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THE CITY RECORD

BILL DE BLASIO

Mayor

LISETTE CAMILO

Commissioner, Department of Citywide Administrative Services

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

CONFLICTS OF INTEREST BOARD

MEETING

The Conflicts of Interest Board, announces a meeting of the Board, on Thursday, May 14, 2020, at 9:30 A.M. On the public agenda, may be the Board's consideration of amendments to Title 53 of the Rules of the City of New York. Due to the ongoing public health emergency, the public agenda will be conducted remotely and may be accessed by Zoom



and telephone upon request. The Zoom platform is accessible to screen readers. For instructions on public participation, contact the Board's Special Counsel, Julia Lee, at lee@coib.nyc.gov, in advance of the open meeting.

Accessibility questions: Julia Lee, lee@coib.nyc.gov, by: Tuesday, May 12, 2020, 5:00 P.M.



m8

BOARD OF CORRECTION

MEETING

The New York City Board of Correction, will hold a special meeting, on Tuesday, May 12, 2020, at 9:00 A.M. The Board will discuss pending variance requests and other issues impacting the New York City jail system.

The meeting will be held remotely, via video conference. Please visit the below WebEx link, to access the meeting. The public may also listen to the meeting using the phone number below. A recording of the meeting will be available on the Board's website, following the meeting.

<https://nycboc.webex.com/nycboc/onstage/g.php?MTID=ecc61adced632179f155c6ad4fb058189> (web conference link)

1 (408) 418-9388, with access code 718 759 640.

More information is available on the Board's website, at <https://www1.nyc.gov/site/boc/meetings/may-12-2020.page>.

m6-12

EMPLOYEES' RETIREMENT SYSTEM

MEETING

Please be advised, that the next Regular Meeting of the Board of Trustees of the New York City Employees' Retirement System, has been scheduled for Thursday, May 14, 2020, at 9:30 A.M. To be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor, Boardroom, Brooklyn, NY 11201-3751.

m7-13

FRANCHISE AND CONCESSION REVIEW COMMITTEE

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a remote public meeting, on Wednesday, May 13, 2020, at 2:30 P.M., via WebEx dial-in. The dial-in information is below.

Dial-in #: +1-408-418-9388
Access Code: 716 891 588
Press # on further prompts

For further information, on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact the Mayor's Office of Contract Services (MOCS) via email, at DisabilityAffairs@mocs.nyc.gov, or via phone at (646) 872-0231. Any person requiring reasonable accommodation for the public meeting, should contact MOCS at least five (5) business days in advance of the meeting to ensure availability.



a23-m13

OFFICE OF LABOR RELATIONS

MEETING

The New York City Deferred Compensation Board, will hold its next meeting, on Tuesday, May 12, 2020, from 10:00 A.M. to 11:00 A.M. The meeting, will be held remotely via conference call. Please visit the below link, to access the audio recording of the Board meeting, or to access archived Board meeting audio/videos: <https://www1.nyc.gov/site/olr/deferred/dcp-board-webcasts.page>

m5-12

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, May 12, 2020, at 9:30 A.M., the Landmarks Preservation Commission (LPC or agency), will hold a public hearing by teleconference with respect to the properties list below, and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. The teleconference will be by the Zoom app and will be live streamed on the LPC's YouTube channel www.youtube.com/nyclpc. Members of the public should observe the meeting on the YouTube channel and may testify on particular matters by joining the meeting using either the Zoom app, or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, under the "Hearings" tab <https://www1.nyc.gov/site/lpc/hearings/hearings.page>, on the Monday before the public hearing. Any person requiring language assistance services or other reasonable accommodation in order to participate in the hearing or attend the meeting should contact the LPC by contacting Rich Stein, Community and Intergovernmental Affairs Coordinator, at richstein@lpc.nyc.gov, or (646) 248-0220, at least five (5) business days before the hearing or meeting. **Please note: Due to the City's response to COVID-19,**

this public hearing and meeting is subject to change and/or cancellation.

349 Hoyt Street - Carroll Gardens Historic District

LPC-20-08392 - Block 451 - Lot 7 - Zoning: R6B
CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style apartment house, designed by J.G. Miller and built, in 1884. Application is to construct a rooftop bulkhead and railings.

631 Vanderbilt Avenue - Prospect Heights Historic District

LPC-20-03284 - Block 1152 - Lot 9 - Zoning: R7A, C1-4
CERTIFICATE OF APPROPRIATENESS

A commercial building, built c. 1870, and later altered with the removal of the upper floors and a new façade c. 1963. Application is to enlarge the building and construct a new façade.

1003 Sterling Place - Crown Heights North Historic District

LPC-20-07323 - Block 1242 - Lot 53 - Zoning: R6
CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style rowhouse, designed by Axel S. Hedman and, built c. 1899. Application is to construct a porch.

265 Park Lane - Douglaston Historic District

LPC-20-04732 - Block 8050 - Lot 35 - Zoning: R1-2
CERTIFICATE OF APPROPRIATENESS

A Colonial Revival style house, designed by Albert Humble and built, in 1920. Application is to replace porch windows.

97 Greenwich Avenue - Greenwich Village Historic District

LPC-20-06772 - Block 615 - Lot 29 - Zoning: R6
CERTIFICATE OF APPROPRIATENESS

A commercial building, designed by Platt Byard Dovell Architects and, built c. 2002. Application is to alter the facades.

770 Broadway - NoHo Historic District

LPC-20-06947 - Block 554 - Lot 1 - Zoning: C6-2
CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style department store, designed by D.H. Burnham & Co. and built, in 1903-07 with an addition built, in 1924-25. Application is to install a rooftop HVAC unit.

1162 Broadway - Madison Square North Historic District

LPC-20-05494 - Block 829 - Lot 28 - Zoning: M1-6
CERTIFICATE OF APPROPRIATENESS

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

106 East 78th Street - Upper East Side Historic District

LPC-20-06274 - Block 1412 - Lot 68 - Zoning: R8B
CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style rowhouse, designed by R. W. Buckley and built, in 1879-1880. Application is to alter the primary façade, demolish a rear extension and modify windows.

160 Fifth Avenue - Ladies' Mile Historic District

LPC-20-09059 - Block 822 - Lot 7507 - Zoning: C6-4M
CERTIFICATE OF APPROPRIATENESS

A Neo-Renaissance offices/store and loft building, designed by Robert Henderson Robertson and built, in 1891-92. Application is to install new entrance infill and a marquee.

1109 Fifth Avenue - Expanded Carnegie Hill Historic District

LPC-20-02758 - Block 1504 - Lot 1 - Zoning: R10
CERTIFICATE OF APPROPRIATENESS

A Francois I (Chateausque) style mansion, designed by C.P.H. Gilbert and built, in 1907-09; with a museum wing addition to the north of the mansion, designed by Roche, Dinkeloo & Associates and built, in 1988-93. Application is to install temporary signage.

420 Riverside Drive - Morningside Heights Historic District

LPC-19-40117 - Block 1896 - Lot 1 - Zoning: R8
CERTIFICATE OF APPROPRIATENESS

An Renaissance Revival style apartment building, designed by Gaetan Ajello and built in 1911-12. Application is to establish a Master Plan, governing the future installation of windows.

a29-m12

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, May 12, 2020, at 9:30 A.M., the Landmarks Preservation Commission (LPC or agency), will hold a public hearing by teleconference with respect to the properties list below, and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website the Friday before the hearing. Please note that the order and estimated times are subject to change. The teleconference will be by the Zoom app and will be live streamed on the LPC's YouTube channel www.youtube.com/nyclpc. Members of the public should observe the meeting on the YouTube channel and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, under the "Hearings" tab <https://www1.nyc.gov/site/lpc/hearings/hearings.page>, on the Monday before the

public hearing. Any person requiring language assistance services or other reasonable accommodation in order to participate in the hearing or, attend the meeting should contact the LPC by contacting Rich Stein, Community and Intergovernmental Affairs Coordinator, at richstein@lpc.nyc.gov or (646) 248-0220, at least five (5) business days before the hearing or meeting. **Please note: Due to the City's response to COVID-19, this public hearing and meeting is subject to change and/or cancellation.**

**Manida Street Historic District-
LP-2644**

ITEM PROPOSED FOR PUBLIC HEARING

The proposed Manida Street Historic District consists of the properties, bounded by a line beginning on the eastern curb line of Manida Street, at a point on a line extending westerly from the northern property line of 870 Manida Street, and extending easterly along said line and along the northern property line of 870 Manida Street, southerly along the eastern property lines of 870 to 814 Manida Street, westerly along the southern property line of 814 Manida Street to the eastern curb line of Manida Street, northerly along said curb line to a point on a line extending easterly from the southern property line of 819 Manida Street, westerly along said line across Manida Street and along the southern property line of 819 Manida Street, northerly along the western property lines of 819 to 861 Manida Street, easterly along the northern property line of 861 Manida Street and across Manida Street to its eastern curb line, and northerly along said curb line to the point of beginning.

a29-m12

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, **May 19, 2020**, at 9:30 A.M., the Landmarks Preservation Commission (LPC or agency), will hold a public hearing by teleconference with respect to the properties list below, and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. The teleconference will be by the Zoom app and will be live streamed on the LPC's YouTube channel, www.youtube.com/nyclpc. Members of the public should observe the meeting on the YouTube channel and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, under the "Hearings" tab <https://www1.nyc.gov/site/lpc/hearings/hearings.page>, on the Monday before the public hearing. Any person requiring language assistance services or other reasonable accommodation in order to participate in the hearing or attend the meeting should contact the LPC by contacting Rich Stein, Community and Intergovernmental Affairs Coordinator, at richstein@lpc.nyc.gov or (646) 248-0220, at least five (5) business days before the hearing or meeting. **Please note: Due to the City's response to COVID-19, this public hearing and meeting is subject to change and/or cancellation.**

**11 Water Street - Fulton Ferry Historic District
LPC-20-09886 - Block 25 - Lot 12 - Zoning: M2-1
BINDING REPORT**

A park constructed from former waterfront industrial sites and from portions of the former Fulton Ferry Park. Application is to alter and expand the existing park.

**412 Clinton Avenue - Clinton Hill Historic District
LPC-20-04602 - Block 1960 - Lot 25 - Zoning: R6B
CERTIFICATE OF APPROPRIATENESS**

A Neo-Federal style house, designed by R.I. Markwith and built in 1919. Application is to construct a rear yard addition, install ramps and railings, and replace windows and roofing.

**610 Fifth Avenue, 620 Fifth Avenue, 626-636 Fifth Avenue, 1 Rockefeller Plaza, 10 Rockefeller Plaza, 30 Rockefeller Plaza, 50 Rockefeller Plaza, 1230 Avenue of the Americas,
LPC-20-09273 - Block Mult - Lot Mult - Zoning: C5-2.5, C5-3
CERTIFICATE OF APPROPRIATENESS**

Twelve office buildings, including La Maison Francaise; The British Building; Palazzo d'Italia; International Building; International Building North; 1 Rockefeller Plaza Building; 10 Rockefeller Plaza Building; RCA Building; Associated Press Building; Simon & Schuster Building; RCA Building West; and 1270 Avenue of the Americas Building; and a pedestrian garden corridor and plaza, designed by a consortium of architects known as the Associated Architects, with portions designed by a group of fine artists, built in 1931-34; 1936-39; and 1954-55 as parts of an Art Deco style office, commercial and entertainment complex. Application is to install lighting.

**600 Fifth Avenue - Individual Landmark
LPC-20-09274 - Block 1264 - Lot 30 - Zoning: C5-2.5, C5-3
CERTIFICATE OF APPROPRIATENESS**

An office building, designed by Carson & Lundin and built in 1950-52, as part of an Art Deco style office, commercial and entertainment complex. Application is to install lighting.

**42 West 94th Street - Upper West Side/Central Park West
Historic District
LPC-19-34470 - Block 1207 - Lot 48 - Zoning: R7-2
CERTIFICATE OF APPROPRIATENESS**

A Queen Anne style rowhouse, with Romanesque Revival and Neo-Grec elements, designed by Increase M. Grenell and built in 1888. Application is to construct rooftop and rear yard additions.

**405 Lexington Avenue - Individual and Interior Landmark
LPC-20-08748 - Block 1297 - Lot 23 - Zoning: C5-3, C5-2.5
CERTIFICATE OF APPROPRIATENESS**

An Art Deco style skyscraper, designed by William Van Alen and built in 1928-1930. Application is to replace windows and install glass windscreens.

**12 West 72nd Street, Apt 27B - Upper West Side/Central Park
West Historic District
LPC-20-08588 - Block 1124 - Lot 42 - Zoning:
CERTIFICATE OF APPROPRIATENESS**

An apartment hotel building, designed by Emery Roth and built in 1927. Application is to install new window and door openings.

**240 West 73rd Street - West End - Collegiate Historic District
Extension
LPC-20-08778 - Block 1164 - Lot 47 - Zoning: R8B
CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style apartment building, designed by Leo F. Knust and built in 1927-28. Application is to construct a rooftop mechanical enclosure and bulkhead, raise parapets and chimneys, install a marquee and signage, modify masonry openings and replace doors.

**117 West 79th Street - Upper West Side/Central Park West
Historic District
LPC-20-09545 - Block 1210 - Lot 26 - Zoning:
CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style apartment building, built 1898-1899. Application is to modify a window opening and install a door and barrier-free access lift.

**311 West 90th Street - Riverside - West End Historic District
LPC-20-07761 - Block 1251 - Lot 15 - Zoning: R8
CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style rowhouse, designed by Thomas J. Sheridan and built in 1890-1891. Application is to alter entry doors.

**535 West 110th Street - Morningside Heights Historic District
LPC-20-02401 - Block 1882 - Lot 8 - Zoning: R8
CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style apartment building, designed by Robert T. Lyons and built in 1922-23. Application is to establish a Master Plan, governing the future installation of windows.

m6-19

BOARD OF STANDARDS AND APPEALS

■ PUBLIC HEARINGS

June 1 and 2, 2020, 10:00 A.M. and 2:00 P.M.

NOTICE IS HEREBY GIVEN of teleconference public hearings, Monday, June 1, 2020 and Tuesday, June 2, 2020, at 10:00 A.M. and 2:00 P.M., to be streamed live, through the Board's website (www.nyc.gov/bsa), with remote public participation, on the following matters:

SPECIAL ORDER CALENDAR

58-30-BZ

APPLICANT – Nasir J. Khanzada, P.E., for Manny Kumar, owner. SUBJECT – Application October 12, 2018 – Amendment (§11-412) of a previously approved variance, which permitted the operation of an Automotive Service Station (UG 16B), with accessory uses. The amendment seeks to legalize alterations, which removed two service bays and enlargement and conversion of a portion of the building to a convenience store; relocation of gasoline pumps and installation of a new canopy. R4 zoning district.

PREMISES AFFECTED – 73-13 Cooper Avenue, Queens

COMMUNITY BOARD #4Q

10-99-BZ

APPLICANT – Law Office of Fredrick A. Becker, for D & M Richmond Realty LLC, owner; TSI Staten Island LLC dba New York Sports Club, lessee.

SUBJECT – Application November 20, 2019 – Extension of Term of a previously approved Special Permit (§73-36), which permitted the operation of a physical cultural establishment (New York Sports Club), which expired on October 26, 2019. M2-1 zoning district.

PREMISES AFFECTED – 300 West Service Road, Block 2705, Lot 135, Borough of Staten Island.

COMMUNITY BOARD #2SI

33-99-BZ

APPLICANT – Rothkrug Rothkrug & Spector LLP, for RCPI Landmark Properties LLC, owner; Equinox Rockefeller Center Inc., lessee.

SUBJECT – Application November 26, 2019 – Extension of Term of a previously approved Special Permit (§73-36), which permitted the operation of a physical cultural establishment (Equinox Fitness), which expired on January 11, 2020. C5-2.5 and C5-3 Midtown Special Purpose district. Rockefeller Center National Historic Landmark.

PREMISES AFFECTED – 630 5th Avenue aka 40-60 Rockefeller Plaza, 31-41 West 50th Street, 32-40 West 51st Street, Block 1266, Lot 1, Borough of Manhattan.

COMMUNITY BOARD #5M

72-99-BZ

APPLICANT – Rothkrug Rothkrug & Spector LLP, for PGREF/1633 Broadway Tower, L.P., owner; Equinox 50th Street, Inc., lessee.

SUBJECT – Application November 15, 2019 – Extension of Term of a previously approved Special Permit (§73-36), which permitted the operation of a physical cultural establishment (Equinox Fitness), which expires on January 11, 2020. C6-7 Midtown Special Purpose District. PREMISES AFFECTED – 1633 Broadway, Block 1022, Lot 43, Borough of Manhattan.

COMMUNITY BOARD #5M

Margery Perlmutter, Chair/Commissioner

m8-11

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.

j2-d31

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

ADMINISTRATION FOR CHILDREN'S SERVICES**AWARD**

Human Services/Client Services

WRAP-AROUND SERVICES - BP/City Council Discretionary - PIN#06820L0007001 - AMT: \$100,000.00 - TO: City Living NY, Inc., 1741 73rd Street, Brooklyn, NY 11204.

• m8

CITY UNIVERSITY**LAGUARDIA COMMUNITY COLLEGE****SOLICITATION**

Services (other than human services)

BUILDING MAINTENANCE SERVICES - Competitive Sealed Bids - PIN#0692020327 - Due 5-21-20 at 2:00 P.M.

Contractor shall provide to LaGuardia Community College of the City University of New York, building operating engineering services, which include operating engineering and emergency services as set forth in the attached solicitation.

Prevailing wage rates apply to this solicitation. Contractor shall provide classifications of titles described in Section 5 of Attachment F in this solicitation.

Contract Term: 5 Years

To receive a copy of this Invitation for Bid, send an email, to pricequote@lagcc.cuny.edu In your subject line, note "Request for IFB 0692020327".

Questions Due: 5/15/2020, no later than 3:00 P.M.
 Responses to Questions, 5/18/20.

Any purchase that results from this advertisement shall be governed by the terms and conditions of this advertisement (including without limitation, any attached specifications and any other terms and conditions attached hereto or incorporated herein by reference), the University's standard Purchase Order Terms and Conditions and Appendix A, the Standard Clauses for New York State Contracts, which are incorporated herein by reference with the same effect as it is written.

Communication with respect to this procurement initiated by or on behalf of an interested vendor through others may constitute an "impermissible contact" under state law, and could result in disqualification of that vendor.

No subcontracting allowed unless approved in writing by the College. The Procurement Lobbying Act (PLA) Applies to this Solicitation.

The restricted period began with the publication of this ad.

Compliance Procurement Lobbying Act Required Forms: Vendor shall complete, sign and submit the following forms if they are selected.

- "Offerer's Affirmation of Understanding of and Agreement, pursuant to State Finance Law § 139-j (3) and § 139-j (6) (b)"
- "Offerer's Disclosure of Prior Non-Responsibility Determinations and Certification of Compliance with State Finance Law §139-j and §139-k"

Contact with CUNY:

Under the requirements of the PLA, all communications regarding advertised projects are to be channeled through the Designated Contact. Communication with respect to this procurement initiated by or on behalf of an interested vendor through others than the Designated Contact may constitute an "impermissible contact" under NYS law and could result in disqualification of that vendor.

Rules and regulations and more information on this law, please visit: [ns/advisoryCouncil/Faq.htm](https://www.advisorycouncil.nyc.gov/faq.htm) (Advisory Council FAQs) <http://www.jcope.ny.gov/law/lob/lobbying2.html> (New York State Lobbying Act)

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.
 City University, 31-10 Thomson Avenue, Room E-405, Long Island City, NY 11101. Tawanikka Smith (718) 482-5590; Fax: (718) 609-2166; pricequote@lagcc.cuny.edu

a30-m13

CITYWIDE ADMINISTRATIVE SERVICES**OFFICE OF CITYWIDE PROCUREMENT****AWARD**

Goods

COVID19 - POLYESTER BANDANNAS - Emergency Purchase - Other - PIN#85620E0120001 - AMT: \$500,000.00 - TO: Woodhull Medical Supplies Inc., 789 Flushing Avenue, Brooklyn, NY 11206.

Award Date: 4/23/2020.

• m8

COVID19 - COLORED BANDANNAS - Emergency Purchase - Other - PIN#85620E0117001 - AMT: \$328,200.00 - TO: OTC Brands Inc, 4206 South 108th Street, Omaha, NE 68137.

Award Date: 4/23/2020.

• m8

COVID19 - DISPOSABLE FACE MASK - Emergency Purchase - Other - PIN#85620E0116001 - AMT: \$20,100,000.00 - TO: BT Supplies West Inc., 451 Mirror Court, #103, Henderson, NV 89011.

Award Date: 4/23/2020.

• m8

COVID19 - DISPOSABLE FACE MASK AND ISOLATION GOWNS - Emergency Purchase - Other - PIN#85620E0112001 - AMT: \$4,017,200.00 - TO: Utech Products Inc., 135 Broadway, Schenectady, NY 12305.

Award Date: 4/22/2020.

• m8

COVID19 - FULLBACK ISOLATION GOWNS - Emergency Purchase - Other - PIN#85620E0123001 - AMT: \$8,068,000.00 - TO: Traction and Scale LLC., 53 Prospect Street, Stamford, CT 06901.

Award Date: 4/23/2020.

☛ m8

COVID19 - KN95 FACE MASK - Emergency Purchase - Other - PIN# 85620E0119001 - AMT: \$654,500.00 - TO: DH Commerce LLC, 1835 East 8th Street, Brooklyn, NY 11223.

Award Date: 4/23/2020.

☛ m8

COVID19 - KN95 FACE SHIELDS - Emergency Purchase - Other - PIN# 85620E0118001 - AMT: \$122,000.00 - TO: Empire Electronics Inc., PO Box 120, Northport, NY 11768.

Award Date: 4/23/2020.

☛ m8

COMPTROLLER

■ SOLICITATION

Goods and Services

FIXED INCOME INVESTMENT MANAGEMENT SERVICES

- Negotiated Acquisition - Other - PIN#015-208-248-00FI - Due 5-26-20 at 3:00 P.M.

In accordance with Section 3-04(b)(2)(iii) of the New York City Procurement Policy Board Rules, the New York City Comptroller Office (the "Comptroller's Office"), acting on behalf of the New York City Retirement Systems, is seeking to extend the existing Fixed Income Investment Management Agreements with Neuberger Berman Investment Advisers LLC, below, for one year, from July 1, 2019 to June 30, 2020. The firm is a fiduciary and provides fixed income investment management services.

Vendors that are interested in expressing interest in this procurement or in similar procurements in the future, may contact Aya Guriel, at aguriel@comptroller.nyc.gov. Expressions of Interest are due May 26, 2020, by 3:00 P.M. (ET).

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, 1 Centre Street, Room 800, New York, NY 10007. Aya Guriel (212) 669-2756; aguriel@comptroller.nyc.gov

m6-12

ENVIRONMENTAL PROTECTION

PURCHASING MANAGEMENT

■ INTENT TO AWARD

Goods

SANITAIRE DIFFUSED AERATION EQUIPMENT AND REPLACEMENT PARTS - Sole Source - Available only from a single source - PIN#0BWT0011 - Due 5-15-20 at 11:00 A.M.

NYC Environmental Protection, intends to enter into a sole source negotiation, with Xylem Water Solutions Inc., for the purchase of Sanitaire Diffused Aeration equipment and replacement parts. Any firm, which believes they can also provide these goods, are invited to indicate by letter, or email, to Ira M. Elmore, Deputy Agency Chief Contracting Officer.

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, 17th Floor, Flushing, NY 11373. Ira Elmore (718) 595-3259; ielmore@dep.nyc.gov

m4-8

HEALTH AND MENTAL HYGIENE

■ INTENT TO AWARD

Goods

REAGENTS AND SUPPLIES FOR THE DETECTION MYCOBACTERIUM TUBERCULOSIS GROWTH AND CANDIDA AURIS TESTING. - Sole Source - Available only from a single source - PIN#21LB007701R0X00 - Due 5-26-20 at 12:00 P.M.

NYC DOHMH, intends to enter into a sole source contract agreement, with Becton Dickinson and Company, for the purchase of BACTEC MGIT 960 reagents and supplies, which will be used in the NYC Public Health Laboratory, to detect the presence of M. Tuberculosis complex in respiratory specimens. DOHMH, determined that Becton Dickinson and Company, is the Sole Source Supplier, for the BD MAX™ System and Reagents, BACTEC® MGIT 960 System, MGIT Tubes, Supplements and Reagents. There are no other manufacturers, suppliers, or distributors for these products. The Mycobacteriology Laboratory requires these products for growth, identification, and antibiotic susceptibility testing of specimens received by Public Health Laboratory (PHL) for the diagnosis and management of tuberculosis.

Any vendor that believes it can provide these goods/products for such procurement, is invited to submit an expression of interest, by email, which must be received, no later than May 26, 2020, 12:00 P.M.

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

Health and Mental Hygiene, 42-09 28th Street, 17-18, Long Island City, NY 11101. Min Feng Wang (347) 396-4394; mwang3@health.nyc.gov

☛ m8-14

HOUSING PRESERVATION AND DEVELOPMENT

■ INTENT TO AWARD

Services (other than human services)

ROUTESMART MAINTENANCE- 3 YEAR CONTRACT - Sole Source - Available only from a single source - PIN#80620S0002 - Due 5-22-20 at 5:00 P.M.

Routesmart Software, is a critical service for inspectors in the Office of Enforcement and Neighborhood Services (ENS) and Housing Quality Standatds (HQS), division to perform their inspections. All inspections that are routed and created by 311 complaints, use the Routesmart software.

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 Preservation and Development, 100 Gold Street, Room 8B06, New York, NY 10038. Gaurav Channan (646) 863-6841; channang@hpd.nyc.gov

m5-11

HUMAN RESOURCES ADMINISTRATION

■ AWARD

Goods and Services

255 SAMSUNG TV W/5 YEAR WARRANTY FOR VIDEO FEED PROJECT. - Required Method (including Preferred Source) - PIN# 20DSMMI28201 - AMT: \$354,613.20 - TO: Shi International Corp, 290 Davidson Avenue, Somerset, NJ 08873.

Contract Term from 3/15/2020 - 3/14/2025.

☛ m8

Human Services/Client Services

NON-EMERGENCY PERMANENT SUPPORTIVE HOUSING FOR PLWA'S - Renewal - PIN#09611P0049009R001 - AMT: \$2,919,870.00 - TO: West Side Federation for Senior and Supportive Housing, 2345 Broadway, New York, NY 10024.

Term: 4/1/2020 - 3/31/2026.

☛ m8

YOUTH PATHWAYS PROGRAM TO SERVICE AREA I, BRONX - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#09616I0006003R001 - AMT: \$4,317,463.12 - TO: Fedcap Rehabilitation Services Inc, 633 3rd Avenue, New York, NY 10017.

Contract Term: 4/1/2020 - 3/31/2023.

☛ m8

TRANSITIONAL SUPPORTIVE CONGREGATE HOUSING FOR HASA CLIENTS - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#09615I0012006 - AMT: \$15,300,000.00 - TO: Unique People Services Inc., 4234 Vireo Avenue, Bronx, NY 10470.

Contract Term: 12/1/2019 - 11/30/2024.

☛ m8

NON-EMERGENCY PERMANENT SUPPORTIVE HOUSING FOR PLWA'S - Renewal - PIN#09611P0049003R001 - AMT: \$2,910,642.00 - TO: University Consultation and Treatment Center for Mental Hygiene, 1020 Grand Concourse, Bronx, NY 10451.

Contract Term: 4/1/2020 - 3/31/2026.

☛ m8

CEO-ANTI-POVERTY PROGRAM EVALUATION AND RESEARCH ACTIVITIES - Negotiated Acquisition - Available only from a single source - PIN#09611P0004001N001-A - AMT: \$1,006,798.25 - TO: ABT Associates Inc, 4550 Montgomery Avenue, Suite 800 N, Bethesda, MD 20814.

Contract Term: 6/1/2019 - 5/31/2020.

☛ m8

CAREERCOMPASS PROGRAM TO SERVICE AREA IV, QUEENS1 - Renewal - PIN#09616I0007008R001 - AMT: \$5,362,655.00 - TO: Educational Data Systems Inc, 15300 Commerce Drive North, Suite 200, Dearborn, MI 48120.

Contract Term: 4/1/2020 - 3/31/2023.

☛ m8

Services (other than human services)

RENEWAL OF IT CONSULTING SERVICES FROM UNIPLUS CONSULTANTS, INC. - Intergovernmental Purchase - Judgment required in evaluating proposals - PIN#09620G0014001 - AMT: \$437,400.00 - TO: Uniplus Consultants, Inc., 8140 Ashton Avenue, Suite 210, Manassas, VA 20109.

Contract Term: 1/1/2020 - 12/31/2021.

☛ m8

IT CONSULTING SERVICES FOR ONE CONSULTANT - Intergovernmental Purchase - Judgment required in evaluating proposals - PIN#09620G0031001 - AMT: \$130,000.00 - TO: Prutech Solutions, Inc, 555 US Highway 1 South, 2nd Floor, Iselin, NJ 08830.

Contract Term: 7/1/2019 - 6/30/2022.

☛ m8

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

CONTRACTS AND PROCUREMENT

■ **AWARD**

Goods and Services

EMERGENCY ORDER - SCREENS FOR PSAC1 AND PSAC2 - Emergency Purchase - Other - PIN#85820E0007001 - AMT: \$386,370.00 - TO: East Coast Office Furniture Services, Inc., 23 Commerce Road, Suite F, Fairfield, NJ 07004.

Emergency Order, with East Coast, for the delivery and installation of screens, for the consoles, at the Public Safety Answering Centers.

Due to the COVID-19 Pandemic, the City has authorized an Emergency Procurement with East Coast, for the delivery and installation of screens for the consoles, at the Public Safety Answering Centers, in order to protect the call takers.

☛ m8

Services (other than human services)

EMERGENCY ORDER - 311 BACKUP CALL CENTER - Emergency Purchase - Other - PIN#85820E0006001 - AMT: \$2,000,000.00 - TO: Harkins Kovler, LLC, 3 Columbus Circle, 15th Floor, New York, NY 10019.

Emergency Order with Harkins Kovler, for a Backup Center for 311.

Due to the COVID-19 Pandemic, the City has authorized an Emergency Procurement with Harkins Kovler, LLC, for a backup 311 Call Center, in order to handle the high volume of calls placed into 311.

☛ m8

OFFICE OF THE MAYOR

■ **SOLICITATION**

Services (other than human services)

MODEL AND MAP FUTURE FLOOD RISK IN NEW YORK CITY - Request for Proposals - PIN# 82620P0027 - Due 6-15-20 at 5:00 P.M.

The City of New York (the "City") through the Department of Environmental Protection ("DEP"), requests the services of one or more qualified companies (the "Consultant") to perform technical services related to dynamic flood modeling of future conditions in New York City ("NYC") based on the latest Federal Emergency Management Agency ("FEMA") storm surge model.

Proposals determined to be responsive will be considered in terms of the following selection criteria:

- Relevant experience (25 percent)
- Organizational capacity to manage a complex technical project for a public client (25 percent)
- Technical proposal that is innovative, clear, and responsive to the RFP (50 percent)

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

Office of the Mayor, Mayor's Office of Resiliency, 253 Broadway, New York, NY 10007-1602. Peter Adams (212) 748-0369; ffrmrpf@resiliency.nyc.gov

m1-14

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/nycvendonline/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

CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. FOR FURTHER INFORMATION ON ACCESSIBILITY OR TO MAKE A REQUEST FOR ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION SERVICES, PLEASE CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES (MOCS) VIA E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 788-0010. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



ADMINISTRATION FOR CHILDREN'S SERVICES

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held via WebEx call on Monday, May 18, 2020 commencing at 10:00 a.m. on the following:

IN THE MATTER OF a proposed Purchase Order/Contract between the Administration for Children's Services and Westchester Barber Academy, located at 206 S Fulton Avenue, Mount Vernon, New York to provide Barber Services to the children under ACS Care. The amount of this Purchase Order/Contract will be \$150,000.00. The term will be July 1, 2020 through June 30, 2021; PIN #: 21ACS007.

The Vendor has been selected, pursuant to Section 3-08 (c) (1)(iv) M/WBE Noncompetitive Small Purchases of the Procurement Policy Board Rules.

In order to access the Public Hearing or to testify, please join the public hearing WebEx call at 1-646-992-2010 (New York), 408-418-9388 (United States outside of NY), Meeting ID: 712 910 429 no later than 9:50 am on the date of the hearing. If you require further accommodations, please contact Joyce Caballero, via email, at Joyce.Caballero@acs.nyc.gov no later than three business days before the hearing date.

IN THE MATTER OF a proposed Purchase Order/Contract between the Administration for Children's Services and Sporda Tech Inc. located at 220 Riverside Boulevard, Apt 10R, New York, NY 10069 to provide Consulting Services. The amount of this Purchase Order/Contract will be \$ 149,310.00. The term will be July 1, 2020 through February 23, 2021; PIN #: 20ACS838

The Vendor has been selected, pursuant to Section 3-08 (c) (1)(iv) M/WBE Noncompetitive Small Purchases of the Procurement Policy Board Rules.

In order to access the Public Hearing or to testify, please join the public hearing WebEx call at 1-646-992-2010 (New York), 408-418-9388 (United States outside of NY), Meeting ID: 712 910 429 no later than 9:50 am on the date of the hearing. If you require further accommodations, please contact Joyce Caballero, via email, at Joyce.Caballero@acs.nyc.gov no later than three business days before the hearing date.

• m8

COMPTROLLER

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, May, 21 2020, at 10:00 AM. The Public Hearing will be held via Conference Call. Call-in #: 1-646-876-9923, Meeting ID: 984 5776 3717, Access ID 014391.

IN THE MATTER OF a proposed contract between the New York City Office of the Comptroller and Pugh Capital Management Inc., located at 520 Pike Street, Suite 2900, Seattle, WA 98101, for the procurement of "Core Plus Fixed Income Investment Management Services" The value of the contract shall be \$2,477,676.00. The term of the contract shall be for ten months and three years. PIN# 015-208-252-00 FM.

The vendor has been selected pursuant to the Negotiated Acquisition Method, pursuant to Section 3-04 of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-876-9923, Meeting ID: 984 5776 3717, Access ID 014391** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail to Cristina Ottey at cottey@comptroller.nyc.gov.

• m8

AGENCY RULES

ADMINISTRATIVE TRIALS AND HEARINGS

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Office of Administrative Trials and Hearings (OATH) is proposing changes to its rules expanding the availability of financial hardship waivers for respondents appealing hearing decisions imposing restitution payments.

When and where is the Hearing? OATH will hold a public hearing on the proposed rule. The public hearing will take place from **11:00 a.m. through 12:00 p.m. on Tuesday, June 9, 2020**. The hearing will be conducted by video conference and is accessible by:

- **Internet Video and Audio.** For access, visit: <https://nyc-oath.webex.com/nyc-oath/j.php?MTID=m66c351286644a6d9d5bc333d13aa5f2f> When prompted, enter **Meeting ID:** 719 567 232 **Password:** OATH
- **Phone.** For access, dial: 1-646-992-2010 or 1-408-418-9388. When prompted, enter **Meeting ID:** 719 567 232

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

- **Website.** You can submit comments to OATH through the NYC rules website at <http://rules.cityofnewyork.us/>.
- **Email.** You can email comments to Rules_Oath@oath.nyc.gov.
- **Mail.** You can mail comments to OATH, Attention: Nicholas Dietz, Assistant General Counsel, 100 Church Street, 12th Floor, New York, NY 10007.
- **Fax.** You can fax comments to OATH, Attention: Nicholas Dietz, Assistant General Counsel, at (212) 361-1900.
- **By Speaking at the Hearing.** Anyone who wants to comment on the proposed rules at the public hearing may speak for up to three minutes. Please access the public hearing by internet video and audio or by telephone using the instructions above.

Is there a deadline to submit written comments? Yes, you must submit written comments by **5:00 p.m. on Tuesday, June 9, 2020**.

Do you need assistance to participate in the hearing? You must tell OATH 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 contact us by mail at 100 Church Street, 12th Floor, New York, NY 10007 or by telephone at (212) 436-0708 to request a reasonable accommodation. You must tell us by **Monday, June 8, 2020**.

Can I review the comments made on the proposed rule? You may go online to review the comments made online on the proposed rules by going to the NYC Rules website at <http://rules.cityofnewyork.us/>. Shortly after the public hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public at OATH, 66 John Street, 10th Floor, New York, NY 10038 and on OATH's website at <https://www1.nyc.gov/site/oath/about/legal-resources-and-rule-making.page>.

What authorizes OATH to make this rule? Section 1049(2)(a) of the New York City Charter authorizes OATH to make this proposed rule. This proposed rule was not included in OATH's regulatory agenda for this Fiscal Year because it had not been contemplated when OATH published the agenda.

Where can I find OATH's rules? OATH's rules can be found in Title 48 of the Rules of the City of New York.

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

Statement of Basis and Purpose of Proposed Rule

The Office of Administrative Trials and Hearings (OATH) is proposing to amend the Rules of the City of New York to allow a respondent seeking to file an appeal to obtain a financial hardship waiver for restitution payments. Currently, if a respondent wishes to appeal an OATH hearing decision pursuant to such section 6-19, the respondent must, in addition to meeting other requirements, indicate in writing that any fines, penalties, or restitution imposed by the hearing decision have been paid in full, unless the respondent is granted a waiver due to financial hardship, or another exception applies. Such a waiver may be granted with respect to the payment of fines and penalties, but not with respect to the payment of restitution. The two sections of this proposed rule change, described below, are necessary to ensure that respondents facing financial hardship can exercise their right to an appeal regardless of the type of sanction imposed upon them by a hearing decision.

Section 1 of this proposed rule would amend clause (A) of subparagraph (iii) of paragraph 1 of subdivision a of section 6-19 of title 48 of the Rules of the City of New York to permit a respondent who has been granted a financial hardship waiver to file an appeal of an OATH decision without indicating in writing that any payments of restitution imposed by the decision have been made in full. Currently, such alternatives are only available where the decision imposes the payment of a fine or a penalty.

Section 2 of this proposed rule would amend subdivision b of section 6-19 of title 48 of the Rules of the City of New York to eliminate the restitution exception for financial hardship waivers. This amendment would allow the OATH Chief Administrative Law Judge, or his or her designee, to waive the requirement that a respondent indicate in writing and submit proof that the respondent has paid restitution in full prior to or at the time of filing an appeal, where the respondent has produced evidence of the respondent's financial hardship.

New material is underlined.

[Deleted material is in brackets.]

Section 1. Clause (A) of subparagraph (iii) of paragraph 1 of Subdivision a of section 6-19 of title 48 of the Rules of the City of New York is amended to read as follows:

A. Respondent is granted a waiver of prior payment of fines [or], penalties or restitution due to financial hardship, as provided in subdivision (b) of this section;

§ 2. Subdivision b of section 6-19 of title 48 of the Rules of the City of New York is amended to read as follows:

(b) Financial hardship.

[1] An application to the Tribunal for a waiver of prior payment due to financial hardship must be made before or at the time of the filing of the appeal and must be supported by evidence of financial hardship. The Chief Administrative Law Judge or his or her designee has sole discretion to grant or deny a waiver due to financial hardship. Application for a waiver does not extend the time to appeal.

[2] Notwithstanding the provisions set forth in subdivision (a)(iii), above, payment of restitution is not subject to waiver due to financial hardship. If a Hearing Officer has ordered payment of restitution, the Respondent must, prior to or at the time of filing the appeal, submit proof that the Respondent has deposited the amount of restitution with the agency responsible for collecting payment, pending determination of the appeal.]

**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: Financial Hardship Waivers for Respondents Appealing Hearing Decisions

REFERENCE NUMBER: 2020 RG 021

RULEMAKING AGENCY: Office of Administrative Trials and Hearings

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: April 23, 2020

**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: Financial Hardship Waivers for Respondents Appealing Hearing Decisions

REFERENCE NUMBER: OATH-ECB-96

RULEMAKING AGENCY: Office of Administrative Trials and Hearings

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

April 23, 2020
Date

◀ m8

HEALTH AND MENTAL HYGIENE

■ NOTICE

**ORDER OF THE COMMISSIONER OF HEALTH AND MENTAL HYGIENE OF THE CITY OF NEW YORK
TO MODIFY THE ORDER OF THE BOARD OF HEALTH REGARDING THE CLOSURE OF CERTAIN CHILD CARE PROGRAMS**

WHEREAS, the New York City Board of Health (the "Board") issued an Order for the Closure of Certain Child Care Programs and Family Shelter Based Drop Off Child Supervision Programs (the "April 3, 2020 Order") on April 3, 2020; and

WHEREAS, there continues to be an urgent public health need in the City to slow the spread of COVID-19, and extraordinary measures have been implemented by both the State and the City to do so; and

WHEREAS, Executive Orders 202.4 and 202.11 issued by the New York State Governor Andrew Cuomo required a plan for child care for children of health care professionals and first responders who are critical to the COVID-19 response effort, and there is also a need to provide child care to children of other essential businesses or entities including government employees, food workers and pharmacy employees; and

WHEREAS, I find there is an urgent health need to modify the Board's April 3, 2020 Order so that child care programs provided by an employer for the benefit of health care professionals, first responders, government employees, food workers, pharmacy employees and other employees of essential businesses or entities is provided without interruption;

NOW THEREFORE I, Oxiris Barbot, M.D., Commissioner of the New York City Department of Health and Mental Hygiene, finding a public health emergency within the City of New York continues, and that it is necessary for the health and safety of the City and its residents, do hereby exercise the power of the Board of Health to prevent, mitigate, control and abate the current emergency, to amend the Board's April 3, 2020 Order that certain childcare programs and family shelter based drop off child supervision programs close and cease operations before Monday, April 6, 2020, so that:

1. Any child care program operated by or on behalf of an employer of health care professionals, first responders, government employees, food workers, pharmacy employees or other employees of essential businesses or entities as defined by the Governor or his designee, that is providing child care only to children under the care of those employees, is not subject to the April 3, 2020 Order and may continue to operate; and
2. I, in accordance with efforts to slow the spread of COVID-19 and further the protection of public health, may permit any child care program subject to the April 3, 2020 Order to remain open upon a determination that doing so would serve the interest of this Order and the April 3, 2020 Order.

This Order shall be effective immediately and remain in effect so long as the April 3, 2020 Order of the Board remains in effect, subject to the authority of the Board of Health to continue or rescind, alter, or modify this Order pursuant to section 3.01(d) of the New York City Health Code.

Dated: 4/5/20

S/S

Oxiris Barbot,
M.D. Commissioner of Health

m6-8

ORDER OF THE BOARD OF HEALTH OF THE CITY OF NEW YORK REQUIRING ELECTRONIC REPORTING OF DEATHS

WHEREAS, on March 7, 2020 New York State Governor Andrew Cuomo declared a State disaster emergency for the entire State to address the threat that the novel coronavirus 2019 ("COVID-19") poses to the health and welfare of State residents and visitors, and such declaration remains in effect; and

WHEREAS, on March 12, 2020, Mayor Bill de Blasio declared a state of emergency in the City to address the threat posed by COVID-19 to the health and welfare of City residents, and such declaration remains in effect; and

WHEREAS, the Mayor directed all agency heads, including the Department of Health and Mental Hygiene (the "Department") and the Board of Health (the "Board"), to take all appropriate and necessary steps to preserve public safety and to render all required and available assistance to protect the security, well-being and health of the residents of the City, and such direction has been renewed in subsequent emergency executive orders and remains in effect; and

WHEREAS, the number of deaths in the City reported to the Department has increased dramatically in recent weeks, with reported deaths related to COVID-19 having increased to over 15,000 deaths by April 24, 2020; and

WHEREAS, pursuant to subdivision (d) of section 205.03 of the Health Code, hospitals, skilled nursing facilities and hospices that report 10 or more deaths to the Department per year, as well as the Office of the Chief Medical Examiner, are required to make such reports electronically, specifically by electronically preparing death certificates and confidential medical reports and filing such documents with the Department electronically; and

WHEREAS, the Health Code permits anyone reporting less than 10 deaths to the Department per year to use non-electronic reporting, but the submission and processing of such papers requires in-person staffing, and given the increased number of deaths as well

as social distancing measures ordered in recent weeks, such non-electronic reporting of deaths is neither safe nor feasible; and

WHEREAS, on April 9, 2020, Mayor de Blasio issued Emergency Executive Order No. 106, suspending provisions of section 17-196 of the Administrative Code to the extent such provisions prohibit requiring the use of the electronic death registration system for the registration of deaths during a declared emergency and require regular training on the use of such system, and the Mayor further authorized the Board to require the electronic registration of all deaths occurring within the City; and

WHEREAS, on April 10, 2020 the Commissioner duly issued a Commissioner's Order Requiring Electronic Reporting of Deaths, pursuant to section 3.01 of the Health Code to effectuate the Mayor's Emergency Executive Order and require the electronic filing of all death certificates and confidential medical reports filed with Department;

NOW THEREFORE BE IT RESOLVED, that at its meeting on April 28, 2020, the Board of Health does hereby modify the Commissioner's Order Requiring Electronic Reporting of Deaths of April 10, 2020 and amend the Health Code as follows:

1. Subdivision (d) of section 205.03 is modified to require that all persons required to report any deaths to the Department are required to electronically prepare death certificates and confidential medical reports and to file such documents with the Department electronically; and
2. Subdivision (e) of section 205.03 is suspended to the extent such subdivision requires facilities, organizations and individuals reporting deaths electronically to apply for and obtain approval from the Department prior to implementing an electronic reporting system, provided that any such facility, organization or individuals shall electronically prepare and file with the Department death certificates and confidential medical reports in the manner and form directed by the Department and shall comply with any procedures and training requirements related to such preparation and filing imposed by the Department.

This Order shall be effective immediately and remain in effect so long as Section 6 of Mayor de Blasio's Emergency Executive Order No. 106 remains in effect, including any extension thereof, or such earlier time as the Commissioner may indicate pursuant to promoting social distancing policies as well as the timely filing and reporting of death certificates and confidential medical reports of death.

m6-8

ORDER OF THE BOARD OF HEALTH OF THE CITY OF NEW YORK REGARDING FUNERAL DIRECTOR SERVICES

WHEREAS, on March 7, 2020 New York State Governor Andrew Cuomo declared a State disaster emergency for the entire State of New York to address the threat that the novel coronavirus 2019 ("COVID-19") poses to the health and welfare of New York residents and visitors, and such declaration remains in effect; and

WHEREAS, on March 12, 2020, Mayor Bill de Blasio declared a state of emergency in the City of New York (the "City") to address the threat posed by COVID-19 to the health and welfare of City residents, and such declaration remains in effect; and

WHEREAS, the Mayor directed all agency heads, including the Department of Health and Mental Hygiene (the "Department") and the Board of Health (the "Board"), to take all appropriate and necessary steps to preserve public safety and to render all required and available assistance to protect the security, well-being and health of the residents of the City, and such direction has been renewed in subsequent emergency executive orders and remains in effect; and

WHEREAS, the number of deaths in the City reported to the Department has increased dramatically in recent weeks, with reported deaths related to COVID-19 having increased from over 2000 deaths by March 31, 2020 to over 15,000 such deaths by April 24, 2020; and

WHEREAS, on April 9, 2020, Governor Cuomo issued Executive Order 202.15 which temporarily suspended or modified certain provisions of the State Public Health Law, the Not for Profit Corporation Law, and the New York Codes, Rules and Regulations to allow the New York State Department of Health (the "NYSDOH") to approve out of state funeral directors and unregistered but licensed funeral directors to act under the supervision of a licensed and registered funeral director, and to allow funeral directors or undertakers to authorize persons deputized by NYSDOH to be agents authorized to perform certain tasks required of a funeral director; and

WHEREAS, on April 14, 2020, the NYSDOH Bureau of Funeral Directing issued a guidance letter to funeral directors approving out of state funeral directors, unregistered but licensed funeral directors, and certain deputized agents of a funeral directors to associate with a duly licensed and registered supervising funeral director pursuant to the Governor's Executive Order 202.15; and

WHEREAS, Articles 205 and 207 of the Health Code require funeral directors to perform certain acts, including filing reports of deaths and removing remains from the place of death or other location for final disposition; and

NOW THEREFORE BE IT RESOLVED at its meeting on April 28, 2020, the Board of Health does hereby amend the New York City Health Code to suspend and modify any provision of Article 205 and Article 207 that may be inconsistent with allowing an out of state funeral director, an unregistered (passive and inactive) but licensed funeral director, or a deputized agent of a funeral director as described in guidance issued by the NYSDOH Bureau of Funeral Directing to act in accordance with Governor Cuomo's Executive Order 202.15 and any subsequent amendment or extension thereof, provided that such person registers with the Department as required by Article 205.

This Order shall be effective immediately and remain in effect until the end of the public health emergency or such earlier time as the Commissioner may indicate, in accordance with any extension and expiration of Governor Cuomo's Executive Order 202.15, and pursuant to promoting the timely removal and final disposition of human remains in the City.

m6-8

SANITATION

■ NOTICE

CITYWIDE ADMINISTRATIVE PROCEDURE ACT REGULATORY AGENDA FY 2021 NEW YORK CITY DEPARTMENT OF SANITATION

PURSUANT TO SECTION 1042 OF THE NEW YORK CITY CHARTER, THE NEW YORK CITY DEPARTMENT OF SANITATION SETS FORTH BELOW ITS REGULATORY AGENDA FOR THE CITY'S FISCAL YEAR OF 2021 COMMENCING JULY 1, 2020 THROUGH JUNE 30, 2021:

SUBJECT AREA: RULES GOVERNING REQUIREMENTS RELATING TO THE PROVISION OF WASTE COLLECTION SERVICE BY CERTAIN PRIVATE HAULING COMPANIES TO BUSINESS ESTABLISHMENTS WITHIN COMMERCIAL WASTE ZONES

REASONS FOR RULE: In November 2019 comprehensive waste reform legislation to reform the private carting industry in New York City was signed into law. Local Law 199 of 2019 authorizes the Department to create a commercial waste zone system in New York City for the collection and removal of solid waste and recyclable materials generated by businesses in such newly-created waste collection zones throughout the City. The Department may promulgate new rules that are consistent with the anticipated new local law as may be necessary.

SUMMARY OF ANTICIPATED CONTENT: Pursuant to Local Law 199, the Department may promulgate rules under Title 16 of the Rules of the City of New York to carry out the mandates of Local Law 199, including rules governing customer service for commercial establishments, operational requirements for private carting companies, health and safety protective measures for private carting employees, and recycling and organics requirements, following its creation of 20 designated commercial waste zones across New York City in the first half of 2020.

SUMMARY OF OBJECTIVES: The Department may promulgate rules governing private carter and business customer practices consistent with the implementation plan for comprehensive reform of the commercial waste industry. The rules will improve and enhance the City's regulatory practices pertaining to commercial waste collection, transport and disposal in the City.

INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE: Private waste hauling carters and generators of commercial waste who receive private carting collection service.

RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:

- (a) Title 16 of the Rules of the City of New York; and
- (b) City Administrative Procedure Act: New York City Charter Section 1043.

SCHEDULE FOR ADOPTION: Fiscal Year 2021.

AGENCY CONTACT: New York City Department of Sanitation
Bureau of Legal Affairs
Robert Orlin, Deputy Commissioner
(646) 885-5006 rorlin@dwny.nyc.gov

SUBJECT AREA: RULES GOVERNING REQUIREMENTS FOR CERTAIN LARGE RESIDENTIAL BUILDINGS TO INSTALL A WASTE CONTAINERIZATION SYSTEM

REASONS FOR RULE: Pursuant to Section 753 of the New York City Charter, the Sanitation Commissioner may adopt rules governing the manner under which refuse shall be sorted, stored and collected.

SUMMARY OF ANTICIPATED CONTENT: Across New York City the construction of large, high-rise apartment buildings containing hundreds of new dwelling units continues to flourish. As a result, the Department continually adjusts its collection routes to add such new buildings into the City's refuse collection system. When the buildings are designed there is no mandatory requirement that such buildings consider waste management planning and incorporate measures for managing the substantial amount of refuse and recyclables generated by residents of such buildings. There are negative impacts associated with the placement of piled bags of refuse generated at such buildings that become placed at the curb awaiting Department collection.

SUMMARY OF OBJECTIVES: The Department may promulgate rules requiring owners and/or managing agents of certain new or altered residential multiple dwellings to install a waste containerization system for the management of waste generated at such building unless the Department determines that collection service through this system is not feasible.

INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE: Owners and managing agents of large multiple dwellings, and generators of residential waste.

RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:

- (a) Subchapter B of Chapter 9 of Title 16 of the Rules of the City of New York;
- (b) Chapter 1 of Title 16 of the Rules of the City of New York; and
- (c) City Administrative Procedure Act: New York City Charter Section 1043.

SCHEDULE FOR ADOPTION: Fiscal Year 2021.

AGENCY CONTACT: New York City Department of Sanitation
Bureau of Legal Affairs
Robert Orlin, Deputy Commissioner
(646) 885-5006 rorlin@dwny.nyc.gov

SUBJECT AREA: RULES GOVERNING REQUIREMENTS FOR CERTAIN LARGE RESIDENTIAL BUILDINGS TO SUBMIT A BUILDING WASTE MANAGEMENT PLAN FOR DEPARTMENT APPROVAL

REASONS FOR RULE: Pursuant to Section 753 of the New York City Charter, the Sanitation Commissioner may adopt rules governing the manner under which refuse shall be sorted, stored and collected.

SUMMARY OF ANTICIPATED CONTENT: Across New York City the construction of large, high-rise apartment buildings containing hundreds of new dwelling units continues to flourish. As a result, the Department continually adjusts its collection routes to add such new buildings into the City's refuse collection system. When the buildings are designed there is no mandatory requirement that such buildings consider waste management planning and incorporate measures for managing the substantial amount of refuse and recyclables generated by residents of such buildings. There are negative impacts associated with the placement of piled bags of refuse generated at such buildings that become placed at the curb awaiting Department collection.

SUMMARY OF OBJECTIVES: The Department may promulgate rules requiring owners and/or managing agents of certain new or altered residential multiple dwellings to submit a building waste management plan for approval by the Department.

INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE: Owners and managing agents of large multiple dwellings, and generators of residential waste.

RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:

- (a) Section 16-120 of the Administrative Code of the City of New York;
- (b) Chapter 1 of Title 16 of the Rules of the City of New York; and
- (c) City Administrative Procedure Act: New York City Charter Section 1043.

SCHEDULE FOR ADOPTION: Fiscal Year 2021.

AGENCY CONTACT: New York City Department of Sanitation
Bureau of Legal Affairs
Robert Orlin, Deputy Commissioner
(646) 885-5006 rorlin@dwny.nyc.gov

SUBJECT AREA: RULES GOVERNING THE ESTABLISHMENT OF A PENALTY MITIGATION PROGRAM FOR CERTAIN FOOD SERVICE ESTABLISHMENTS WHICH DONATE EXCESS FOOD

REASONS FOR RULE: Local Law 74 of 2018 requires the Sanitation Commissioner to review violations enforced by the Department against certain small businesses to establish a penalty waiver program.

SUMMARY OF ANTICIPATED CONTENT: Local Law 74 of 2018 was enacted as part of efforts by the Administration and the City Council to improve the local regulatory climate for small businesses. Specifically, Local Law 74 requires the Sanitation Commissioner to review violations enforced by the Department and study the feasibility of establishing a program for which civil penalties imposed by notices of violation issued to food service establishments and retail establishments may be waived through a penalty mitigation program. Such penalty mitigation program would allow the waiver of payment of civil penalties for a food service establishment that donates its excess food to a non-profit organization, and a retailer that provides public access to its bathrooms.

The Department reviewed all violations it currently enforces and determined one such infraction that would be feasible for penalty mitigation relating to sign requirements for employees instructing them how to source separate food waste material in large food service establishments in the City's commercial organics program.

SUMMARY OF OBJECTIVES: The Department may promulgate a rule allowing certain food generator businesses covered by the city's commercial organics program to waive into the penalty mitigation program contemplated under Local Law 74 by donating its excess food to a non-profit entity. This is consistent with the Department's goal to facilitate food recovery for food-challenged New Yorkers, reduces the environmental impact on the City's food system, and is an appropriate link between the violation infraction and penalty waiver activity.

INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE: Commercial food waste generators and private carters that furnish collection service to them.

RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:

- Section 1-10 of Title 16 of the Rules of the City of New York governing commercial organics recycling requirements;
- Section 16-306 (c)(1)(iv) of the New York City Administrative Code; and
- City Administrative Procedure Act: New York City Charter Section 1043.

SCHEDULE FOR ADOPTION: Fiscal Year 2021.

AGENCY CONTACT: New York City Department of Sanitation
Bureau of Legal Affairs
Robert Orlin, Deputy Commissioner
(646) 885-5006 rorlin@dny.nyc.gov

SUBJECT AREA: REFUSE AND RECYCLING COLLECTION FROM RESIDENTIAL PROPERTIES ON PRIVATELY OWNED STREETS AND ALLEYS

REASONS FOR RULE: Pursuant to Section 753 of the New York City Charter, the Commissioner may adopt rules governing the manner under which such refuse shall be arranged or sorted, the time when it will be collected and the place at which it shall be deposited for collection.

SUMMARY OF ANTICIPATED CONTENT: The Department currently enters privately owned property, such as private streets, alleys and parking lots, to provide refuse and recycling collection services from residential properties, provided that the Department has first obtained a signed written agreement that indemnifies the City together with insurance. The agreement only covers the collection and removal of refuse and recyclable materials and does not obligate the Department to provide snow removal services to these privately-owned areas. Failure to sign an indemnity agreement and provide the requisite insurance for potentially hazardous conditions that can impact worker safety and equipment results in the Department requiring that residents of these private areas set out all their refuse and recyclable materials in an accessible public area for collection.

SUMMARY OF OBJECTIVES: The Department may amend section 1-02 to Title 16 of the Rules of the City of New York to incorporate this practice regarding the provision of collection service in these areas.

RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:

- Title 16 of the Rules of the City of New York;
- Section 753 of the New York City Charter; and
- City Administrative Procedure Act: Section 1043 of the New York City Charter.

INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE: Owners and/or managing agents of residential

properties that currently or might request that the Department provide collection service on privately owned property.

SCHEDULE FOR ADOPTION: Fiscal Year 2020.

AGENCY CONTACT: New York City Department of Sanitation
Bureau of Legal Affairs
Robert Orlin, Deputy Commissioner
(646) 885-5006 rorlin@dny.nyc.gov

SUBJECT AREA: COMMERCIAL WASTE REMOVAL -- RULES RELATING TO COMMERCIAL GENERATORS OF "INFREQUENT" OR "INSIGNIFICANT AMOUNTS" OF WASTE PURSUANT TO SECTION 16-116(c) OF THE NEW YORK CITY ADMINISTRATIVE CODE:

REASONS FOR RULE: Section 16-116(a) of the New York City Administrative Code requires commercial establishments in New York City to arrange for the removal of solid waste by a licensed private carter or by obtaining a trade waste permit from the New York City Business Integrity Commission allowing the establishment to dispose of its own solid waste. Section 16-116(c) authorizes the Sanitation Commissioner to promulgate rules exempting from this requirement any commercial establishment that generates infrequent or insignificant amount of waste. Section 1-06 of Title 16 of the Rules of the City of New York currently allows commercial establishments generating less than 20 gallons of trade waste within a seven day period to be exempt from the requirements outlined in Section 16-116(a) and (b) of the New York City Administrative Code. This has resulted in some commercial establishments improperly placing out their trade waste material at the curb for the Department to collect, or improperly placing such material in Department corner litter baskets.

SUMMARY OF ANTICIPATED CONTENT: A proposed rule would require that all commercial establishments, regardless of the quantity of waste or recyclable material generated, must retain a private carter to collect and remove trade waste generated at such establishment for proper disposal.

SUMMARY OF OBJECTIVES: The Department may amend section 1-06 of Title 16 of the Rules of the City of New York to clarify that all commercial establishments, regardless of the amount of waste generated, must arrange with a private carter for removal of such waste and recyclable material.

RELEVANT FEDERAL, STATE AND LOCAL LAWS OR RULES APPLICABLE TO THIS PROPOSED RULE:

- Section 1-06 of Title 16 of the Rules of the City of New York;
- Section 16-116 of the Administrative Code of the City of New York;
- Section 753(a) of the New York City Charter relating to the Commissioner's authority to promulgate rules governing the removal of solid waste;
- City Administrative Procedure Act: New York City Charter Section 1043.

INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE:

Owners, lessees and/or persons in control of any commercial establishment.

SCHEDULE FOR ADOPTION: Fiscal Year 2021.

AGENCY CONTACT: New York City Department of Sanitation
Bureau of Legal Affairs
Robert Orlin, Deputy Commissioner
(646) 885-5006 rorlin@dny.nyc.gov

SUBJECT AREA: RULES RELATING TO ESTABLISHING PROCEDURES ALLOWING THE PUBLIC TO SUBMIT PETITIONS FOR PROPOSED RULEMAKING BY AGENCIES

REASONS FOR RULE: The Citywide Administrative Procedure Act pursuant to § 1043(g) of the New York City Charter provides that every agency's rules include a procedure by which citizens may submit proposals for rulemaking by various agencies. Accordingly, the Department may amend its rules by outlining the procedures for the public to submit to the Department an agency petition for rulemaking and the procedures for agency consideration and disposition of such Petitions.

SUMMARY OF ANTICIPATED CONTENT: The Department may amend its rules by adding a section that will allow citizens to submit proposals for rulemaking to the Department for consideration. Should the Department choose to adopt any such proposal, the Department would alert the person submitting the petition, together with a timeline for adoption of a proposed rule. If the Department chooses to deny such a proposal, the Department would notify the person making the petition and a reason for its denial.

SUMMARY OF OBJECTIVES: This rule will allow members of the public to submit proposals for rulemaking to the Department as provided by the Citywide Administrative Procedure Act.

RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:

- (a) Title 16 of the Rules of the City of New York; and
- (b) City Administrative Procedure Act: New York City Charter Section 1043.

INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE: Individuals and businesses.

SCHEDULE FOR ADOPTION: Fiscal Year 2021.

AGENCY CONTACT: New York City Department of Sanitation
Bureau of Legal Affairs
Robert Orlin, Deputy Commissioner
(646) 885-5006 rorlin@dny.nyc.gov

SUBJECT AREA: ENFORCEMENT—PENALTY SCHEDULE FOR VIOLATIONS RETURNABLE TO THE OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS, ENVIRONMENTAL CONTROL BOARD

REASONS FOR RULE: The Office of Administrative Trials and Hearings, Environmental Control Board (“OATH ECB”), is in the process of repealing all penalty schedules in its rules so they can be relocated to the rules of the enforcement agencies with primary rulemaking and policymaking jurisdiction over the laws that underlie these penalties.

SUMMARY OF ANTICIPATED CONTENT: The Department will amend its rule to include certain provisions of its existing penalty schedule, which is currently found in Title 48 of the Rules of the City of New York, by moving those provisions into Title 16 of the Rules of the City of New York. In conjunction with this rule, OATH ECB will remove the existing agency penalty schedule from its rule.

SUMMARY OF OBJECTIVES: Working with the City’s rulemaking agencies, the Law Department, OMB, and the Office of Operations conducted a retrospective rules review of the City’s existing rules, identifying those rules that will be repealed or modified to reduce regulatory burdens, increase equity, support small businesses, and simplify and update content to help support public understanding and compliance. This proposed rule meets the criteria for this initiative.

RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:

- (a) Title 16 of the Administrative Code of the City of New York;
- (b) Title 16 of the Rules of the City of New York;
- (c) Section 753 of the New York City Charter; and
- (d) City Administrative Procedure Act: New York City Charter Section 1043.

INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE: Individuals and businesses.

SCHEDULE FOR ADOPTION: Fiscal Year 2021.

AGENCY CONTACT: New York City Department of Sanitation
Bureau of Legal Affairs
Robert Orlin, Deputy Commissioner
(646) 885-5006 rorlin@dny.nyc.gov

SUBJECT AREA: VARIOUS PLAIN LANGUAGE AMENDMENTS

REASONS FOR RULE:

Working with the City’s rulemaking agencies, the Law Department, OMB, and the Office of Operations conducted a review of the City’s existing rules, identifying those rules that should be repealed or modified to reduce regulatory burdens, increase equity, support small businesses, and simplify and update content to help support public understanding and compliance. This proposed rule meets the criteria for this initiative.

SUMMARY OF ANTICIPATED CONTENT:

The Department will modify its rules to incorporate plain language changes that were identified during the retrospective rules review conducted by the City.

SUMMARY OF OBJECTIVES: Modification of such rules will help to reduce regulatory burdens, increase equity, support small businesses, and simplify and update content to help support public understanding and compliance.

RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:

- (a) Title 16 of the Administrative Code of the City of New York;
- (b) Title 16 of the Rules of the City of New York;
- (c) Section 753 of the New York City Charter; and
- (d) City Administrative Procedure Act: New York City Charter Section 1043.

INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE: Individuals and businesses.

SCHEDULE FOR ADOPTION: Fiscal Year 2021.

AGENCY CONTACT: New York City Department of Sanitation
Bureau of Legal Affairs
Robert Orlin, Deputy Commissioner
(646) 885-5006 rorlin@dny.nyc.gov

✦ m8

SPECIAL MATERIALS

CITYWIDE ADMINISTRATIVE SERVICES

■ NOTICE

OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8540
FUEL OIL AND KEROSENE

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 5/4/2020
3987206	1.2	#2DULS	CITYWIDE BY TW	SPRAGUE	-.0534 GAL.	0.8921 GAL.
3987206	2.2	#2DULS	PICK-UP	SPRAGUE	-.0534 GAL.	0.7874 GAL.
3987206	3.2	#2DULS	CITYWIDE BY TW	SPRAGUE	-.0534 GAL.	1.0904 GAL.
3987206	4.2	#2DULS	PICK-UP	SPRAGUE	-.0534 GAL.	0.9856 GAL.
3987206	5.2	#1DULS	CITYWIDE BY TW	SPRAGUE	-.0324 GAL.	1.2540 GAL.
3987206	6.2	#1DULS	PICK-UP	SPRAGUE	-.0324 GAL.	1.1492 GAL.
3987206	7.2	#2DULS	CITYWIDE BY TW	SPRAGUE	-.0534 GAL.	0.9199 GAL.
3987206	8.2	#2DULS	CITYWIDE BY TW	SPRAGUE	-.0534 GAL.	1.2109 GAL.
3987206	9.2	B100	CITYWIDE BY TW	SPRAGUE	.0233 GAL.	2.2110 GAL.
3987206	10.2	#2DULS	PICK-UP	SPRAGUE	-.0534 GAL.	0.8151 GAL.
3987206	11.2	#2DULS	PICK-UP	SPRAGUE	-.0534 GAL.	1.1061 GAL.
3987206	12.2	B100	PICK-UP	SPRAGUE	.0233 GAL.	2.1062 GAL.
3987206	13.2	#1DULS	CITYWIDE BY TW	SPRAGUE	-.0324 GAL.	1.2636 GAL.
3987206	14.2	B100	CITYWIDE BY TW	SPRAGUE	.0233 GAL.	2.2199 GAL.
3987206	15.2	#1DULS	PICK-UP	SPRAGUE	-.0324 GAL.	1.1588 GAL.

3987206	16.2	B100	B100 <=20%	PICK-UP	SPRAGUE	.0233 GAL.	2.1151 GAL.
3987206	17.2	#2DULS		BARGE MTF III & ST. WI	SPRAGUE	-.0534 GAL.	0.8527 GAL.
3687331	17.3	#2DULS	Winterized	BARGE MTF III & ST. WI	SPRAGUE	-.0534 GAL.	1.1893 GAL.
3687192	1.0	Jet		FLOYD BENNETT	SPRAGUE	-.0365 GAL.	1.2469 GAL.
3587289	2.0	#4B5		MANHATTAN	UNITED METRO	-.0655 GAL.	0.9672 GAL.
3587289	5.0	#4B5		BRONX	UNITED METRO	-.0655 GAL.	0.9660 GAL.
3587289	8.0	#4B5		BROOKLYN	UNITED METRO	-.0655 GAL.	0.9602 GAL.
3587289	11.0	#4B5		QUEENS	UNITED METRO	-.0655 GAL.	0.9655 GAL.
3587289	14.0	#4B5		RICHMOND	UNITED METRO	-.0655 GAL.	1.0509 GAL.
3687007	1.0	#2B5		MANHATTAN	SPRAGUE	-.0496 GAL.	0.8738 GAL.
3687007	4.0	#2B5		BRONX	SPRAGUE	-.0496 GAL.	0.8628 GAL.
3687007	7.0	#2B5		BROOKLYN	SPRAGUE	-.0496 GAL.	0.8795 GAL.
3687007	10.0	#2B5		QUEENS	SPRAGUE	-.0496 GAL.	0.8757 GAL.
3687007	13.0	#2B5		RICHMOND	SPRAGUE	-.0496 GAL.	1.0401 GAL.
3687007		#2B5		RACK PICK-UP	SPRAGUE	-.0496 GAL.	0.8016 GAL.
3687007	16.0	#2B10		CITYWIDE BY TW	SPRAGUE	-.0457 GAL.	1.0825 GAL.
3687007	17.0	#2B20		CITYWIDE BY TW	SPRAGUE	-.0381 GAL.	1.2044 GAL.
3987206	#2DULSB5	95% ITEM 7.2 & 5 % ITEM 9.2		CITYWIDE BY TW	SPRAGUE	-.0496 GAL.	0.9845 GAL. (A)
3987206	#2DULSB10	90% ITEM 7.2 & 10 % ITEM 9.2		CITYWIDE BY TW	SPRAGUE	-.0457 GAL.	1.0490 GAL. (B)
3987206	#2DULSB20	80% ITEM 7.2 & 20 % ITEM 9.2		CITYWIDE BY TW	SPRAGUE	-.0381 GAL.	1.1781 GAL. (C)
3987206	#2DULSB5	95% ITEM 10.2 & 5% ITEM 12.2		PICK-UP	SPRAGUE	-.0496 GAL.	0.8797 GAL. (D)
3987206	#2DULSB10	90% ITEM 10.2 & 10% ITEM 12.2		PICK-UP	SPRAGUE	-.0457 GAL.	0.9442 GAL. (E)
3987206	#2DULSB20	80% ITEM 10.2 & 20% ITEM 12.2		PICK-UP	SPRAGUE	-.0381 GAL.	1.0733 GAL. (F)
3987206	#1DULSB20	80% ITEM 13.2 & 20% ITEM 14.2		CITYWIDE BY TW	SPRAGUE	-.0213 GAL.	1.4549 GAL.
3987206	#1DULSB20	80% ITEM 15.2 & 20% ITEM 16.2		PICK-UP	SPRAGUE	-.0213 GAL.	1.3501 GAL.

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8541
FUEL OIL, PRIME AND START**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 5/4/2020
3787250	1.0	#2B5	ERP - CITYWIDE	PACIFIC ENERGY	-.0496 GAL	.9317 GAL.

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8542
FUEL OIL AND REPAIRS**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 5/4/2020
3787250	1.0	#2B5	CITYWIDE BY TW	PACIFIC ENERGY	-.0496 GAL	0.9317 GAL.
3787250	2.0	#4B5	CITYWIDE BY TW	PACIFIC ENERGY	-.0655 GAL	0.8839 GAL.

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8543
GASOLINE**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 5/4/2020
3787120	1.0	Reg UL	CITYWIDE BY TW	GLOBAL MONTELLO	.0843 GAL	0.8437 GAL.
3787120	2.0	Prem UL	CITYWIDE BY TW	GLOBAL MONTELLO	.0799 GAL	0.9862 GAL.
3787120	3.0	Reg UL	PICK-UP	GLOBAL MONTELLO	.0843 GAL	0.7787 GAL.
3787120	4.0	Prem UL	PICK-UP	GLOBAL MONTELLO	.0843 GAL	0.9212 GAL.
3787121	5.0	E85 (Summer)	CITYWIDE BY DELIVERY	UNITED METRO	.0870 GAL	1.3713 GAL. (G)

NOTE:

- (A), (B) and (C) Contract 3987206, item 7.2 replaced item 8.2 (Winter Version) effective April 1, 2020.**
- As of February 9, 2018, the Bio-Diesel Blender Tax Credit was retroactively reinstated for calendar year 2017. Should the tax credit be further extended, contractors will resume deducting the tax credit as a separate line item on invoices.
- Federal excise taxes are imposed on taxable fuels, (i.e., gasoline, kerosene, and diesel), when removed from a taxable fuel terminal. This fuel excise tax does not include Leaking Underground Storage Tank (LUST) tax. LUST tax applies to motor fuels for both diesel and gasoline invoices. Going forward, LUST Tax will appear as an additional fee at the rate of \$0.001 per gallon and will be shown as a separate line item on your invoice.
- The National Oilheat Research Alliance (NORA) has been extended until February 6, 2029. A related assessment of \$.002 per gallon has been added to the posted weekly fuel prices and will appear as a separate line item on invoices. This fee applies to heating oil only and since 2015 has included #4 heating oil. All other terms and conditions remain unchanged.
- Contract #3987206, effective June 1, 2019, replaces former items (1-17) on Contract #3687331 and is inclusive of Item #17.3 for the price structure for the Winterized Fuel Barge Delivery for ULTRA LOW SULFUR D-2 – BARGE DELIVERY.
- Due to RIN price adjustments Biomass-based Diesel (2019) is replaced by Biomass-based Diesel (2020) commencing 1/1/2020.**
- Metro Environmental Services, LLC Requirement Contract #: 20201201516/4087084 for Fuel Site Maintenance Services, Citywide has been registered and Contract is available on DCAS/OCF's "Requirements Contract" website for Citywide use as of January 27, 2020. Link to Fuel Site Maintenance Services, Citywide contract, via OCF website: <https://mspwvw-dsoep.dcas.nycnet/nycprocurement/dmss/asp/RCDetails.asp?vContract=20201201516>.**
- (D), (E) and (F) Contract 3987206, item 10.2 replaced item 11.2 (Winter Version) effective April 1, 2020.**
- (G) Contract 3787121, item 5.0 replaced item 6.0 (Winter Blend) effective April 1, 2020.**

REMINDER FOR ALL AGENCIES:

All entities utilizing DCAS fuel contracts are reminded to pay their invoices **on time** to avoid interruption of service. Please send inspection copy of receiving report for all gasoline (E70, UL & PREM) delivered by tank wagon to OCP/Bureau of Quality Assurance (BQA), 1 Centre Street, 18th Floor, New York, NY 10007.

