continue to maintain and use steps and planted area, together with trash receptacle on the north sidewalk of East 61st Street, between Lexington Avenue and Third Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2013 to June 30, 2023 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1851**

For the period July 1, 2013 to June 30, 2023 - \$153/per annum

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

#8 IN THE MATTER OF a proposed revocable consent authorizing Jaren Elizabeth Janghorbani and Alexander Javad Janghorbani, to continue to maintain and use a stoop, stairs and planted area on the north sidewalk of State Street, east of smith Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2015 to June 30, 2025 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1931**

- For the period July 1, 2015 to June 30, 2016 - \$1,154
- For the period July 1, 2016 to June 30, 2017 - \$1,154
- For the period July 1, 2017 to June 30, 2018 - \$1,154
- For the period July 1, 2018 to June 30, 2019 - \$1,154
- For the period July 1, 2019 to June 30, 2020 - \$1,176

For the period July 1, 2020 to June 30, 2021 - \$1,194
 For the period July 1, 2021 to June 30, 2022 - \$1,212
 For the period July 1, 2022 to June 30, 2023 - \$1,230
 For the period July 1, 2023 to June 30, 2024 - \$1,248
 For the period July 1, 2024 to June 30, 2025 - \$1,266

the maintenance of a security deposit in the sum of \$3,700 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#9 IN THE MATTER OF a proposed revocable consent authorizing Raven Hall Housing Development Fund Corporation and Raven Hall Moderate LLC, to construct, maintain and use flood mitigation system components in and under the south sidewalk of surf Avenue, west of West 20th Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2481**

In accordance with Title 34, Section 7-04(a)(37) of the Rules of the City of New York, the Grantee shall make one payment of \$2,000 for the period of the Approval Date to June 30, 2030.

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

#10 IN THE MATTER OF a proposed revocable consent authorizing Richard Ogust, to construct, maintain and use overhead building projections and to continue to maintain and use stairs to the cellar, together with a fence on the south sidewalk of Broome Street west of Eldridge Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2482**

From the approval Date to June 30, 2020 - \$3,000/per annum
 For the period July 1, 2020 to June 30, 2021 - \$3,046
 For the period July 1, 2021 to June 30, 2022 - \$3,092
 For the period July 1, 2022 to June 30, 2023 - \$3,138
 For the period July 1, 2023 to June 30, 2024 - \$3,184
 For the period July 1, 2024 to June 30, 2025 - \$3,230
 For the period July 1, 2025 to June 30, 2026 - \$3,276
 For the period July 1, 2026 to June 30, 2027 - \$3,322
 For the period July 1, 2027 to June 30, 2028 - \$3,368
 For the period July 1, 2028 to June 30, 2029 - \$3,414
 For the period July 1, 2029 to June 30, 2030 - \$3,460

the maintenance of a security deposit in the sum of \$7,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#11 IN THE MATTER OF a proposed revocable consent authorizing Robert Watt and Dawn Bradford-Watt, to continue to maintain and use a stoop and a fenced-in area on the south sidewalk of Amity Street, between Henry and Clinton Streets, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2090**

For the period July 1, 2019 to June 30, 2029 - \$25/per annum

the maintenance of a security deposit in the sum of \$4,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#12 IN THE MATTER OF a proposed revocable consent authorizing Sprint Communications Company LP, to continue to maintain and use conduits in West 15th Street, West 16th Street, eighth Avenue and Ninth Avenue, and cables in the existing facilities of the Empire City Subway Company, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1633**

For the period July 1, 2019 to June 30, 2020 - \$192,656
 For the period July 1, 2020 to June 30, 2021 - \$195,591
 For the period July 1, 2021 to June 30, 2022 - \$198,526
 For the period July 1, 2022 to June 30, 2023 - \$201,461
 For the period July 1, 2023 to June 30, 2024 - \$204,396
 For the period July 1, 2024 to June 30, 2025 - \$207,331

For the period July 1, 2025 to June 30, 2026 - \$210,266
 For the period July 1, 2026 to June 30, 2027 - \$213,201
 For the period July 1, 2027 to June 30, 2028 - \$216,136
 For the period July 1, 2028 to June 30, 2029 - \$219,071

the maintenance of a security deposit in the sum of \$119,077 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#13 IN THE MATTER OF a proposed revocable consent authorizing Tiffany Beck Housing Development Fund Corporation, to construct, maintain and use fenced-in planted areas on the west sidewalks of beck and Tiffany Streets, between Intervale Avenue and East 163rd Street, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2486**

From the date of the final approval by the Mayor (the "Approval Date") to June 30, 2029 - \$717/per annum.

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

#14 IN THE MATTER OF a proposed revocable consent authorizing Turner Homeowners Association, Inc., to continue to maintain and use a force main, together with a manhole under and across Turner Street and under and along Crabtree Avenue, north of Turner Street, in the Borough of Staten Island. The proposed revocable consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2107**

For the period July 1, 2019 to June 30, 2020 - \$4,654
 For the period July 1, 2020 to June 30, 2021 - \$4,725
 For the period July 1, 2021 to June 30, 2022 - \$4,796
 For the period July 1, 2022 to June 30, 2023 - \$4,867
 For the period July 1, 2023 to June 30, 2024 - \$4,938
 For the period July 1, 2024 to June 30, 2025 - \$5,009
 For the period July 1, 2025 to June 30, 2026 - \$5,080
 For the period July 1, 2026 to June 30, 2027 - \$5,151
 For the period July 1, 2027 to June 30, 2028 - \$5,222
 For the period July 1, 2028 to June 30, 2029 - \$5,293

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

#15 IN THE MATTER OF a proposed Fifth Modification to a revocable consent authorizing Consolidated Edison Company of NY, Inc., to construct, maintain and use additional improvements ancillary to, but not within, a franchise granted prior to July 1, 1990, specifically located in the Borough of the Bronx. The improvements consist of an additional 82 Structures, beyond those 650 Structures already approved through the Fourth Modification, on the tops and sides of New York City Department of Transportation street light poles in connection with Smart Grid or AMI. **R.P. #2181**

For the period July 1, 2019 to June 30, 2020 - \$993,794 + \$1,500/per subsequent location/per annum (prorated from the Approval Date by the Mayor and this payment only to be made within thirty days after Grantor's notice to Grantee of the Approval Date)

For the period July 1, 2020 to June 30, 2021 - \$1,124,750
 For the period July 1, 2021 to June 30, 2022 - \$1,131,088

the maintenance of a security deposit in the sum of \$75,000 and the insurance shall be in the amount of Seven Million Five Hundred Thousand Dollars (\$7,500,000) per occurrence for bodily injury and property damage, Seven Million Five Hundred Thousand Dollars (\$7,500,000) for personal and advertising injury, Seven Million Five Hundred Thousand Dollars (\$7,500,000) aggregate, and Ten Million Dollars (\$10,000,000) products/completed operations.

#16 IN THE MATTER OF a proposed revocable consent authorizing Times Square Hotel Owner LLC, to construct, maintain and use an overhead building projection, consisting of balconies, escalators and a stage on the east side of Seventh Avenue, between West 46th Street and west 47th Street, and on the south side of West 47th Street, between Seventh Avenue and Sixth Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2429**

From the approval Date to June 30, 2020 - \$311,073/per annum
 For the period July 1, 2020 to June 30, 2021 - \$315,885
 For the period July 1, 2021 to June 30, 2022 - \$320,697
 For the period July 1, 2022 to June 30, 2023 - \$325,509
 For the period July 1, 2023 to June 30, 2024 - \$330,321
 For the period July 1, 2024 to June 30, 2025 - \$335,133
 For the period July 1, 2025 to June 30, 2026 - \$339,945
 For the period July 1, 2026 to June 30, 2027 - \$344,757
 For the period July 1, 2027 to June 30, 2028 - \$349,569
 For the period July 1, 2028 to June 30, 2029 - \$354,381
 For the period July 1, 2029 to June 30, 2030 - \$359,193

the maintenance of a security deposit in the sum of \$360,000 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

s12-o2

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

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

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

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

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

s4-f22

OFFICE OF CITYWIDE PROCUREMENT

■ NOTICE

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

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

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

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

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

j2-d31

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

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

j9-30

POLICE

■ NOTICE

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

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

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

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

INQUIRIES

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

FOR MOTOR VEHICLES (All Boroughs):

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

FOR ALL OTHER PROPERTY

- Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906
- Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675
- Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806
- Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678
- Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484

j2-d31

PROCUREMENT

“Compete To Win” More Contracts!

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

- Win More Contracts, at nyc.gov/competetowin

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

HHS ACCELERATOR

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York (“PPB Rules”), vendors must first complete and submit an electronic prequalification application using the City’s Health and Human Services (HHS) Accelerator System. The HHS Accelerator System is a web-based system maintained by the City of New York for use by its human services Agencies to manage procurement. The process removes redundancy

by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding are more focused on program design, scope, and budget.

Important information about the new method

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

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

Participating NYC Agencies

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

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

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

CHIEF MEDICAL EXAMINER

PROCUREMENT

■ AWARD

Goods

ONE TIME DELIVERY FOR REFRIGERANT PUMP - Small Purchase - PIN# 20R0521MJ - AMT: \$38,335.00 - TO: Jamaica Hardware and Paints Inc., 131-01 Jamaica Avenue, Richmond Hill, NY 11418.

Non-Competitive MWBE Small Purchase.

← s30

■ INTENT TO AWARD

Goods

PROMEGA LABORATORY EQUIPMENT - Sole Source - Available only from a single source - PIN# 81618ME006-1 - Due 10-3-19 at 11:00 A.M.

NYC Office of Chief Medical Examiner, intends to enter into a sole source contract, with Promega Corporation, for the provision of Promega’s PowerSeq CRM Nested System (custom), and the PowerSeq Quant MS System (500 reactions), for use in our Forensic Laboratory.

Any vendor who is capable of providing this product, to the NYC Office of Chief Medical Examiner, may express their interests, in writing, to Vilma Johnson, Contract Officer, Office of Chief Medical Examiner, 421 East 26th Street, New York, NY 10016.

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.

Chief Medical Examiner, 421 East 26th Street, 10th Floor, New York, NY 10016. Vilma Johnson (212) 323-1729; Fax: (646) 500-5542; vjohnson@ocme.nyc.gov

s26-o2

COMPTROLLER

ADMINISTRATION

■ INTENT TO AWARD

Goods and Services

TEAMMATE SOFTWARE SUBSCRIPTION - Sole Source - Available only from a single source - PIN# 01520BIS40732 - Due 10-14-19 at 5:00 P.M.

The New York City Comptroller’s Office, intends to enter into a Sole Source procurement, in accordance with Section 3-05 of the New York City Procurement Policy Board Rules with Wolters Kluwer Financial Services Inc., to renew Teammate Software Licenses for the period from 10/1/2019 to 9/30/2020 with one (1) year renewal option. Wolters Kluwer Financial Services Inc., is the only provider of the software package “TeamMate”.

Any qualified vendor that wishes to express interest in providing such product, and believes that at present or in the future it can also provide this requirement, is invited to do so by submitting an expression of interest which must be received no later than October 14, 2019, at 5:00 P.M. to the Purchasing Department, 1 Centre Street, Room 701, New York, NY 10007, Attn: Bernarda Ramirez, DACCO, (212) 669-7302; bramire@comptroller.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.

Comptroller, One Centre Street, Room 701, New York, NY 10007. Bernarda Ramirez (212) 669-7302; bramire@comptroller.nyc.gov

s27-o3

DESIGN AND CONSTRUCTION

PROFESSIONAL CONTRACTS

■ AWARD

Construction/Construction Services

DCE-SM, ARCHITECTURAL AND ENGINEERING DESIGN REQUIREMENTS CONTRACT FOR SMALL PROJECTS, CITYWIDE - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# 8502016VP0008P - AMT: \$3,000,000.00 - TO: Rice Architecture P.C. dba Rice plus Lipka Architects, 40 Worth Street, Room 828, New York, NY 10013.

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EDUCATION

CONTRACTS AND PURCHASING

■ SOLICITATION

Goods and Services

FAMILY AND COMMUNITY ENGAGEMENT SERVICES FOR EARLY CHILDHOOD EDUCATION - Request for Proposals - PIN# R1271040 - Due 10-28-19 at 1:00 P.M.

TO ALL VENDORS: THIS SOLICITATION IS OPEN INDEFINITELY. THE INITIAL PROPOSAL SUBMISSION.

Pre-Proposal Conference: October 8, 2019, from 11:00 A.M. to 12:00 P.M., at St. Francis College Founders Hall, 180 Remsen Street, Brooklyn Heights, NY 11201.

Please note that ALL proposals are due, at 65 Court Street, Room 1201, Brooklyn, NY 11201, Attn: Bid Unit/Vendor Resources. To download, go to <https://infohub.nyced.org/resources/vendors/open-doe-solicitations/open-multiple-task-award-contracts-and-procurements>. If you cannot download, send an email, to vendorhotline@schools.nyc.gov. Include your company’s name, address, phone and fax numbers, email address, Tax ID Number, MTAC Number and Title.

The NYCDOE, on behalf of the Division of Early Childhood Education, is seeking proposals, from organizations and individuals experienced in providing high quality family and community engagement services, within the education setting. Partner organizations, will support the differing needs of families across New York City, by providing trainings, workshops, and professional learning services, to enhance the quality of family and community engagement.

There are 11 components to this solicitation. Proposers may address any or all components listed below.

- (1) Professional Learning Services
- (2) Focus Groups
- (3) Family Engagement
- (4) Community Engagement
- (5) In-Person Mental Health Services
- (6) Dental and Oral Health Services
- (7) Vision Services
- (8) Hearing Services
- (9) Nutrition Services
- (10) Overall Physical Health
- (11) School Enrollment Services

Questions regarding this solicitation, should be addressed, to ISPSupport@schools.nyc.gov, no later than October 9th, 2019. Subsequent amendments and answers will be posted, to https://infohub.nyc.ed.org/resources/vendors/open-doe-solicitations/open-multiple-task-award-contracts-and-procurements. Review this site periodically, for important updates.

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

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

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

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ENVIRONMENTAL PROTECTION

CONTRACT MANAGEMENT OFFICE

SOLICITATION

Services (other than human services)

1514 PM: POST CLOSURE MANAGEMENT CONSULTANT SERVICES FOR THE PENNSYLVANIA AVENUE AND FOUNTAIN AVENUE LANDFILLS - Request for Proposals - PIN#826191514PM - Due 11-12-19 at 4:00 P.M.

The New York City Department of Environmental Protection (DEP); Bureau of Wastewater Treatment (BWT) requires an engineering consultant, to assist in managing the varied post-closure tasks, for the Pennsylvania Avenue Landfill (PAL) and Fountain Avenue Landfill (FAL), located in Brooklyn, NY.

Minimum Qualification Requirements: None.

Pre-Proposal Conference: October 10, 2019, 10:00 A.M.; Fountain Avenue Landfill Trailer, Conference Room, 920 Fountain Avenue, Brooklyn, NY 11208.

Attendance by Proposers is optional, but recommended. A maximum of two people from each Proposer may attend.

A Site Visit is scheduled, to immediately follow the Pre-Proposal Conference, at 11:00 A.M., at the Fountain Avenue Landfill.

A LL1 City MWBE goal has been established.

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.

Environmental Protection, 59-17 Junction Boulevard, Flushing, NY 11373. Jeanne Schreiber (718) 595-3456; Fax: (718) 595-3278; rfp@dep.nyc.gov

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HEALTH AND MENTAL HYGIENE

AWARD

Human Services/Client Services

MENTAL HEALTH SERVICES, SUPPORTED HOUSING.

- Request for Proposals - PIN#19AZ010011R0X00 - AMT: \$7,382,735.00 - TO: Under 21, 550 10th Avenue, New York, NY 10018-1123.

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HEALTH CARE MANAGEMENT SERVICES INCLUDING

MANAGED ARE SERV. - Request for Proposals - PIN#17ET006903R1X00 - AMT: \$500,000.00 - TO: Special Pathogens Laboratory LLC., 1401 Forbes Avenue, Pittsburgh, PA 15219-5100.

s30

Services (other than human services)

LABORATORY AND FIELD TESTING SERVICES NOT

OTHERWISE CLASSIF. - Negotiated Acquisition - Other - PIN#17ET006901R1X00 - AMT: \$500,000.00 - TO: Emlab P and K LLC, 3000 Lincoln Drive East, Suite A, Marlton, NJ 08053-1500.

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HOUSING AUTHORITY

FINANCE - RISK MANAGEMENT

SOLICITATION

Services (other than human services)

EXCESS WORKERS' COMPENSATION - Request for Proposals - PIN#WC2020 - Due 10-14-19 at 3:00 P.M.

Invitation for Bids for Excess Workers' Compensation and Employer's Liability Insurance, open to qualified insurers 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.

Housing Authority, Edgewood Partners Insurance Center, 3 Landmark Square, 4th Floor, Stamford, CT 06901-2515. Timothy Ward (203) 658-0514; Fax: (203) 724-0864; timothy.ward@epicbrokers.com; mariariccardelli@epicbrokers.com

s30

PARKS AND RECREATION

VENDOR LIST

Construction Related Services

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

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

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

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

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

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

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

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. *Parks and Recreation, Olmsted Center Annex, Flushing Meadows-Corona Park, Flushing, NY 11368. Alicia H. Williams (718) 760-6925; Fax: (718) 760-6885; dmwbe.capital@parks.nyc.gov*

j2-d31

REVENUE

■ SOLICITATION

Services (other than human services)

RFP FOR THE FOR THE OPERATION, RENOVATION, AND MAINTENANCE OF TWO FOOD SERVICE FACILITIES ON THE HUTCHINSON RIVER PKWY - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# X101-O-R-2019 - Due 10-23-19 at 3:00 P.M.

In accordance with Section 1-13 of the Rules of the Franchise and Concession Review Committee ("FCRC"), the New York City Department of Parks and Recreation ("Parks"), is issuing, as of the date of this notice, a Request for Proposals (RFP), for the operation, renovation, and maintenance of two food service facilities, on the Hutchinson River Parkway (Northbound and Southbound), near the Westchester Avenue Exit, Bronx, NY.

All proposals submitted in response to this RFP, must be submitted no later than Wednesday, October 23, 2019, at 3:00 P.M. There will be a recommended proposer meeting and site tour, on Wednesday, October 2nd, 2019, at 12:00 P.M. We will be meeting, at the proposed concession site (northbound station), which is located at 1320 Hutchinson River Parkway, Bronx, NY 10461. If you are considering responding to this RFP, please make every effort to attend this recommended meeting and site tour.

Hard copies of the RFP can be obtained, at no cost, commencing on Wednesday, September 18, 2019, through Wednesday, October 23, 2019, between the hours of 9:00 A.M. and 5:00 P.M., excluding weekends and holidays, at the Revenue Division of the New York City Department of Parks and Recreation, which is located at 830 Fifth Avenue, Room 407, New York, NY 10065.

The RFP is also available for download, commencing on Wednesday, September 18, 2019 through Wednesday, October 23, 2019, on Parks' website. To download the RFP, visit <http://www.nyc.gov/parks/businessopportunities>, and click on the "Concessions Opportunities at Parks" link. Once you have logged in, click on the "download" link that appears adjacent to the RFP's description.

For more information or to request to receive a copy of the RFP by mail, prospective proposers may contact the Revenue Division's Senior Project Manager, Sophia Filippone, at (212) 360-3490, or at Sophia.Filippone@parks.nyc.gov.

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

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

Parks and Recreation, The Arsenal, 830 5th Avenue, Room 407, New York, NY, 10065. Sophia Filippone (212) 360-3490; sophia.filippone@parks.nyc.gov

s18-o1

■ AWARD

Services (other than human services)

NOTICE OF AWARD FOR AMENDED LICENSE AGREEMENT PROSPECT PARK TENNIS - Sole Source - Available only from a single source - PIN# B68-IT

The City of New York Department of Parks and Recreation ("Parks"), has amended the existing license agreement, between Parks and Prospect Park Alliance, Inc. ("Licensee"), of 95 Prospect Park West, Brooklyn, NY 11215, for the construction of a tennis clubhouse and the operation, maintenance, and management of a year-round tennis facility, at the Parade Ground, Prospect Park, Brooklyn, NY. The amendment, among other things, extends the agreement for one (1) year through October 12, 2019, with an additional one (1)-year renewal option, to be exercised, at the sole discretion of Parks.

Compensation to the City will be as follows: Licensee shall pay to the City license fees consisting of the greater of a guaranteed minimum annual fee versus a percentage of gross receipts. Operating Year 16 (October 13, 2018 – October 12, 2019): \$135,000 vs. 10 percent of gross receipts, plus 2 percent of gross receipts over \$1,700,000; Option Year 1 (October 13, 2019 – October 12, 2020): \$135,000 vs. 10 percent of gross receipts, plus 2 percent of gross receipts over \$1,700,000.

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SANITATION

AGENCY CHIEF CONTRACTING OFFICE

■ AWARD

Goods and Services

VARIOUS OFFICE SUPPLIES - Innovative Procurement - Other - PIN# 20205020517 - AMT: \$100,000.00 - TO: Finesse Creations Inc., 3004 Avenue J, Brooklyn, NY 11210.

MWBE Award.

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TRANSPORTATION

BRIDGES

■ AWARD

Construction Related Services

DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR COMPONENT REHABILITATION OF 10 BRIDGES, QUEENS - Request for Proposals - PIN# 84119QUBR284 - AMT: \$2,257,943.29 - TO: Wsp USA Inc, 1 10th Avenue, New York, NY 10014.

☛ s30

TOTAL DESIGN AND CONSTRUCTION SUPPORT SERVICES IN CONNECTION WITH REHABILITATION OF 191 STREET PEDESTRIAN TUNNEL BROADWAY AND IRT #1 SUBWAY, MANHATTAN - Request for Proposals - PIN# 84118MNBR211 - AMT: \$6,861,410.25 - TO: Aecom USA Inc, 125 Broad Street, Suite 15, New York, NY 10004.

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DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR COMPONENT REHABILITATION OF 10 BRIDGES, IN THE BRONX - Request for Proposals - PIN# 84119BXBR283 - AMT: \$2,263,243.45 - TO: STV, Inc, 81 Eldridge Street, New York, NY 10002.

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TOTAL DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR REHABILITATION OF SEELEY STREET BRIDGE/ PROSPECT AVENUE IN BROOKLYN - Request for Proposals - PIN# 84118BKBR198 - AMT: \$4,350,037.29 - TO: STV Inc, 81 Eldridge Street, New York, NY 10002.

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INSPECTION SERVICES AT ASPHALT AND CONCRETE PLANTS, CITYWIDE - Request for Proposals - PIN# 84119MBBR299 - AMT: \$2,681,445.70 - TO: Mt Group, LLC, 145 Sherwood Avenue, Farmingdale, NY 11735.

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AGENCY RULES

COMPTROLLER

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Regulations

What are we proposing? The New York City Comptroller's Office (Comptroller) proposes amendments to chapter 2 of title 44 of the rules of the city of New York to provide for assessment of civil penalties for violations of employer notice requirements under the provisions of New York labor law section 220(3-a)(a)(ii) and to enhance recordkeeping and notice requirements under the provisions of New York labor law articles 8 and 9, subdivisions 8, 16 and 17 of section 421-a of the New York real property tax law and New York city administrative code sections 6-109 and 19-142.

When and where is the hearing? The Comptroller will hold a public hearing on the proposed regulations. The public hearing will take place from 10:00 AM to 12:00 PM on **November 1, 2019**. The hearing will be in the Comptroller's offices in the David N. Dinkins Municipal Building at One Centre Street, Room 1005, New York, NY 10007.

The location has the following accessibility options available: the building and hearing room are wheelchair accessible.

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

- **Website.** You can submit comments to the Comptroller through the NYC rules Website at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to laborlaw@comptroller.nyc.gov.
- **Mail.** You can mail written comments to Constantine Kokkoris, Assistant Comptroller for Labor Law, David N. Dinkins Municipal Building, One Centre Street, Room 651, New York, New York 10007.
- **Fax.** You can fax written comments to the Comptroller, (212) 815-8595, Attention: Constantine Kokkoris.
- **Hearing.** You can speak at the public hearing. Anyone who wants to comment on the proposed regulations at the public hearing must sign up to speak. You can sign up before the hearing by calling (212) 669-4443. You can also sign up in the hearing room before the hearing begins on November 1, 2019. You can speak for up to three minutes.

Is there a deadline to submit written comments? All written comments must be submitted before the close of business on **November 1, 2019**.

What if I need assistance to participate in the hearing? If you need a sign language interpreter or other reasonable accommodation of a disability at the hearing, you must tell us no later than October 25, 2019 either by email at laborlaw@comptroller.nyc.gov, by telephone at (212) 669-4443, or by mail at the address given above.

Can I review the comments made on the proposed regulations? You can review the comments made online on the proposed regulations by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and an audiotape of oral comments concerning the proposed regulations will be available to the public at the David N. Dinkins Municipal Building, One Centre Street, Room 651, New York, NY between 10:00 am – 4:00 pm on weekdays.

What authorizes the Comptroller to make these regulations? New York labor law articles 8 and 9, New York real property tax law section 421-a (8), (16) and (17) and New York city administrative code sections 6-109 and 19-142 authorize the Comptroller to make these proposed regulations.

Where can I find the Comptroller regulations? The Comptroller's regulations are in title 44 of the rules of the city of New York.

What rules govern the rulemaking process? The Comptroller must meet the requirements of section 1043 of the New York city charter when creating or changing regulations. This notice is made

according to the requirements of section 1043 of the New York city charter.

Statement of Basis and Purpose of Regulations

Various state and local laws vest the New York city Comptroller with authority to enforce prevailing wage laws by conducting investigations and hearings and issuing reports with recommendations or orders. New York labor law section 220(3-a)(a)(ii) further requires covered employers to post jobsite notices and provide pay stubs and notices to covered employees with applicable prevailing wage and supplement rates, and vests the Comptroller with the authority to assess civil penalties for violations of these notice requirements. The laws that vest authority in the Comptroller are detailed below.

- Article 8 of the New York labor law requires payment of prevailing wages and supplements to construction workers on New York city public work projects.
- Article 9 of the New York labor law requires payment of prevailing wages and supplements to building service employees on building service contracts with city agencies.
- Subdivision 8, paragraph h of subdivision 16 and paragraph g of subdivision 17 of section 421-a of the New York real property tax law require payment of prevailing wages and supplements to building service employees in certain buildings that receive real estate tax exemptions under that law.
- New York city administrative code section 6-109 requires payment of prevailing wages and supplements to workers on certain service contracts with city agencies.
- New York city administrative code section 19-142 requires payment of prevailing wages and supplements to workers on New York city street excavations.

This proposed rule sets forth a clear and uniform procedure for investigating and assessing civil penalties for failure to post notices at job sites or provide notices with pay stubs to workers under the above-mentioned laws. The comprehensiveness of the rules provides enhanced guidance to employers, employees, and building owners covered by these laws.

Section 1 amends section 2-02 of chapter 2 of title 44 to add a definition for "Construction Poster" that is required by labor law section 220(3-a)(a)(ii) and amends the definition of "Worker Notice Poster" in section 2-02 of such chapter to conform to the requirements of labor law section 220(3-a)(a)(ii).

Section 2 amends paragraph 1 of subdivision c of section 2-04 of chapter 2 of title 44 to add an additional recordkeeping requirement for pay stubs or wage statements required by labor law sections 195(3) and 220(3-a)(a)(ii). Section 2 also amends paragraphs 4, 5 and 6 of subdivision c of section 2-04 of such chapter to add additional notice requirements for public work projects to be posted at job sites and provided to workers with their pay stubs under labor law section 220(3-a)(a)(ii).

Section 3 amends chapter 2 of title 44 to add a new section 2-07 creating a procedure for the assessment of civil penalties to covered employers for failure to post required jobsite notices or to provide notices and pay stubs with applicable prevailing wage and supplement rates under labor law section 220(3-a)(a)(ii).

New text is underlined.

[Deleted material is in brackets.]

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

Section 1. Section 2-02 of chapter 2 of title 44 of the rules of the city of New York is amended by adding a new definition of "Construction Poster", and amending the definition of "Worker Notice Poster", in alphabetical order to read as follows:

Construction Poster. "Construction Poster" means a poster no smaller than two feet in height and two feet in width in the form provided on the comptroller's website with the heading "Prevailing Rate of Wages" in lettering no smaller than two inches in height and two inches in width. The poster must detail the Prevailing Wages and Supplements due for Covered Work performed on a public work project subject to the requirements of labor law article eight and must be constructed of materials capable of withstanding adverse weather conditions.

Worker Notice[Poster]. "Worker Notice[Poster]" means a notice in the form provided on the comptroller's website detailing the Prevailing Wages and Supplements due for Covered Work performed on a particular project, contract or building and informing workers of their right to contact the comptroller about Prevailing Wages and Supplements.

§ 2. Subdivision c of section 2-04 of chapter 2 of title 44 of the rules of the city of New York is amended to read as follows:

§ 2-04 Prevailing Wage and Supplement requirements and recordkeeping

(c) Required records. (1) Covered Employers must maintain Documents consisting of the following records for six years after Covered Work is performed, must preserve the records immediately when notified by the Bureau of a compliance investigation, and must produce true copies of all such records within the time requested by the Bureau after notice of the right to counsel described in section 2-05(f):

- i) Contracts and subcontracts for Covered Work;
- ii) Certified Payroll Reports for Covered Work;
- iii) Daily Sign-In Logs for Covered Work;
- iv) Weekly payroll records, registers or journals required by labor law section 195(4);
- v) Pay stubs or wage statements required by labor law sections 195(3) and 220(3-a)(a)(ii);
- vi) All Documents and records concerning the cost of Bona Fide Fringe Benefits provided to Covered Workers, including but not limited to invoices, account statements, benefits remittance reports and benefits plan descriptions; and
- vii) All federal and state employment tax returns and filings, including but not limited to quarterly combined withholding, wage reporting, and unemployment insurance form NYS-45 returns; employers' quarterly federal tax form 941 returns; wage and tax form W-2 statements; and miscellaneous income form 1099 statements.

(2) Each Covered Employer must maintain one weekly Certified Payroll Report for each project, contract or building on which it performs Covered Work. The Certified Payroll Report must set forth the names, addresses and trade classifications for all Covered Workers employed by the Covered Employer on the project, contract or building, as well as the hours and days of Covered Work, the hourly wage and supplement rates, and the weekly gross and net pay amounts for each Covered Worker. The Certified Payroll Report must be signed and affirmed to be true under penalties of perjury by an officer or principal of the Covered Employer.

(3) Each Covered Employer must maintain one Daily Sign-In Log for each project, contract or building on which it performs Covered Work. The Daily Sign-In Log must set forth the names, trade classifications, daily start and end times of Covered Work for, and must be signed by, each Covered Worker employed by the Covered Employer on the project, contract or building.

(4) Each Covered Employer must post a Worker Notice [Poster] in a prominent and accessible place at each project, contract or building on which it performs Covered Work. The Worker Notice [Poster] must [set forth the [attach schedules detailing the trade classifications and the corresponding Prevailing Wages and Supplements [due for [applicable to the Covered Work performed on that project, contract or building. On public work projects subject to the requirements of labor law article eight only, Covered Employers must instead of posting a Worker Notice post a Construction Poster in a prominent and accessible place at each work site. The Construction Poster must attach schedules detailing the trade classifications and the corresponding Prevailing Wages and Supplements applicable to the Covered Work performed on that public work project.

(5) Each Covered Employer must provide a Worker Notice to each employee performing Covered Work subject to the requirements of labor law article eight at the time it begins performing such public work project, and with the first paycheck to each such employee after July first of each year. The Worker Notice must attach schedules detailing the trade classifications and the corresponding Prevailing Wages and Supplements applicable to the Covered Work performed on that public work project.

(6) Each Covered Employer with employees performing Covered Work subject to the requirements of labor law article eight must provide pay stubs, as required by labor law sections 195(3) and 220(3-a)(a)(ii), for each work week to each such employee detailing the trade classifications and the corresponding Prevailing Wage rates applicable to such Covered Work performed by such employee in such work week.

§ 3. Chapter 2 of title 44 of the rules of the city of New York is amended by adding a new section 2-07 to read as follows:

§ 2-07 Civil Penalties for Violations of Employer Notice Requirements.

(a) Penalties for Construction Poster violations with opportunity to cure. (1) The failure of a Covered Employer performing Covered Work subject to the requirements of labor law article eight to comply with the Construction Poster requirements set forth in section 2-04(c)(4) constitutes a separate violation at each work site, for each work day. Covered Employers are deemed to have willfully posted an incorrect Construction Poster if they knew or should have known that the trade classifications or Prevailing Wages and Supplements detailed in such

poster are incorrect or incomplete for the Covered Work performed at such public work site.

The penalty amounts set forth in Appendix A apply to the following Construction Poster violations.

(2) A Class 1 Construction Poster violation consists of:

- i) failing to post a Construction Poster at the public work site where the Covered Employer has 10 or more employees and has worked on a prior public work project; or
- ii) willfully posting an incorrect Construction Poster at the public work site.

(3) A Class 2 Construction Poster violation consists of:

- i) failing to post a Construction Poster at the public work site where the Covered Employer has fewer than 10 employees or has never worked on a prior public work project; or
- ii) posting a Construction Poster without schedules detailing trade classifications and Prevailing Wages and Supplements at the public work site; or
- iii) posting a Construction Poster in an inaccessible and not prominent place at the public work site.

(4) A Covered Employer that has committed a first Construction Poster violation under this section has ten days from receipt of the summons under section 2-07(e) to post a proper Construction Poster, sign the admission of liability and certification of cure on the summons, and return the summons with a photograph of such poster to the Comptroller. If such proof of compliance is acceptable to the Comptroller, an order for such violation will be issued with no civil penalty. Each violation by a Covered Employer that occurs after the Comptroller has issued one order under section 2-07 to that Covered Employer within the last six years is a second violation. Each violation by a Covered Employer that occurs after the Comptroller has issued two or more orders under section 2-07 to that Covered Employer within the last six years is a third and subsequent violation.

(b) Penalties for Worker Notice violations with opportunity to cure. (1) The failure of a Covered Employer to comply with the Worker Notice requirements set forth in section 2-04(c)(5) for employees performing Covered Work subject to the requirements of labor law article eight constitutes a separate violation for each such employee. Covered Employers are deemed to have willfully provided an incorrect Worker Notice if they knew or should have known that the trade classifications or Prevailing Wages and Supplements detailed in such notice are incorrect or incomplete for such Covered Work performed by such employee.

The penalty amounts set forth in Appendix A apply to the following Worker Notice violations.

(2) A Class 1 Worker Notice violation consists of:

- i) failing to provide a Worker Notice where the Covered Employer has 10 or more employees and has worked on a prior public work project; or
- ii) willfully providing an incorrect Worker Notice.

(3) A Class 2 Worker Notice violation consists of:

- i) failing to provide a Worker Notice where the Covered Employer has fewer than 10 employees or has not worked on a prior public work project; or
- ii) providing a Worker Notice without schedules detailing trade classifications and Prevailing Wages and Supplements.

(4) A Covered Employer that has committed a first Worker Notice violation has thirty days from receipt of the summons under section 2-07(e) to provide a proper Worker Notice to each employee, sign the admission of liability and certification of cure on the summons, and return the summons with a copy of such notice to the Comptroller. If such proof of compliance is acceptable to the Comptroller, an order for such violation will be issued with no civil penalty. Each violation by a Covered Employer that occurs after the Comptroller has issued one order under section 2-07 to that Covered Employer within the last six years is a second violation. Each violation by a Covered Employer that occurs after the Comptroller has issued two or more orders under section 2-07 to that Covered Employer within the last six years is a third and subsequent violation.

Penalties for pay stub violations with opportunity to cure. (1) The failure of a Covered Employer to comply with the pay stub requirements set forth in section 2-04(c)(6) for employees performing Covered Work subject to the requirements of labor law article eight constitutes a separate violation for each such employee, for each work week. Covered Employers are deemed to have willfully provided an incorrect pay stub to an employee performing Covered Work subject to the requirements of labor law article eight if they knew or should have known that the Prevailing Wage rates detailed in such pay stub are incorrect or incomplete for such Covered Work performed by such employee in the work week covered by such pay stub. Penalties for pay

stub violations may be assessed for up to one year from the date of the violation for each such employee. The penalty amounts set forth in Appendix A apply to the following pay stub violations.

- (2) A Class 1 pay stub violation consists of:
 - i) failing to provide a pay stub; or
 - ii) willfully providing an incorrect pay stub.

(3) A Class 2 pay stub violation consists of providing a pay stub without trade classifications and Prevailing Wage rates.

(4) A Covered Employer that has committed a first Class 2 pay stub violation has thirty days from receipt of the summons under section 2-07(e) to provide to each employee the proper pay stubs for the entire compliance period in the summons, sign the admission of liability and certification of cure on the summons, and return the summons with copies of all such pay stubs to the Comptroller. If such proof of compliance is acceptable to the Comptroller, an order for such violation will be issued with no civil penalty. Each violation by a Covered Employer that occurs after the Comptroller has issued one order under section 2-07 to that Covered Employer within the last six years is a second violation. Each violation by a Covered Employer that occurs after the Comptroller has issued two or more orders under section 2-07 to that Covered Employer within the last six years is a third and subsequent violation.

(c) Designation. Before the Comptroller issues an order assessing a civil penalty against a Covered Employer under labor law section 220(3-a)(a)(ii) for failing to post a Construction Poster or willfully posting an incorrect Construction Poster, failing to provide a Worker Notice or willfully providing an incorrect Worker Notice, or for failing to provide a pay stub or willfully providing an incorrect pay stub, a hearing is held by the hearings division of the office of administrative trials and hearings.

(d) Summons. For every alleged violation under labor law section 220(3-a)(a)(ii), the Bureau issues a summons to the Covered Employer performing work at the public work site or employing the workers at issue. The summons is either served in person upon any managing or general agent of the Covered Employer or mailed to the Covered Employer at its business address. The summons contains the name and address of the Covered Employer, the address of the work site and date for alleged violations concerning the Construction Poster, the name of the employee and date for alleged violations concerning Worker Notices and pay stubs, a brief description of the nature of the alleged violation and the maximum and "mail-in" penalty amounts.

(e) Waiver of hearing. Any person who receives a summons under this section may waive a hearing by admitting the violation charged on the summons and paying the "mail-in" penalty amount. Payment must be made by certified or bank check payable to the "New York City Comptroller" and must be mailed to the Comptroller's office with the summons before the hearing date. Admission of the violation charged on the summons constitutes an order of the Comptroller for purposes of paragraph 4 of subdivision a, paragraph 4 of subdivision b and paragraph 4 of subdivision c of this section.

(f) Order. The presiding hearing officer promptly issues a recommended decision after the hearing, which may adjudicate violations alleged in one or more summonses. The recommended decision must describe particularly the nature of each alleged violation and assess a civil penalty or dismiss the charge. The office of administrative trials and hearings serves the recommended decision on every party. The recommended decision is not subject to an appeal under section 6-19 of title 48 of the rules of the city of New York. The Comptroller may adopt, reject or modify, in whole or in part, the recommended decision when issuing an order under labor law section 220(3-a)(a)(ii). The Bureau files the order of the Comptroller and serves a copy of the order on every party.

Appendix A

For a full description of violations, refer back to text of section of rule indicated

Section of Rule	Violation Type	Cure	Penalty	Default Penalty
44 RCNY § 2-07(a)(2)	First Construction Poster violation Class 1	Y	\$50	\$50
44 RCNY § 2-07(a)(3)	First Construction Poster violation Class 2	Y	\$30	\$30
44 RCNY § 2-07(a)(2)	Second Construction Poster violation Class 1	N	\$250	\$250

44 RCNY § 2-07(a)(3)	Second Construction Poster violation Class 2	N	\$150	\$150
44 RCNY § 2-07(a)(2)	Third and subsequent Construction Poster violation Class 1	N	\$500	\$500
44 RCNY § 2-07(a)(3)	Third and subsequent Construction Poster violation Class 2	N	\$300	\$300
44 RCNY § 2-07(b)(2)	First Worker Notice violation Class 1	Y	\$50	\$50
44 RCNY § 2-07(b)(3)	First Worker Notice violation Class 2	Y	\$30	\$30
44 RCNY § 2-07(b)(2)	Second Worker Notice violation Class 1	N	\$250	\$250
44 RCNY § 2-07(b)(3)	Second Worker Notice violation Class 2	N	\$150	\$150
44 RCNY § 2-07(b)(2)	Third and subsequent Worker Notice violation Class 1	N	\$500	\$500
44 RCNY § 2-07(b)(3)	Third and subsequent Worker Notice violation Class 2	N	\$300	\$300
44 RCNY § 2-07(c)(2)	First pay stub violation for 1-9 weeks Class 1	N	\$50	\$50
44 RCNY § 2-07(c)(2)	First pay stub violation for 10-24 weeks Class 1	N	\$500	\$500
44 RCNY § 2-07(c)(2)	First pay stub violation 25-49 weeks Class 1	N	\$1,250	\$1,250
44 RCNY § 2-07(c)(2)	First pay stub violation for 50-52 weeks Class 1	N	\$2,500	\$2,500
44 RCNY § 2-07(c)(3)	First pay stub violation for 1-9 weeks Class 2	Y	\$30	\$30
44 RCNY § 2-07(c)(3)	First pay stub violation for 10-24 weeks Class 2	Y	\$300	\$300
44 RCNY § 2-07(c)(3)	First pay stub violation for 25-49 weeks Class 2	Y	\$750	\$750
44 RCNY § 2-07(c)(3)	First pay stub violation for 50-52 weeks Class 2	Y	\$1,500	\$1,500
44 RCNY § 2-07(c)(2)	Second pay stub violation for 1-9 weeks Class 1	N	\$250	\$250
44 RCNY § 2-07(c)(2)	Second pay stub violation for 10-24 weeks Class 1	N	\$2,500	\$2,500
44 RCNY § 2-07(c)(2)	Second pay stub violation for 25-49 weeks Class 1	N	\$6,250	\$6,250
44 RCNY § 2-07(c)(2)	Second pay stub violation for 50-52 weeks Class 1	N	\$12,500	\$12,500
44 RCNY § 2-07(c)(3)	Second pay stub violation for 1-9 weeks Class 2	N	\$150	\$150

44 RCNY § 2-07(c)(3)	Second pay stub violation for 10-24 weeks Class 2	N	\$1,500	\$1,500
44 RCNY § 2-07(c)(3)	Second pay stub violation for 25-49 weeks Class 2	N	\$3,750	\$3,750
44 RCNY § 2-07(c)(3)	Second pay stub violation for 50-52 weeks Class 2	N	\$7,500	\$7,500
44 RCNY § 2-07(c)(2)	Third and subsequent pay stub violation for 1-9 weeks Class 1	N	\$500	\$500
44 RCNY § 2-07(c)(2)	Third and subsequent pay stub violation for 10-24 weeks Class 1	N	\$5,000	\$5,000
44 RCNY § 2-07(c)(2)	Third and subsequent pay stub violation for 25-49 weeks Class 1	N	\$12,500	\$12,500
44 RCNY § 2-07(c)(2)	Third and subsequent pay stub violation for 50-52 weeks Class 1	N	\$25,000	\$25,000
44 RCNY § 2-07(c)(3)	Third and subsequent pay stub violation for 1-9 weeks Class 2	N	\$300	\$300
44 RCNY § 2-07(c)(3)	Third and subsequent pay stub violation for 10-24 weeks Class 2	N	\$3,000	\$3,000
44 RCNY § 2-07(c)(3)	Third and subsequent pay stub violation for 25-49 weeks Class 2	N	\$7,500	\$7,500
44 RCNY § 2-07(c)(3)	Third and subsequent pay stub violation for 50-52 weeks Class 2	N	\$15,000	\$15,000

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

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

RULE TITLE: Enforcement of Certain Requirements Relating to Payment of Prevailing Wages

REFERENCE NUMBER: 2019 RG 067

RULEMAKING AGENCY: Comptroller

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

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

/s/ STEVEN L. GOULDEN
Acting Corporation Counsel

Date: 09/20/19

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

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

RULE TITLE: Comptroller's Enforcement of the Prevailing Wage Law

REFERENCE NUMBER: COMPT - 02

RULEMAKING AGENCY: NYC Comptroller

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

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

/s/ Brady Hamed September 20, 2019
Mayor's Office of Operations Date

Accessibility questions: (212) 669-4443, by: Friday, October 25, 2019, 1:00 A.M.



← s30

CONSUMER AFFAIRS

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Consumer Affairs ("DCA" or "Department") is proposing to amend the rules relating to second-hand automobile dealers for a clarification: records maintained electronically in compliance with recent New York State Department of Motor Vehicle regulations comply with the record keeping requirements of the New York City Administrative Code.

When and where is the hearing? DCA will hold a public hearing on the proposed rule. The public hearing will take place at 10:30 AM on Wednesday, October 30, 2019. The hearing will be in the DCA hearing room at 42 Broadway, 5th Floor, New York, NY 10004.

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

- **Website.** You can submit comments to DCA through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to Rulecomments@dca.nyc.gov.
- **Mail.** You can mail comments to Carlos Ortiz, Director of Legislative Affairs, New York City Department of Consumer Affairs, 42 Broadway, 8th Floor, New York, NY 10004.
- **Fax.** You can fax written comments to the Department of Consumer Affairs, (646) 500-5962.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling (212) 436-0345. You can also sign up in the hearing room before the hearing begins at 10:30 AM on Wednesday, October 30, 2019. You can speak for up to three minutes.

Is there a deadline to submit comments? Yes. You must submit any comments to the proposed rule on or before 5:00 PM, Wednesday, October 30, 2019.

What if I need assistance to participate in the hearing? You must tell the Office of Legal Affairs if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (212) 436-0095. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by 5:00 PM on October 25, 2019.

This location has the following accessibility option(s) available: wheelchair accessible.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, all comments received by DCA on the proposed rule will be made available to the public online at <http://www1.nyc.gov/site/dca/about/public-hearings-comments.page>.

What authorizes DCA to make this rule? Sections 1043 and 2203(f) of the New York City Charter, and Sections 20-104(b) and 20-275.1 of the New York City Administrative Code authorize the Department of Consumer Affairs to make this proposed rule. This proposed rule was not included in the Department of Consumer Affairs' regulatory agenda for this Fiscal Year because it was not contemplated when the Department published the agenda.

Where can I find DCA's rules? The Department's rules are in Title 6 of the Rules of the City of New York.

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

Statement of Basis and Purpose of Proposed Rule

DCA is proposing to amend Section 2-109 of Title 6 of the Rules of the City of New York relating to the record keeping requirements for secondhand automobile dealers.

Recently, the New York State Department of Motor Vehicles issued a new regulation that requires automobile dealers, absent limited exceptions, to use an electronic recordkeeping system called the Vehicle Electronic Reassignment and Integrated Facility Inventory ("VERIFI"). See 15 NYCRR 78.9. Under New York City law, secondhand automobile dealers must maintain written records of all transactions with specific information such as a description of the automobile purchased or sold and name and address of the buyer or seller. See NYC Admin. Code § 20-273.

DCA is proposing a rule to clarify that a record maintained by a dealer in the VERIFI system satisfies the requirements of Section 20-273 of the New York City Administrative Code if it contains the information required by Section 20-273. In other words, this rule would make clear that secondhand automobile dealers need not maintain separate records to comply with the New York State VERIFI requirements and the New York City Administrative Code requirements.

DCA's authority for these rules is found in Sections 1043 and 2203(f) of the New York City Charter, and Sections 20-104(b) and 20-275.1 of the New York City Administrative Code.

New material is underlined.
[Deleted material is in brackets.]

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

Proposed Rules

Section 2-109 of Subchapter K of Chapter 2 of Title 6 of the Rules of the City of New York is amended to read as follows:

§ 2-109 Records and Reports.

(a) To comply with Section 20-268.5(a) of the Administrative Code, a second-hand automobile dealer must maintain a copy of the consumer bill of rights signed or initialed by each consumer for six years after the date of execution of such document.

(b) To comply with Section 20-268.5(c) of the Administrative Code, a second-hand automobile dealer must maintain an automobile contract cancellation option report in the format shown below.

(c) A second-hand automobile dealer shall be in violation of Section 20-268.5(c) of the Administrative Code for failing to make available a copy of its automobile contract cancellation option report to the commissioner within 20 business days of receiving a request. Notwithstanding the foregoing sentence, a second-hand automobile dealer shall not be in violation of Section 20-268.5(c) for such a failure where he or she received and complied with a similar request in the past 12 months.

(d) Records maintained by a second-hand automobile dealer in a manner compliant with the Vehicle Electronic Reassignment and Integrated Facility Inventory (VERIFI) system pursuant to Title 15, Part 78.9 of the Code, Rules and Regulations of the State of New York satisfy the requirements of Section 20-273 of the Administrative Code if the records contain the information required by such section of the Administrative Code. Nothing in this subdivision affects a second-hand automobile dealer's obligations to fully comply with Sections 20-273(e) and 20-273(f) of the Administrative Code.

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

CERTIFICATION PURSUANT TO CHARTER §1043(d)

RULE TITLE: Record Keeping Requirements for Second Hand Auto Dealers

REFERENCE NUMBER: 2018 RG 118

RULEMAKING AGENCY: Department of Consumer Affairs

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

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

/s/ GEORGIA M. PESTANA
Acting Corporation Counsel

Date: September 6, 2019

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

CERTIFICATION / ANALYSIS PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Record Keeping Requirements for Second Hand Auto Dealers

REFERENCE NUMBER: DCA-86

RULEMAKING AGENCY: Department of Consumer Affairs

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

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

/s/ Josselin Milloz
Mayor's Office of Operations

September 9, 2019
Date

Accessibility questions: Carlos Ortiz (212) 436-0345, cortiz@dca.nyc.gov, by: Friday, October 25, 2019, 5:00 P.M.



ENVIRONMENTAL PROTECTION

NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Environmental Protection (the "Department" or "DEP") is considering changing its rules. The change would amend the Department's Green Infrastructure Grant Program rules to incentivize green roof retrofits and streamline both the application submittal and the design review processes for these projects.

When and where is the hearing? The Department will hold a public hearing on the proposed rules. The public hearing will take place

at 11 am on October 30, 2019. The hearing will be held in the 19th floor fishbowl conference room at 59-17 Junction Boulevard, Flushing, New York.

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

- **Website.** You can submit comments to the Department through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to nycrules@dep.nyc.gov.
- **Mail.** You can mail written comments to the Department's Bureau of Legal Affairs, 59-17 Junction Boulevard, 19th Floor, Flushing, NY 11373.
- **Fax.** You can fax written comments to the Department's Bureau of Legal Affairs at 718-595-6543.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rules at the public hearing must sign up to speak. You can sign up before the hearing by calling 718-595-6531. You can also sign up in the hearing room before the hearing begins on October 30, 2019. You can speak for up to three minutes.

Is there a deadline to submit written comments? Yes, you must submit written comments by October 30, 2019.

Do you need assistance to participate in the hearing? You must tell the Department's Bureau of Legal Affairs if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 718-595-6531. You must tell us by October 23 2019.

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

What authorizes the Department to make these rules? Section 1403 of the City Charter and sections 24-501, *et seq.* of the New York City Administrative Code authorize the Department to make these proposed rules. These proposed rules were included in the Department's regulatory agenda for this fiscal year.

Where can I find the Department's rules? The Department's rules are located in Title 15 of the Rules of the City of New York.

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

Statement of Basis and Purpose of Proposed Rules

As part of New York City's Green Infrastructure Program DEP provides incentives to private property owners for implementation of green stormwater management practices (also known as "green infrastructure") on private property located within the five boroughs of the City. The Green Infrastructure Grant Program ("Program") was created in 2010 to create a partnership with private property owners in the design and construction of green infrastructure practices. In preparation for the rollout of additional incentive programs, and to ensure that there is no overlap between programs, DEP is proposing to amend its Program rules to specifically incentivize green roof retrofits. Green roof retrofits are an especially important type of stormwater management practice in ultra-urban cities like New York City. The rule amendments would also provide for a more streamlined application submission and design review process for green roof retrofits.

The Rules are authorized by Section 1403 of the Charter of the City of New York and Section 24-501 *et seq.* of the Administrative Code.

The text of the proposed amendments follows.

Section 1. Chapter 48 of Title 15 of the Rules of the City of New York is amended to read as follows:

Chapter 48

Green Infrastructure Grant Program.

§48-01 Purpose and Applicability.

- (a) Purpose. The Green Infrastructure Grant Program ("Program") is intended to provide funding for the design and construction of green [infrastructure] roof retrofits to manage stormwater runoff in New York City.
- (b) Applicability. The Program provides funding for the design and construction of green [infrastructure practices] roof retrofits on real property located within

the five (5) boroughs of New York City[,] and, except as set forth in §48-04(b), below] of these rules, real property that is privately owned.

§48-02 Definitions.

"Applicant" means the person or entity completing, preparing and/or submitting the Program application, in some cases on behalf of the potential Grantee.

"City" means the City of New York.

"Conditional acceptance" or "conditionally accepted" refers to a Grant application that has been reviewed by the Department and accepted subject to satisfaction of additional specific requirements, and for which there has not yet been a binding commitment to award a Grant because there remain pre-conditions to be satisfied by the Applicant and/or the prospective Grantee.

"Department" means the Department of Environmental Protection, the City agency responsible for administering the Green Infrastructure Grant Program.

"Funding Agreement" means the primary contract between the City and the Grantee with respect to the Program funding.

"Grant" means a grant of funds awarded by the Department to a Grantee under the Program, which becomes effective and binding when the Funding Agreement has been fully executed and registered with the City Comptroller.

"Grantee" means the owner of the real property on which the Project will be built, including all parties having an ownership interest in the property.

"Green [Infrastructure Practice] Roof" means a [stormwater management installation that is] vegetated system installed on an above grade roof which is designed and constructed by the Grantee to manage stormwater runoff [from the immediate impervious tributary drainage area during a rain event. This term typically refers, but is not necessarily limited, to the following: rain gardens or other bioinfiltration systems, porous paving materials, green roofs, and various subsurface retention systems] in accordance with the Program Guide.

"Private property" means real property not owned by the City [or another public entity] and located within the limits of the five (5) boroughs of the City of New York.

"Program" means the Department's Green Infrastructure Grant Program that facilitates [the installation of Green Infrastructure Practices] green roof retrofits on private property.

"Program Guide" means the step-by-step instruction manual for prospective Grantees that describes the Project development process to be followed from conditional acceptance of the application until execution of the Funding Agreement, and how the Department will provide the funding to the Grantee for the construction of the Project. The Program Guide will be incorporated by reference into the Funding Agreement.

"Project" means the Green [Infrastructure Practice's] Roof(s) to be installed on the Grantee's property with funding provided by a Grant awarded by the Department.

"Retrofit" means the implementation of a Project by constructing a Green Roof on an existing building.

§48-03 Eligible Grantees.

To be eligible for a Grant, Applicants must be in compliance with the following:

- (a) They are not in default on any prior grant agreement or other City contract;
- (b) They do not owe any taxes; and
- (c) There is no evidence of lack of business integrity, as determined by the Department after a review of information maintained in [VENDEX] PASSPort or other public databases; provided that the Department will not conclude that there is a lack of business integrity without first providing the Applicant with an opportunity to update or correct the information drawn from such databases.

§48-04 Eligible Property.

- (a) Grants may be awarded for [projects] Projects that will be constructed on private property, except as set forth in paragraph (b) of this section.
- (b) Grant applications involving [projects] Projects on property that is either (i) owned in whole or in part by the City and occupied by the potential Grantee on a long-term basis (e.g., pursuant to a ground lease or other land use agreement) or (ii) owned by another governmental entity or public authority, will be

considered by the Department on a case-by-case basis. In evaluating applications involving property leased from the City, as described in (i), the Department will consider such factors as the length of the occupancy agreement and whether or not the lease or agreement is renewable.

§48-05 Project Feasibility Requirements [for Infiltration Projects and Rooftop Projects].

(a) The building for which the proposed Project will be implemented must be fully constructed and in a condition to accept the Retrofit at the time of application.

[(a) (b) The proposed Project must manage [at least one (1) inch of] stormwater runoff from the surrounding impervious tributary drainage area[, unless the Department determines that a particular Project has sufficient benefits to warrant allowing a lesser volume in a given case] and be designed in accordance with the Program Guide.

(c) [When an application for an infiltration Project is conditionally accepted, the Applicant will be required to submit the results of a geotechnical investigation, conducted in accordance with procedures set forth by the Department in the Program Guide, which confirm that the underlying soils are suitable for the Project.]

[(c) Proposed rooftop] Projects must be determined to be feasible by a structural analysis that has been performed by a professional structural engineer licensed by the State of New York and that concludes that the loading capacity of the roof is sufficient to support the proposed Project.

§48-06 Application Submission Requirements.

- (a) The application can be submitted through the Department's online application system, at <http://www.nyc.gov/dep/grantprogram>. To request a paper copy of the application, one can mail a request to Green Infrastructure Grant Program, [Office of Green Infrastructure] Bureau of Environmental Planning & Analysis at 59-17 Junction Blvd, 11th Floor, Flushing, NY 11373, and completed paper applications may be submitted to the same address.
- (b) Only one (1) tax lot may be included in an application to fund a proposed Project, unless the potential Grantee owns adjacent lots and the proposed Project would manage stormwater runoff from all of the commonly owned adjacent tax lots. In this case, one (1) application may be submitted for a Project to be constructed on the adjacent lots in common ownership.
- (c) The Applicant must provide all information requested on the application form, including detailed information regarding Project scope, drawings, schematics, maps and plans. Proof of property ownership must be included.
- (d) All applications must include, at a minimum:
1. The Applicant's name, address, telephone number and email address;
 2. The identity of the Grantee including names address, phone number and email address;
 3. The address and location of the property, as well as borough, block and lot information;
 4. [The type of Project proposed;]
 5. A structural analysis that has been performed by a professional structural engineer licensed by the State of New York that concludes that the loading capacity of the roof is sufficient to support the proposed Project;
 6. The professional qualifications of those designing and implementing the Project;
 7. The proposed budget for the proposed Project;
 8. Calculations of the stormwater projected to be managed by the proposed Project, derived using the calculator provided by the Department with the application;
 9. The construction timeline for the proposed Project;
 10. Information including the Project's location within the property, footprint dimensions, stormwater flow directions, and proposed materials;

11. A record of the connection of the building or site to the sewer, if available[, or the application or proposal for site connection for new construction]; and
12. A proposed maintenance plan that details maintenance tasks and activities for the useful life of the [project] Project, and a statement of how the Grantee would pay for these activities (note that maintenance costs are not eligible for Grant funding).

(e) Relevant additional information should be included if applicable, such as:

1. At least two photos showing the existing conditions of the proposed Project area within the property as of the date of the application submission;
2. Identification of any "co-benefits" in addition to reduced stormwater runoff;
3. Identification of any local institutions or community groups that will be involved in the design, construction or stewardship of the proposed Project; and
4. The proposed monitoring plan, if any.

§48-07 Selection of Projects and Appeals.

- (a) The Department will conditionally accept applications, in its discretion, based upon the criteria set forth in this section, after a complete application has been submitted, reviewed, and determined to meet the eligibility requirements as set forth in these Rules.
- (b) Applications will be evaluated based upon the following criteria:
1. Cost/benefit ratio. The stormwater management benefits of the Project should be cost-effective in comparison to the Project costs.
 2. Constructability. An evaluation of the constructability of the proposed Project will be based on information submitted.
 3. Other factors. Such other factors as the quality of the application materials, a short construction timeline, the availability of matching funds or in-kind contributions, the involvement of community partners or organizations, public visibility or accessibility, the inclusion of a robust scientific monitoring plan, the ability of the proposed Project to be replicable on a wide scale, and/or the inclusion of any training or workforce development opportunities as part of a proposed Project may be considered by the Department when evaluating the Project proposal.
- (c) Prospective Grantees will be required to submit a Doing Business Data Form to the Mayor's Office of Contracts.
- (d) If an application is conditionally accepted, the Applicant will be notified by letter, with a copy of the Program Guide. Such Guide will also be available on the Department's website, at <http://www.nyc.gov/dep/grantprogram>. The prospective Grantee must complete an Acceptance Form and return it to the Department within two (2) weeks after receipt of the acceptance letter, confirming that the prospective Grantee is prepared to execute the Funding Agreement and if appropriate, a restrictive covenant or security agreement, upon final acceptance of the Project design and is able to design and construct the Project within one (1) year of conditional acceptance. Unsuccessful Applicants will be sent a letter advising what needs to be done for a resubmitted application to be conditionally accepted, or, if it does not appear that the application will be accepted, advising of the reasons for denial.
- (e) If an application is denied in whole or in part, an appeal may be submitted as set forth in this paragraph. Such appeal may be made by the property owner sending a letter to the New York City Department of Environmental Protection, Attn: Commissioner, 59-17 Junction Boulevard, Flushing, NY 11373, c/o Bureau of Legal Affairs, within thirty (30) days after the date of the denial letter issued by the Department. Failure to submit an appeal within thirty (30) days will finalize the Department's denial. Upon receipt of a timely letter of appeal, the Commissioner will appoint an appeal officer within the Department to review. Such appeal officer will make a report on the appeal to the Commissioner. The Commissioner or his or her designee must issue a final order within sixty (60) days after receiving the report. A

copy of the final order will be sent to the appellant within ten (10) days after the date the Commissioner or his or her designee issues it.

§48-08 Funding.

- (a) Funding is provided to Grantees, or an approved assignee, on a reimbursement basis upon receipt of invoices for eligible costs previously paid. Monthly invoices may be submitted to the Department after:
 - 1. Final designs have been accepted by the Department;
 - 2. The Funding Agreement has been registered pursuant to Section 328 of the City Charter; and
 - 3. A notice to proceed with the Project has been issued to the Grantee by the Department.
- (b) The following items are not eligible expenses and cannot be covered by the Grant:
 - 1. Non-third party personnel costs or salaries of Grantee employees
 - 2. Operating costs
 - 3. Maintenance activities
 - 4. Legal expenses
- (c) The Department will disburse Grant funding in accordance with the instructions and requirements of the Department's Agency Chief Contracting Officer and the City's Office of Management and Budget.

§48-09 Grant Administration and Compliance.

- (a) Prospective Grantees will be required to execute a Funding Agreement in the form provided in the on-line application available at www.nyc.gov/dep/grantprogram after Project design is complete and has been accepted by the Department.
- (b) Grantees may be required to execute a security agreement, generally in the form of a restrictive covenant, to ensure the preservation of the Project for its useful life, which may be up to twenty (20) years.
- (c) Grantees must provide proof of the required insurance as set forth in the Funding Agreement.
- (d) After a final design has been accepted by the Department, a notice to proceed will be issued to the Grantee.
- (e) Failure to render satisfactory progress or to complete the Project to the satisfaction of the Department may be deemed an abandonment of the Project and, under the terms of the Funding Agreement, may result in the termination of further Grant funding and recoupment of funds already disbursed. Satisfactory progress includes, without limitation, executing required Funding Agreement [or] completing design milestones, or submitting required paperwork in accordance with the deadlines set forth in the Program Guide.
- (f) [Infiltration Projects must be designed and/or installed by a New York State-licensed professional. Where necessary, all final contract plans must be signed and stamped by a professional engineer, registered architect, or registered landscape architect.]
- [f] Projects must comply with all local, state and federal laws and regulations.

Grant funds must not be used for political advocacy, boycotts, advertising, or litigation expenses. In addition, funds must not be used for legally mandated actions under local, state or federal law and/or associated with administrative permit conditions or terms of settlement agreements.
- (g) Grantees must submit regular construction status reports once construction commences, until final acceptance by the Department. Once construction of the Project is completed, Grantees are required to submit regular maintenance summaries for three (3) years.
- (i) The City has the unrestricted rights to use the designs for any Projects for which Grants are awarded for any future [projects] Projects or purposes at no additional cost to the City.
- (j) The City has the right to publish photographs of completed Projects. The Grantee must indicate in any statements to the press or in any materials for publication in any media of communication (print, news,

television, radio, internet, etc.) that the Project was funded wholly or in part by the Department.

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

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

RULE TITLE: Department's Green Infrastructure Grant Program rules

REFERENCE NUMBER: DEP-64

RULEMAKING AGENCY: Department of Environmental Protection

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Where appropriate, the construction and post-construction program will include a cure period in its enforcement policy. Similarly, the industrial and commercial program will include a cure period for facilities that are found to be non-compliant with the permit requirements in its enforcement policy. The construction and post-construction program does not provide for a cure period because the violations pose significant risks to public health and safety.

/s/ Jacob Watkins
Mayor's Office of Operations

September 17, 2019
Date

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

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

RULE TITLE: Amendment of Green Infrastructure Grant Program Rules

REFERENCE NUMBER: 2019 RG 049

RULEMAKING AGENCY: Department of Environmental Protection

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

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

/s/ STEVEN L. GOULDEN
Acting Corporation Counsel

Date: September 17, 2019



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CITY RECORD

■ NOTICE

MONTHLY INDEX August 2019

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UNITED STATES POSTAL SERVICE® (All Periodicals Publications Except Requester Publications) Statement of Ownership, Management, and Circulation

1. Publication Title: The City Record; 2. Publication Number: 114-660; 3. Filing Date: 09-27-2019; 4. Issue Frequency: Monthly; 5. Number of Issues Published Annually: 12; 6. Annual Subscription Price: \$500; 7. Complete Mailing Address of Known Office of Publication: 1 Centre Street, 17th Floor, New York, NY 10007; 8. Complete Mailing Address of Headquarters or General Business Office of Publisher: 1 Centre Street, 17th Floor, New York, NY 10007; 9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor: Eli Blachman; 10. Owner: The City of New York; 11. Known Bondholders, Mortgagees, and Other Security Holders: None; 12. Tax Status: Not for profit; 13. Publication Title: The City Record; 14. Issue Date for Circulation Data Below: 09-27-2019; 15. Extent and Nature of Circulation: Total Number of Copies (Net press run) 441; Total Paid Distribution 397; Total Free or Nominal Rate Distribution 0; Total Distribution 397; Copies not distributed 42; Total 439; Percent Paid 100.

PS Form 3526, July 2014 (Page 1 of 4 (see instructions page 4)) PSN: 7530-01-000-9931 PRIVACY NOTICE: See our privacy policy on www.usps.com

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18. Signature and Title of Editor, Publisher, Business Manager, or Owner: Eli Blachman - Editor; Date: 9-27-2019; I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

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 10/11/2019 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with 3 columns: Damage Parcel No., Block, Lot. Rows: 1A & 1B (Block 5147, Lot 55); 2A & 2B (Block 5147, Lot 59).

Acquired in the proceeding entitled: RUSTIC PLACE subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer Comptroller s27-o10

MAYOR'S OFFICE OF CONTRACT SERVICES

NOTICE

Notice of Intent to Extend Contract Not Included in FY 2020 Annual Contracting Plan and Schedule

NOTICE IS HEREBY GIVEN that the Mayor will be entering into the following extension of a contract not included in the FY 2020 Annual Contracting Plan and Schedule that is published, pursuant to New York City Charter § 312(a):

Agency: Department of Sanitation; FMS Contract #: CT1-827- 20151427692; Vendor: The Gordian Group, Inc; Description of services: Consultant Services for Job Order Contracting (JOC) System; Award method of original contract: Competitive Sealed Bid; FMS Contract type: Consultant; End date of original contract: 11/30/2019; Method of renewal/extension the agency intends to utilize: Renewal; New start date of the proposed renewed/extended contract: 12/1/2019; New end date of the proposed renewed/extended contract: 11/30/2021; Modifications sought to the nature of services performed under the contract: None; Reason(s) the agency intends to renew/extend the contract: To continue service; Personnel in substantially similar titles within agency: None; Headcount of personnel in substantially similar titles within agency: 0

CHANGES IN PERSONNEL

Table with 10 columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for DEPT OF ENVIRONMENT PROTECTION FOR PERIOD ENDING 08/09/19, including names like ALI, ALLYAR, ARJUN, etc.

GUTHRIE	VILHELMI	21215	\$109842.0000	RETIRED	NO	07/20/19	826
HANNAN	ANTHONY P	91308	\$93694.0000	RETIRED	NO	08/01/19	826
HANNON	BRENDAN A	21744	\$62272.0000	APPOINTED	YES	07/28/19	826
HAQUE	SHERAJUL	34202	\$65783.0000	INCREASE	NO	07/21/19	826
HARMON	LAURYNN B	90641	\$16.1400	RESIGNED	YES	07/23/19	826
HINDS	SEAN A	30087	\$99254.0000	RESIGNED	YES	05/12/19	826
HURTADO	ALBERTO A	13632	\$110423.0000	RESIGNED	NO	08/01/19	826
HUSSAIN	HAIDER A	31220	\$76808.0000	RESIGNED	YES	07/03/19	826
IBRAHIM	LUCIE	56058	\$60403.0000	RESIGNED	YES	07/16/19	826
ISOLDA	DAVID J	91915	\$369.5300	APPOINTED	NO	03/24/19	826
JACOB	JOBIN C	20310	\$57720.0000	APPOINTED	YES	07/21/19	826
KALUZA	KAROL	90641	\$16.1400	RESIGNED	YES	07/28/19	826

DEPT OF ENVIRONMENT PROTECTION
FOR PERIOD ENDING 08/09/19

TITLE							
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY	
KHALIL	SHAHER S	13611	\$78691.0000	RETIRED	NO	08/02/19	826
KLEBAN	MAKSIM	1002D	\$124300.0000	APPOINTED	NO	07/21/19	826
KURIAKOSE	BOBBY A	10015	\$150000.0000	INCREASE	NO	07/21/19	826
LACHNER	LIAM S	90641	\$16.1400	RESIGNED	YES	03/31/19	826
LIANG	JACKY	13651	\$58027.0000	APPOINTED	NO	07/21/19	826
LOUIS JEUNE	GHYSLIN	34202	\$63728.0000	INCREASE	NO	07/26/19	826
LOW	JASON K	30087	\$87749.0000	INCREASE	YES	07/07/19	826
MACDONALD	BRUCE C	1002A	\$90476.0000	RETIRED	NO	07/30/19	826
MARRYSHOW	LINDY-AN S	91645	\$501.9200	RETIRED	YES	08/02/19	826
MARRYSHOW	LINDY-AN S	91628	\$457.3600	RETIRED	NO	08/02/19	826
MARTINO	FRANCESC	56058	\$60761.0000	RETIRED	YES	07/25/19	826
MCDERMOTT	WILLIAM P	90767	\$383.8900	RETIRED	NO	07/31/19	826
MCGOWAN	JASMINE R	10251	\$19.5000	APPOINTED	YES	07/21/19	826
MCINTOSH	STANLEY	90767	\$383.8900	PROMOTED	NO	04/14/19	826
MIR	RAMON	22427	\$93643.0000	INCREASE	YES	06/02/19	826
MILLER	SHANTEL T	31220	\$82265.0000	APPOINTED	YES	07/21/19	826
MITTS	MICHAEL	10081	\$130000.0000	INCREASE	YES	06/30/19	826
MOJICA	JOSE L	91722	\$260.0500	TERMINATED	NO	07/12/19	826
MULDER	NICHOLAS D	21822	\$69150.0000	APPOINTED	YES	07/21/19	826
NARVAEZ	JOSSEN I	20246	\$26.0200	INCREASE	YES	05/28/19	826
NEI	BERTIE	95005	\$119939.0000	INCREASE	YES	04/07/19	826
NEILLIS	THOMAS J	90767	\$383.8900	RETIRED	NO	07/31/19	826
NEISS	MICHAEL J	56056	\$37593.0000	INCREASE	YES	07/28/19	826
NISHIKAWA	KELLY	30086	\$60433.0000	RESIGNED	YES	04/11/19	826
ODELL	DEBORAH	10124	\$56798.0000	INCREASE	YES	07/28/19	826
OEI	ANGELA	10246	\$40900.0000	APPOINTED	YES	07/21/19	826
OWUSU-ASIAMAH	KELLY	8300B	\$87752.0000	PROMOTED	NO	06/23/19	826
PABARUE	OMAR	90767	\$383.8900	PROMOTED	NO	04/14/19	826
PAHUJA	VED P	91639	\$578.0000	RETIRED	NO	08/01/19	826
PALMER	EDMOND	91645	\$501.9200	RESIGNED	NO	07/08/19	826
PANDEY	NIITKA	20617	\$57720.0000	INCREASE	YES	07/14/19	826
PATEL	PRAFUL	91011	\$58565.0000	RETIRED	NO	07/25/19	826
PAUL	LUXMAN C	91645	\$501.9200	RETIRED	NO	08/02/19	826
PEREIRA	ANTONIA F	30087	\$97528.0000	RESIGNED	YES	04/21/19	826
PINEDA	NICOLAS	13621	\$85000.0000	APPOINTED	YES	07/21/19	826
POLLACK	THEODORE M	30086	\$66463.0000	RESIGNED	YES	05/31/19	826
POTTS	DAVID	91501	\$66791.0000	RETIRED	NO	08/02/19	826
PROSCIA	FRANK	20410	\$57720.0000	APPOINTED	YES	07/21/19	826
RAMSAMUJH-KHELA	MEENA D	22426	\$74479.0000	APPOINTED	YES	07/28/19	826
RHABB CAMPBELL	SANDRA	10124	\$70500.0000	INCREASE	NO	07/14/19	826
RIVERA	VERONICA J	90641	\$16.1400	TERMINATED	YES	07/30/19	826
ROBINSON-BYRD	JOYCE	10251	\$53077.0000	DECEASED	NO	07/08/19	826
ROCHE	JEAN MAR H	22427	\$100613.0000	INCREASE	YES	07/28/19	826
ROUSSEAU	PAMELA	10251	\$32918.0000	APPOINTED	NO	07/28/19	826
SALIB	MARCO M	20302	\$52000.0000	RESIGNED	YES	07/23/19	826
SANTANA	ADRIANA	10251	\$44679.0000	INCREASE	NO	06/30/19	826
SANUA	JACOB C	20617	\$57720.0000	INCREASE	YES	07/14/19	826
SATIZABAL	JOHN S	91001	\$63104.0000	INCREASE	YES	07/21/19	826
SCHWARTZ	JOHN J	10053	\$140172.0000	INCREASE	YES	07/21/19	826
SIMS	SPENCER	91717	\$409.7800	RETIRED	YES	08/01/19	826
SIMS	SPENCER	91722	\$217.7000	RETIRED	NO	08/01/19	826

DEPT OF ENVIRONMENT PROTECTION
FOR PERIOD ENDING 08/09/19

TITLE							
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY	
SPEZIALE	BRUNO	90767	\$383.8900	PROMOTED	NO	04/14/19	826
STAIANO JR.	ANTHONY F	91314	\$80564.0000	RETIRED	NO	07/23/19	826
STROH	WILLIAM R	91314	\$70508.0000	INCREASE	YES	06/02/19	826
SYPA	MARIELLA A	56057	\$30.1000	INCREASE	YES	06/06/19	826
TAM	THERESA M	10015	\$139945.0000	INCREASE	NO	07/21/19	826
TARIQ	MAHNOOR	10209	\$15.5000	RESIGNED	YES	07/14/19	826
TEXIDOR	IRIS N	10251	\$19.3400	APPOINTED	NO	07/21/19	826
THAPA	PENIZA	20202	\$53170.0000	RESIGNED	YES	06/13/19	826
TORRES	ROSARIO	10251	\$32918.0000	APPOINTED	NO	07/19/19	826
WANG	KARON J	10251	\$32918.0000	APPOINTED	NO	07/28/19	826
WILSON	MICKAIL R	20113	\$37796.0000	APPOINTED	YES	07/21/19	826
WISE	THOMAS M	90739	\$348.4300	RESIGNED	NO	06/12/19	826
YADGAROVA	IRINA	95005	\$117587.0000	INCREASE	YES	04/07/19	826
YI	HENRY K	10251	\$60990.0000	RESIGNED	NO	06/30/19	826
YOUHAN	CHARLES	91639	\$578.0000	RETIRED	NO	06/08/19	826

DEPARTMENT OF SANITATION
FOR PERIOD ENDING 08/09/19

TITLE							
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY	
ABBAJ	NICHOLAS M	90647	\$36276.0000	RESIGNED	YES	07/30/19	827
ABDULLAH	HASSAN	80633	\$15.0000	RESIGNED	YES	07/18/19	827
ALLEN	DREW J	70112	\$77318.0000	RETIRED	NO	08/02/19	827
ALSTON	CARL	80633	\$15.0000	RESIGNED	YES	07/23/19	827
AMSTERDAM	ARBEN D	92508	\$44831.0000	APPOINTED	YES	07/14/19	827
ARANDA	KENWORTH	80633	\$15.0000	RESIGNED	YES	07/23/19	827
ARIAS	RAISA	80633	\$15.0000	RESIGNED	YES	07/16/19	827
BA	ABYA T	80633	\$15.0000	RESIGNED	YES	07/23/19	827
BARROW	SARIKA L	80633	\$15.0000	RESIGNED	YES	07/27/19	827

LATE NOTICE

TAXI AND LIMOUSINE COMMISSION

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Taxi and Limousine Commission (“TLC”, “Commission”) is proposing rules which would amend and add provisions to the existing rules governing Medallion Broker Licenses in Chapter 62 as well as the rules governing Taxicab Agent Licenses in Chapter 63 of Title 35 of the Rules of the City of New York.

When and where is the Hearing? The Commission will hold a public hearing, at which the public and interested parties are invited to submit comments and testimony on the proposed rules, at 10:00 a.m. on October 30, 2019. This hearing will be held in the Commission’s public hearing room at 33 Beaver St., New York, NY on the 19th Floor.

The hearing room is wheelchair accessible and CART will be provided in the meeting room.

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

- **Mail.** You can mail comments to the Taxi and Limousine Commission, Office of Legal Affairs, 33 Beaver Street – 22nd Floor, New York, New York 10004.
- **Fax.** You can fax comments to the Taxi and Limousine Commission, Office of Legal Affairs, at 212-676-1102.
- **Email.** You can email comments to tlcrules@tlc.nyc.gov.
- **Website.** You can submit comments to the Taxi and Limousine Commission through the NYC rules Web site at www.nyc.gov/nycrules.
- **By Speaking at the Hearings.** Anyone who wants to comment on the proposed rule at the public hearings must sign up to speak. You can sign up before either hearing by calling 212-676-1135. You can also sign up in the hearing room before the session begins on October 30, 2019. You can speak for up to three minutes.

Is there a deadline to submit comments? Yes, you must submit comments by October 30, 2019.

Do you need assistance to participate in the Hearings? You must tell the Office of Legal Affairs if you need a reasonable accommodation of a disability at the Hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 212-676-1135. You must tell us by October 24, 2019.

Can I review the comments made on the proposed rules? A few days after the hearing, a transcript of the hearing and copies of the written comments will be available to the public at the Office of Legal Affairs.

What authorizes the Commission to make this rule? Sections 1043 and 2303 of the City Charter and section 19-503 of the City Administrative Code authorize the Commission to make this proposed rule. This proposed rule was not included in the Commission’s regulatory agenda for this Fiscal Year because the need for it was not contemplated when the Commission published the agenda.

Where can I find the Commission’s rules? The Commission’s rules are in title 35 of the Rules of the City of New York.

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

STATEMENT OF BASIS AND PURPOSE OF RULE

The TLC is proposing rules that would amend or add sections to the existing rules governing Medallion Broker Licenses and Taxicab Agent Licenses.

Broker License Rule Amendments

In April 1984, the City Council of the City of New York enacted Local Law No. 18 which added what is now section 19-527 of the Administrative Code of the City of New York. That section, in substance, (1) defines "Taxicab Broker" as one "who, for another... acts as an agent or intermediary in negotiating the purchase or sale of a taxicab" (Administrative Code §19-527[a]); (2) provides for the licensing of such brokers, the payment of an annual license fee of \$500, the posting of a \$50,000 bond for nonpayment of fines imposed by the Taxi and Limousine Commission ("TLC") or judgements "by reason of any misrepresentations, fraud or deceit, or any unlawful act or omission of such licensee, his or her agents or employees" (Administrative Code §19-527[b], [c], [e]); and (3) granted TLC the power to impose a fine of up to \$10,000, suspend or revoke a license for making a material misstatement or misrepresentation on a Taxicab Broker license application, committing a fraudulent, deceitful or unlawful act while acting as a Taxicab Broker, or violating any TLC rule (Administrative Code §19-527[f]).

TLC's rules implementing this local law, located at chapter 62 of Title 35 of the Rules of the City of New York, establish: (a) procedures for the licensing and supervision of an individual or business entity acting as a Taxicab Broker; (b) the qualifications, requirements, prohibitions, and procedures for getting and maintaining a Taxicab Broker's License; (c) rules of operation to protect Taxicab Brokers' customers and the public; and (d) penalties for violations.

In response to allegations of Broker misconduct, on May 20, 2019, Mayor de Blasio ordered a joint investigation by the TLC, Department of Finance and Department of Consumer and Worker Protection into Taxicab Brokers practices. The 45-day review was charged with identifying and penalizing Taxicab Brokers who violated existing TLC regulations and developing regulatory changes to address issues uncovered and unaddressed by the existing regulatory framework.

The report¹ detailing the findings of the joint investigation, includes a summary of identified TLC rule violations, which were forwarded to TLC's Prosecution Division for enforcement and are currently the subject of ongoing administrative enforcement proceedings², as well as a number of recommended changes to TLC rules in order to ensure that Taxicab Brokers are held to a higher standard going forward.

Specifically, the proposed changes:

- Revise penalties for violation of the TLC Broker rules to reflect the seriousness of the prohibited conduct;
- Extend the TLC-required record retention period for Taxicab Brokers from three years to ten years;
- Provide restitution to Brokers' clients, as appropriate, for TLC rule violations;
- Clarify that TLC rules apply to all services offered by Brokers, including but not limited to medallion transfers, broker-facilitated financing or refinancing, and insurance;
- Strengthen Brokers' obligations to disclose interests in TLC-issued taxicab licenses and related taxicab business services provided to their clients, through annual disclosure to TLC of Brokers' interests;
- Expand the required disclosure of interests to include any interests held by spouses, children and other relatives of the Broker;
- Require disclosure of actual conflicts in any transaction to be completed on a form provided by TLC;
- Require written agreements between Brokers and their clients specifying all fees and costs charged by the Broker, informing clients of the Broker's duty to act in their interest, disclose any facts the Broker knows that impact the value of a medallion as well as all offers to purchase, and disclose any fees paid to the Broker by a third party;
- Require that Brokers submit to TLC completed broker agreements including all agreement attachments required by TLC rules and copies of closing statements completed on TLC-provided forms;
- Require that Brokers complete for their clients, and submit within 30 days to TLC, a plain language explanation of material loan terms for any financing or refinancing facilitated by Brokers.

These steps will provide meaningful transparency improvements in the medallion purchasing process. However, they do not address bank or credit union lending practices, which play a key role in the medallion market, but are regulated at the state and federal level. To provide medallion purchasers with greater protection and transparency,

1 The Full Broker report can be found at <https://www1.nyc.gov/assets/tlc/downloads/pdf/broker-investigation.pdf>

2 Upon the resolution of these enforcement actions, TLC will create and maintain on the TLC website a list of enforcement actions against brokers to further increase transparency for prospective buyers and sellers.

continuing review of the adequacy of state and federal regulations and the sufficiency of their enforcement will be necessary.

Agent License Rule Amendments

Outreach to owners as part of the Broker investigation revealed the need for additional regulations applicable to leases between businesses licensed as Taxicab Agents³ and passive medallion owners. This includes consistent and enforceable contracts as well as mandatory contract provisions informing passive medallion owners of their rights when working with a Taxicab Agent. Additionally, numerous owners reported that agents they worked with failed to make timely medallion lease payments, and agreements they entered into allowed the Agent to reduce the medallion lease payment without the owner's consent while also prohibiting owners from cancelling their lease agreements in such cases without significant penalties. Finally, passive owners also expressed uncertainty about Agents' obligation under TLC rules to pay applicable taxes and fees for medallions they manage. The proposed rules address these issues and others by requiring that:

- Written medallion leases must specify lease amounts and frequency of lease payments, all costs and fees that the Agent may charge the owner, and Agent's obligation to pay fees or taxes as required by TLC rules or the medallion lease agreement for all such fees or taxes incurred during the Agent's management of the owner's medallion.
- Written leases must include a provision allowing medallion owners to cancel the medallion lease agreement without penalty or cost if the Agent notifies the Owner of its intention to lower the medallion lease amount.
- Annual accountings to be prepared by Agents for medallion owners itemizing all taxes, fees, insurance and other costs paid by the Agent on behalf of the Medallion Owner.
- Agents provide restitution for any overcharges, underpayments, or missed payments and will face a penalty for failure to pay fees or taxes the Agent was required by TLC rules or the medallion lease agreement to pay.

Enforcement of New Regulations

The investigation into Broker practices revealed the need for greater oversight into the business practices of Brokers, Agents and other TLC-regulated businesses. To ensure that TLC-licensed businesses comply with TLC regulations, including the proposed regulations described above, TLC announced the formation of a Businesses Practices Accountability Unit (BPAU), which will be charged with ongoing monitoring of TLC-licensed businesses, detailed review of TLC-required annual disclosures as well as broker agreements and Broker-provided closing and loan disclosure statements for accuracy and completeness, and investigation of complaints lodged against such entities. TLC is currently staffing this new unit and anticipates BPAU will begin its work by the end of calendar year 2019.

Additional Non-Regulatory Work

The investigation into Broker practices also revealed that for current drivers who own their medallions, the largest single issue they face is unaffordable debt. The average median debt owed by surveyed drivers who own their medallions is approximately \$500,000, well above the prices medallions regularly sell for today on the secondary market. Because of loan refinancing, drivers who purchased their medallions years ago at lower prices also often carry significant debt. Fifty-one-percent of surveyed drivers who own their medallions stated they struggle to pay their monthly bills and 26% stated they are considering bankruptcy. However, only 15% of surveyed drivers who own their medallions indicated their lender has lowered the monthly payments or reduced the loan principal.

To address these financial challenges facing many TLC licensees, the City is preparing to open a new Driver Assistance Center to serve as a central location where licensees can make appointments and receive free services from the TLC and other agency partners. At the Center, licensees will find on-site staff offering financial counseling and debt restructuring assistance, financial advocacy for those negotiating loan refinancing, referrals to mental health services and screening for public benefits. The Center will be located at TLC's Long Island City facility and will be open to all TLC licensed drivers.

The Commission's authority for this rule is found in §2303 of the New York City Charter and §§19-503 and 19-527 of the Administrative Code of the City of New York.

New material is underlined.

[Material inside brackets indicates deleted material.]

Section 1. Subdivision (c) of Section 62-03 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (c) *Broker or Taxicab Broker* is an individual or Business Entity

3 Taxicab Agents are business entities that operate or facilitate the operation of one or more taxicab medallions on behalf of the taxicab medallion owner.

licensed by the Commission to act as an agent for another person or Business Entity in negotiating [either] any of the following:

- (1) The transfer of any interest in a Medallion
- (2) A loan to be secured by a Medallion or a Taxicab, including any refinancing, extension or modification of any such loan

Section 2. Section 62-03 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (h), to read as follows:

(h) Related Party or Parties means a spouse, domestic partner, child, grandchild, parent, sibling, or grandparent; a parent, child or sibling of a spouse or domestic partner; and a spouse, or domestic partner of a parent, child or sibling of any natural person who is a Broker, or, if a Broker is a Business Entity, of any natural person who is a partner, member, shareholder and/or officer of a Broker.

Section 3. Subdivision (c) of section 62-05 of Title 35 of the Rules of the City of New York is amended to read as follows:

(c) *Potential Conflicts of Interest.*

(1) The Applicant must disclose all information about Applicant's interests if the Applicant or any principal of the Applicant or any Related Party of Applicant also:

- [(1)](i) Acts as a lender, insurance broker, or automobile dealer; [or]
- [(2)](ii) Has a financial interest in a lender, insurance broker, or automobile dealership; or
- (iii) Has a financial interest in any business primarily serving applicants or holders of TLC-issued taxicab licenses or offering products or services targeted to applicants or holders of TLC-issued taxicab licenses or which specifically advertises to applicants or holders of TLC-issued taxicab licenses

(2) Such disclosure must be made at the time of submission of an Application for a new or renewal Broker license in the form and manner prescribed by the Commission.

(3) The disclosure on file with the Commission must be updated within 30 days of any material change in the terms of the disclosure.

§62-05(c)(3)	Fine: \$2,500–\$10,000 and/or suspension or revocation	Appearance REQUIRED
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(4) The TLC may post such disclosures on its web site or otherwise make them publicly available.

Section 4. Subdivision (b) of Section 62-10 of Title 35 of the Rules of the City of New York is amended by adding a new paragraph (4), to read as follows:

(4) The Applicant failed to disclose any information about Applicant's interest, or that of any principal of the Applicant, or any Related Party of Applicant, in any transaction involving a Medallion, a transfer of a Medallion, or a financing or refinancing of a Medallion in which the Applicant or any Related Party has a financial interest.

Section 5. The penalty provision of subdivision (a) of section 62-12 of Title 35 of the Rules of the City of New York is amended to read as follows:

§62-12(a)	Fine: \$[500-\$]1,500 ; after the third violation occurring within two years, \$10,000	Appearance REQUIRED
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Section 6. The penalty provision of subdivision (e) of section 62-12 of Title 35 of the Rules of the City of New York is amended to read as follows:

§62-12(e)	Fine: \$[2,500]10,000 and/or suspension or revocation	Appearance REQUIRED
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Section 7. The penalty provision of subdivision (f) of section 62-12 of Title 35 of the Rules of the City of New York is amended to read as follows:

§62-12(f)	Fine: \$[2,500]10,000 and/or suspension or revocation	Appearance REQUIRED
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Section 8. The penalty provisions of paragraphs (1) and (2) of subdivision (a) of section 62-13 of Title 35 of the Rules of the City of New York are amended to read as follows:

§62-13(a)(1)	Fine: \$[500]2,500–\$[1,000]10,000 and/or suspension or revocation	Appearance REQUIRED
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§62-13(a)(2)	Fine: \$[250]2,500–\$[1,000]10,000 and/or suspension or revocation	Appearance REQUIRED
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Section 9. Subdivision (d) of section 62-13 of Title 35 of the Rules of the City of New York is amended to read as follows:

(d) Broker Compensation. A Broker must not accept any commission, rebate, or profit on expenditures that the Broker makes for the owner unless the Broker has disclosed to the owner that the Broker expects to profit in an estimated amount and the owner provides written consent. The Broker must retain the written consent for three years.

§62-13(d)	Fine: \$250–\$2,000 and restitution may be ordered to the owner if the Broker has not disclosed the compensation or the owner has not consented	Appearance REQUIRED
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Section 10. Section 62-15 of Title 35 of the Rules of the City of New York is amended to read as follows:

§62-15 Requirements & Prohibitions – Self-Dealing

(a) A Broker must not directly or indirectly buy or otherwise acquire for himself or herself, nor may a Related Party acquire any interest in a Medallion listed with the Broker without first disclosing that fact in writing to the owner and obtaining the owner's written consent to such transaction, in the form and manner prescribed by the Commission. Where the Broker has an interest in such purchase or acquisition, the Broker may not charge a fee for his or her services.

§62-15(a)	Fine: \$[500-\$2,000]10,000 and suspension for 30 days; restitution may be ordered.	Appearance REQUIRED
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(b) A Broker must not sell a Medallion in which he or she or a Related Party owns an interest without first disclosing that interest in writing to the purchaser and obtaining the purchaser's written consent to such transaction, in the form and manner prescribed by the Commission. Where the Broker has an interest in such sale, the Broker may not charge a fee for his or her services.

§62-15(b)	Fine: \$[250-\$750] 10,000 and suspension for 30 days; restitution may be ordered.	Appearance REQUIRED
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(c) The Broker must disclose any financial interests in writing to the [owners] purchaser and seller in any transfer of an interest in a Medallion or any other transaction facilitated by the Broker, including but not limited to financing or refinancing, where the Broker or any Related Party acts as a lender, insurance broker, or automobile dealer or has a financial interest in the lender, insurance brokerage firm, or automobile dealership or any other business entity providing services in relation to such transaction. The Broker must obtain the written consent of such purchaser and seller to any such conflict prior to offering any such products or services in the form and manner prescribed by the Commission.

§62-15(c)	Fine: \$[250-\$2,000] 10,000 and suspension for 30 days; restitution may be ordered.	Appearance REQUIRED
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(d) If a Broker has failed to disclose any interest held by the Broker or any Related Party in a transaction as required by this section or has failed to obtain the written consent of the other party or parties to such transaction, the Broker may be ordered to pay restitution to the other party for any fees charged or tangible or intangible benefit received by the Broker.

(e) No Broker may represent any party in any transaction in which the Broker or a Related Party has a conflict if the Broker has not filed the disclosure of such conflict with the Commission as required by section 62-05.

§62-15(e)	Fine: \$10,000 and suspension for 30 days or revocation; restitution may be ordered.	Appearance REQUIRED
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Section 11. Section 62-19 of Title 35 of the Rules of the City of New York is amended to read as follows:

§62-19 Business Procedures – Documents, Transactions, and Closing Procedures

(a) Interested Parties.

- (1) A Broker must not request, accept or permit a party to provide a Power of Attorney or any other legal document that has not been completed and signed.
- (2) If a Broker requests a party to sign a document and return it to the Broker, the Broker must give the party a duplicate copy for the party's own records. If any party attends a closing and is presented with a document for signature, the Broker must furnish that party with a copy of the signed document at that closing.
- (3) All other documents prepared by the Broker for an interested party must be delivered to that party within 10 business days after the completion of a closing or other transaction unless otherwise provided in these Rules.
- (4) The Broker must request and retain written acknowledgement that the party received the papers. The Broker must be able to provide proof of compliance with this paragraph upon request of any party or the TLC.

§62-19(a) (1)-(4)	Fine: \$400-\$ 2,000 and/or suspension	Appearance REQUIRED
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- (5) A Broker must give written notice to all sellers and buyers involved in a Medallion transfer of their right to be represented by an attorney or an accountant of their own choosing.

§62-19(a)(5)	Fine: \$500-\$1,000	Appearance REQUIRED
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(b) Principals.

- (1) A Broker who arranges a loan for his or her principal must give that principal a copy of the lender's commitment and of all other documents provided by the lender to the Broker. The Broker must be able to provide proof of compliance with this paragraph upon the request of any party or the TLC. The Broker must also be able to provide proof of compliance with the requirements of section 62-15(c) of this chapter, if applicable.

§62-19(b)(1)	Fine: \$400-\$2,000 and/or suspension	Appearance REQUIRED
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- (2) Within 10 business days after the completion of a closing (including the financial closing), a Broker must give his or her principal(s) and the Commission a written closing statement including the following:
 - (i) Names and addresses of seller(s) and purchaser(s)
 - (ii) Medallion(s) being sold
 - (iii) Sales price
 - (iv) Vehicle cost (if any)
 - (v) Amount of personal funds furnished by purchaser
 - (vi) Names and addresses of lenders together with amount(s) of loan(s)
 - (vii) Broker's commission
 - (viii) List of all disbursements or payments made on behalf of the principal(s) including an explanation of the purpose for the individual payments

§62-19(b)(2) (i)-(viii)	Fine: \$500-\$2,000	Appearance REQUIRED
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- (3) Within 10 business days after completion of the financial closing, a Broker must forward all monies due to his or her principal(s).

§62-19(b)(3)	Fine: [\$1,000-]\$2,500 and/or suspension or revocation	Appearance REQUIRED
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(c) Brokerage Agreements

- (1) All agreements for any transactions involving a Broker or any services provided by a Broker must be in writing and signed by the Broker's clients.
- (2) A copy of each fully executed agreement must be provided to the Broker's clients upon execution of the agreement and upon the client's request.
- (3) Brokerage agreements must be written in plain language.
- (4) Terms. Each agreement must provide:

- (i) All parties represented by the Broker.
 - (A) If the parties represented by a Broker change after the execution of an agreement, the agreement must be amended to reflect this change.
 - (B) If the Broker is representing more than one party in a transaction, the Broker must indicate the fee paid by each party to the transaction.
- (ii) The fee to be paid to the Broker or, for purposes of net listing agreements pursuant to section 62-18 of these Rules, the amount to be paid to the seller.
- (iii) All services provided by the Broker.
- (iv) The Broker's duty to act in the interest of his or her client.
- (v) The Broker's duty to disclose any financial interest of the Broker in the transaction beyond the fee specified in the agreement.
- (vi) The Broker's duty to account for all money and property of his or her client that is entrusted to the Broker.
- (vii) The purchasers' and sellers' right to be represented by an Attorney.
- (viii) Agreements for the transfer of an interest in a Medallion must provide the following additional terms:

- (A) The Broker's duty to disclose any facts known to the Broker which materially impacts the value of the Medallion.
- (B) If the Broker is representing the seller, the Broker's duty to disclose all offers to purchase the Medallion.

(4) The following documents must be attached to each agreement:

- (i) A copy of the Broker's annual disclosure, signed by the Broker's client, in a form and manner prescribed by the Commission.
- (ii) A disclosure of the Broker's actual interest in the transaction, signed by the Broker's client and affirmed by the Broker as accurate and complete, in a form and manner prescribed by the Commission.
- (iii) A copy of a Broker Client Rights document, signed by the Broker's client, in a form and manner prescribed by the Commission.

§62-19(c)	Fine: \$1,000-\$2,500 and/or suspension or revocation	Appearance REQUIRED
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(d) Broker Duties

- (1) Brokers must act in the interest of their clients.
- (2) Brokers must disclose any financial interest in a transaction, in a form and manner prescribed by the Commission.
- (3) Brokers must disclose all fees received from any party related to services provided by the Broker in a transaction, in a form and manner prescribed by the Commission.
- (5) In transactions including the transfer of an interest in a Medallion:
 - (i) Brokers must disclose any facts known to the Broker which materially impact the value of the Medallion.
 - (ii) If a Broker is representing the seller, the Broker must disclose all offers to purchase the Medallion.
 - (iii) Prior to the transfer of an interest in a Medallion, Brokers must provide their clients and the Commission with a closing statement, in a form and manner prescribed by the Commission, as well as an executed agreement with all attachments required by paragraph (4) of subdivision (c) of this section.
- (6) In transactions including the financing or refinancing of a Medallion:
 - (i) A Broker must provide his or her client with all documents provided by the lender for such client.
 - (ii) Brokers must disclose all material loan terms, in a form and manner prescribed by the Commission.
 - (iii) For financing or refinancing transactions that do not include the transfer of an interest in a Medallion, Brokers must provide the Commission with the disclosure of all material loan terms and an executed agreement with all attachments required by paragraph

(4) of subdivision (c) of this section within 10 business days of the transaction.

§62-19(d)(1-6)	Fine: \$1,000-\$2,500 and/or suspension or revocation	Appearance REQUIRED
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- (7) Brokers must account for all money and property of their clients that is entrusted to the Broker.
- (8) Brokers may not charge or request any additional payment or fee in excess of the dollar amount or percentage set forth in the Brokerage Agreement.
- (9) Within 10 business days following any transaction, a Broker must forward to his or her client all monies due to such client.

§62-19(d)(7-9)	Fine: \$2,500-\$10,000 and/or suspension or revocation; restitution may be ordered.	Appearance REQUIRED
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Section 12. Subdivision (a) of section 62-20 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (a) Retention of Records. A Broker must keep and maintain [the following records] all documents required by Section 62-19 of this chapter and any other documents provided by the Broker and signed by the Broker's client for [three] ten years. [
- (1) The names and addresses of transferor(s), transferee(s), mortgagee(s), or other lien holder(s), if any
 - (2) The purchase price
 - (3) Amount of deposit paid on contract
 - (4) Amount of commission paid to Broker
 - (5) Expenses of procuring the mortgage loan, if any
 - (6) Closing statements
 - (7) Listing placed with the Broker]

§62-20(a) [(1)-(7)]	Fine: \$250-\$1,000 for each missing document	Appearance NOT Required
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Section 13. The penalty provision of subdivision (b) of section 62-21 of Title 35 of the Rules of the City of New York is amended to read as follows:

§62-21(b)	Fine: \$[1,000]2,500-\$[2,500]10,000 and/or suspension or revocation; restitution may be ordered.	Appearance NOT Required
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Section 14. The penalty provision of subdivision (d) of section 62-21 of Title 35 of the Rules of the City of New York is amended to read as follows:

§62-21(d)	Fine: \$100-\$500; restitution may be ordered.	Appearance NOT Required
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Section 15. Section 62-23 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (k), to read as follows:

- (k) Retaliation.
- (1) A Broker may not retaliate against any Owner or client for making a good faith complaint against any Broker.
 - (2) Retaliation will be broadly construed, and will include imposing any adverse condition or consequence on the Owner or client or withholding or withdrawing any beneficial condition or consequence from the Owner or client.

§62-23(k)	Fine: \$1,000 plus restitution to the owner or client for losses for the first violation and a fine of \$10,000 plus restitution to the owner or client for the second violation and subsequent violations within five years.	Appearance NOT Required
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Section 16. Subdivision (d) of section 63-07 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (d) Medallion-Owner Agent Violates Rules. The Commission will deny an application for an Agent's License if the Applicant owns or manages a Medallion and has violated any Commission Rule where the penalty for that violation is revocation of the License.

Section 17. Section 63-08 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (j), to read as follows:

- (j) Retaliation.

- (1) An Agent may not retaliate against any Driver or Owner for making a good faith complaint against any Agent.
- (2) Retaliation will be broadly construed, and will include imposing any adverse condition or consequence on the Driver or Owner or withholding or withdrawing any beneficial condition or consequence from the Driver or Owner.

§63-08(j)	Fine: \$1,000 plus restitution to the driver or owner for losses for the first violation and a fine of \$10,000 plus restitution to the driver or owner for the second violation and subsequent violations within five years.	Appearance NOT Required
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Section 18. Section 63-09 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (c), to read as follows:

- (c) An Agent must not dispatch a Taxicab or other vehicle unless the registration of such Taxicab or other vehicle is Valid.

§63-09(c)	Fine: \$100-\$350 and/or suspension up to 30 days.	Appearance Required
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Section 19. Subdivisions (c) and (d) of section 63-11 of Title 35 of the Rules of the City of New York, relating to the duties of agents with regard to drivers and owner-must-drive compliance, are REPEALED, and a new subdivisions (c) and (d) are added, to read as follows:

- (c) No Unlicensed Drivers.

- (1) An Agent may not permit a Taxicab to be operated for hire unless the driver has in his or her possession a Valid TLC Driver License.

§63-11(c)(1)	Fine: \$400 and/or suspension up to 30 days.	Appearance Required
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- (2) Exceptions. An Agent can permit a person who does not possess a TLC Driver License to drive the vehicle only when all of the following limited circumstances are met:

- (i) The vehicle is being driven to or from the Commission's centralized Taxicab inspection facility or a repair facility;
- (ii) The driver has entered the appropriate off duty code in the Technology System;
- (iii) A current Trip Record (written or electronically printed out) is in the Taxicab, indicating the vehicle is "Off-Duty" and why;
- (iv) The rear doors are locked;
- (v) The person driving the vehicle is licensed to drive a motor vehicle.

§63-11(c)(2)	Fine: \$400 and/or suspension up to 30 days.	Appearance Required
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- (3) The Commission will post on its website a list of Drivers holding Valid TLC Driver Licenses.

- (d) Hours of Operation. Maximum Driving Hours. An Agent may not require a Driver to operate one or more Taxicabs for more than 12 consecutive hours.

§63-11(d)	Fine: \$50	Appearance NOT Required
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Section 20. The penalty provision of subdivisions (g) of section 63-11 of Title 35 of the Rules of the City of New York is amended, to read as follows:

§63-11(g)	Fine: \$1,000-\$10,000 and Suspension until compliance or Revocation; Restitution to the Owner may be ordered.	Appearance NOT Required
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Section 21. Subdivision (a) of Section 63-12 of Title 35 of the Rules of the City of New York is amended, to read as follows:

- (a) [Partition] Vehicle Safety Equipment. An Agent must not dispatch a Taxicab unless it is [equipped with a partition that isolates the Driver from the rear seat passengers in accordance with the specifications in §67-10 of the Hakeup Chapter unless the Taxicab is exempt from the partition requirements under the general] in compliance with the provisions of §58-35[(b)] of the Taxicab Owners Chapter.

Section 22. Section 63-14 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (f), to read as follows:

(f) No Driver Lease Payments through TPEP. An Agent may not require a driver to make a lease payment pursuant to section 58-21 of these Rules utilizing the TPEP system.

§63-14(f)	Fine: First violation \$500 Second and subsequent violations: \$1000 and/or suspension of the Agent for up to thirty days.	Appearance NOT Required
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Section 23. Chapter 63 of Title 35 of the Rules of the City of New York is amended by adding a new section 63-16, to read as follows:

§63-16 Leasing of Medallions from Medallion Owners

(a) Lease must be in writing.

- (1) All lease agreements between Agents and Medallion owners, including any amendments to such leases, must be in writing and signed by the Agent and Medallion or Taxicab owner. Electronic signatures are permissible for electronic leases.
- (2) A copy of the fully executed lease must be provided to the Medallion or Taxicab owner upon lease execution and upon the owner's request.

§63-16(a)	Fine: \$500 per missing lease	Appearance NOT Required
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(b) Terms. Each lease between an Agent and a Medallion owner must provide:

- (1) The amount and frequency of lease payments.
- (2) All costs and fees that may or will be charged to the Medallion Owner by the Agent.
 - (i) For each cost and fee that will be charged, the lease must provide in clear and unambiguous language an explanation of such cost or fee.
 - (ii) For each cost and fee that may be charged, the lease must provide in clear and unambiguous language an explanation of the conditions that will result in the imposition of such cost or fee.
 - (iii) If a cancellation fee is included in the lease, the cancellation fee must be reasonable and the lease must specify the minimum prior notice that must be provided by the owner to avoid the cancellation fee.
- (3) All leases must include the following provisions:
 - (i) The Agent is responsible for paying to New York City and New York State agencies all taxes and surcharges collected on behalf of a Medallion Owner during the periods that such Medallion is leased by the Agent. Failure to pay any taxes or surcharges collected by the Agent should be reported by the Medallion Owner to TLC.
 - (ii) TLC rules prohibit Agents from retaliating against owners for complaints filed with the TLC. Any retaliation should be reported to the TLC.
 - (iii) TLC rules prohibit Agents from charging any fees to owners unless specifically provided in the written lease between the Agent and the Medallion Owner. Any charges not specified in such lease should be reported to the TLC.
- (4) If the lease allows the Agent to change the lease payment amount, the agreement must include the following:
 - (i) The Agent must provide the owner with no less than 30 days' notice before changing the lease payment amount.
 - (ii) Such notice must be sent by certified US Mail to the owner.
 - (iii) The Owner has the ability to terminate the lease agreement at any time during the 30-day notice period without any fee or penalty.

(c) Timely Payment. Agents must make all lease payments as required by the lease agreement.

(d) No Overcharges. Agents may not charge or request any additional payment or any fee in excess of any amount set forth in the lease agreement.

(e) No interest in Medallion. A lease agreement may not grant the Agent any rights in or to a Medallion other than the dispatch and operation of the Taxicab to which the Medallion is affixed for the period specified. A lease agreement may not grant an Agent a right or option to purchase.

§63-16(b-e)	Fine: First violation \$500 Second and subsequent violations: \$1000 and/or suspension of the Agent for up to thirty days. In addition to the penalty payable to the Commission, restitution to the owner, equal to the excess or unauthorized charge that was charged to the driver.	Appearance NOT Required
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(f) Owner Receipts. Agents must provide owners with receipts for all payments, deductions and charges, with applicable lease provision cited for any deduction or charge.

§63-16(f)	Fine: \$200	Appearance Required
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(g) Annual Accounting. Agents must provide to owners an annual accounting of all taxes, fees, insurance and other costs paid or remitted on behalf of the Medallion owner.

§63-16(g)	Fine: \$500	Appearance NOT Required
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(h) Maintenance of Records. An Agent must maintain for a period of three years from the date a lease agreement with a Medallion owner expires or is cancelled:

- (1) A copy of the executed lease and any lease amendments;
- (2) Records of all itemized lease payments paid to owners;
- (3) Records of all itemized payments received from owners; and
- (4) Copies of all annual accountings prepared by the Agent for the owner.

§63-16(h)	Fine: \$100 for each missing item	Appearance Required
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Section 24. Subdivision (i) of Section 58-21 of Title 35 of the Rules of the City of New York is amended by adding a new paragraph (7), to read as follows:

(7) No Driver Lease Payments through TPEP. An owner may not require a driver to make a lease payment pursuant to this section utilizing the TPEP system.

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

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

RULE TITLE: Amendment of Rules for Taxicab Brokers

REFERENCE NUMBER: 2019 RG 077

RULEMAKING AGENCY: Taxi and Limousine Commission

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

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

/s/ STEVEN L. GOULDEN
Acting Corporation Counsel

Date: September 13, 2019

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

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

RULE TITLE: Amendment of Rules for Taxicab Brokers

REFERENCE NUMBER: TLC-112

RULEMAKING AGENCY: Taxi and Limousine Commission

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because a cure period is not practicable under the circumstances.

/s/ Francisco X. Navarro September 13, 2019
 Mayor's Office of Operations Date

Accessibility questions: (212) 676-1135, by: Thursday, October 24, 2019, 5:00 P.M.



Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Taxi and Limousine Commission ("TLC") is proposing to amend its taxicab vehicle specifications for accessible vehicles that are placed into service as a taxicab, by allowing additional models to be used. In addition, accessible taxicabs may add an accessible taxi symbol to the roof light.

When and where is the hearing? TLC will hold a public hearing on the proposed rule. The public hearing will take place at 10:00 am on October 30, 2019. The hearing will be in the TLC hearing room at 33 Beaver St, 19th Floor, New York, NY 10004.

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

- **Website.** You can submit comments to the TLC through the NYC rules website at <http://rules.cityofnewyork.us>
- **Email.** You can email comments to tlcrules@tlc.nyc.gov
- **Mail.** You can mail comments to Taxi and Limousine Commission, Office of Legal Affairs, 33 Beaver St, 22nd Floor, New York, NY 10004
- **Fax.** You can fax comments to the Taxi and Limousine Commission, Office of Legal Affairs, at 212-676-1102
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling 212-676-1135. You can also sign up in the hearing room before the hearing begins on October 30, 2019. You can speak for up to three minutes.

Is there a deadline to submit comments? You must submit written comments by October 30, 2019.

What if I need assistance to participate in the hearing?

You must tell the Office of Legal Affairs if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 212-676-1135. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by October 24, 2019.

This location has the following accessibility option(s) available: the TLC hearing room is wheelchair accessible and computer access real-time translation (CART) will be provided.

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

What authorizes TLC to make this rule? Sections 1043 and 2303 of the City Charter and section 19-503 of the City Administrative Code authorize TLC to make this proposed rule. This proposed rule was not included in the Commission's regulatory agenda for this Fiscal Year because it was not contemplated when the Commission published the agenda.

Where can I find TLC rules? The Taxi and Limousine Commission rules are in title 35 of the Rules of the City of New York.

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

Statement of Basis and Purpose of Proposed Rule

In order to allow greater vehicle choice for medallion owners and a broader selection of vehicles for passengers who use wheelchairs, these proposed rules would permit taxicab medallion owners who are required to, or choose to, hack-up with an accessible vehicle to use approved vehicle models in addition to the Nissan NV200 Taxi of Tomorrow. In addition, the proposed rules would permit accessible taxicabs to add an accessible taxi symbol to the roof light. The proposed rules also remove outdated material relating to the introduction of the NV200 Taxi of Tomorrow in New York City. Also, the proposed rule change would amend the technical specifications for taxicabs regarding partitions in vehicles, such as the NV200 Taxi of Tomorrow, where the partition is specifically designed to not interfere with the deployment of an airbag.

TLC's authority for these rules is found in section 2303 of the New York City Charter and section 19-503 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

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

Section 1. The definitions of terms "Accessible Official Taxicab Vehicle ('Accessible OTV')", "Official Taxicab Vehicle ('OTV')", and "Official Taxicab Vehicle Activation Date ('OTV Activation Date.),'", as set forth in section 51-03 of Title 35 of the Rules of the City of New York are deleted, and the definition of term "Taxicab Model" is amended, to read as follows:

§51-03 Definitions

[Accessible Official Taxicab Vehicle ("Accessible OTV") is the OTV modified in a manner that is consistent with the City's contract with Nissan North America.]

[Official Taxicab Vehicle ("OTV") is the vehicle that is a purpose built taxicab for model years 2014 – 2024, manufactured pursuant to the City's contract with Nissan North America. All references to OTV include Accessible OTV unless otherwise specified.]

[Official Taxicab Vehicle Activation Date ("OTV Activation Date") is September 1, 2015, the date on or after which the Official Taxicab Vehicle is required to be used in the Hackup of any Unrestricted Medallion unless otherwise provided in section 67 of these Rules.]

Taxicab Model is [the OTV, the Accessible OTV, or] a Taxicab Candidate that has been verified by the Commission as complying with the standard specifications set forth in §67-05.1 or §67-05.2 of these Rules.

Section 2. Subparagraph (vii) of paragraph 6 of subdivision (c) of section 58-21 of Title 35 of the Rules of the City of New York is amended to read as follows:

(vii) Based on the index, the surcharge will be as follows:

[UNTIL THE OTV ACTIVATION DATE:]

When the Index is:	The surcharge will be:
\$2.49 or less	\$13 per shift (or \$78 per week)
\$2.50 to \$2.99	\$16 per shift (or \$96 per week)
\$3.00 to \$3.49	\$18 per shift (or \$108 per week)
\$3.50 to \$3.99	\$21 per shift (or \$126 per week)
\$4.00 to \$4.49	\$23 per shift (or 138 per week)
\$4.50 to \$4.99	\$26 per shift (or \$156 per week)
\$5.00 or more	\$28 per shift (or \$168 per week)

[ON AND AFTER THE OTV ACTIVATION DATE:]

When the Index is:	The surcharge for Hybrid Electric and Diesel-Fueled taxicabs will be:	The surcharge for all other taxicabs will be
\$2.49 or less	\$13 per shift (or \$78 per week)	\$16 per shift (or \$96 per week)
\$2.50 to \$2.99	\$16 per shift (or \$96 per week)	\$19 per shift (or \$114 per week)
\$3.00 to \$3.49	\$18 per shift (or \$108 per week)	\$21 per shift (or \$126 per week)

\$3.50 to \$3.99	\$21 per shift (or \$126 per week)	\$24 per shift (or \$144 per week)
\$4.00 to \$4.49	\$23 per shift (or 138 per week)	\$26 per shift (or \$156 per week)
\$4.50 to \$4.99	\$26 per shift (or \$156 per week)	\$29 per shift (or \$174 per week)
\$5.00 or more	\$28 per shift (or \$168 per week)	\$31 per shift (or \$186 per week)

Section 3. Subdivision (d) of section 58-31 of Title 35 of the Rules of the City of New York is amended to read as follows:

§58-31 Vehicle Condition – Miscellaneous

(d) *No Alterations.* An Owner will make no structural change in a Taxicab [or in an OTV] that deviates from the Taxicab specifications set forth in Chapter 67 of these Rules without the Commission's written approval.

§58-31(d)	Fine: \$100	Appearance NOT REQUIRED
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Section 4. Paragraphs (n) and (t) of subdivision (i) of section 58-32 of Title 35 of the Rules of the City of New York are amended to read as follows:

INSCRIPTION*	LOCATION	SIZE
(n) [Checkerboard stripe decals (Reserved)] <u>New York State symbol for accessibility, for Accessible Taxicabs. (optional)</u>	<u>Front and rear of roof light, displayed on both sides of the medallion number.</u>	
(t) The decal will feature the International Symbol of Access for Hearing Loss, described as the profile of an ear with a wide diagonal line running from the bottom left to the top right. The symbol contrast shall be light on dark or dark on light. A "T" will be placed in the lower right-hand corner of each decal. The internal decal will include the language "Induction loop installed. Switch hearing aid to T-coil."	[The decal will be placed on the outside of each OTV on the B-pillar and on the inside of each OTV rear passenger compartment on the partition in a location plainly visible to passengers. For vehicles that are not OTVs but have Hearing Induction Loop technology, place as directed by the Chairperson.] <u>Vehicles equipped with Hearing Induction Loop technology must place the decal on the outside of the vehicle as directed by the Chairperson, and inside the rear passenger compartment in a location plainly visible to passengers.</u>	The exterior B-pillar decal will be 3.0 x 3.0 inches; the interior passenger compartment decal dimensions will be as issued by the Commission.

Section 5. Subdivision (c) of section 58-35 of Title 35 of the Rules of the City of New York, relating to modifications for curtain airbags in taxicabs equipped with a partition, is REPEALED.

Section 6. Subdivisions (a) and (d) of section 67-05 of Title 35 of the Rules of the City of New York are amended to read as follows:

§67-05 Taxicab Model Choice

(a) *Unrestricted Medallions.* Unrestricted Medallions may be used with [the OTV, the Accessible OTV, or] any Taxicab Model that complies with §67-05.1 or §67-05.2 of these Rules. If at any time an Unrestricted Medallion is required by law or rule of the Commission for use with an Accessible Vehicle, the owner of such medallion must purchase [an Accessible OTV or lease such medallion for use with an Accessible OTV. Provided, however, that with the Chairperson's approval, up to 496 Unrestricted Medallion owners in good standing may at any time purchase] for Hack-up any Accessible Vehicle which meets the specifications set forth in §67-05.2 of these Rules, or lease their medallions for use with such a vehicle.

(d) *Accessible Medallions.* Accessible Medallions may be used with [the Accessible OTV or] any Accessible Taxicab Model that complies with §67-05.2 of these Rules.

Section 7. Paragraph 5 of subdivision (b) of section 67-10 of Title 35 of the Rules of the City of New York is amended to read as follows:

§67-10 Requirements for Hack-up – Partitions

(b) *Technical Specifications.*

- (5) There must be no opening or gap between the partition and the body of the vehicle larger than one inch, except for vehicles equipped with factory installed curtain airbags. In those vehicles, the partition shall allow a space of six inches on each side, sufficient to permit proper deployment of the curtain airbags unless the partition is specifically designed by the vehicle manufacturer to not interfere with the deployment of side curtain airbags.

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212-356-4028

CERTIFICATION PURSUANT TO CHARTER §1043(d)

RULE TITLE: Amendment of Vehicle Specifications for Accessible Taxicabs

REFERENCE NUMBER: 2019 RG 054

RULEMAKING AGENCY: Taxi and Limousine Commission

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

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

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: July 15, 2019

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

CERTIFICATION / ANALYSIS PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Amendment of Vehicle Specifications for Accessible Taxicabs

REFERENCE NUMBER: TLC-110

RULEMAKING AGENCY: Taxi & Limousine Commission

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

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

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

July 15, 2019
Date

Accessibility questions: (212) 676-1135, by: Thursday, October 24, 2019, 4:00 P.M.

