



# THE CITY RECORD

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## THE CITY RECORD

**BILL DE BLASIO**

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Commissioner, Department of Citywide  
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## PUBLIC HEARINGS AND MEETINGS

*See Also: Procurement; Agency Rules*

### BOROUGH PRESIDENT - BROOKLYN

#### ■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN** that, pursuant to Section 201 of the New York City Charter, the Brooklyn borough president will hold a blended ULURP public hearing on the following matters, commencing at 6:00 P.M., on Wednesday, July 7, 2021, in the Community Room of Brooklyn Borough Hall. Attendees who wish to join and testify remotely, may do so via Webex:

#### Event Address:

<https://nycbp.webex.com/nycbp/onstage/g.php?MTID=ed44dfa36625f417838609dcea0eef841>

**Event Number:** 173 090 4122

**Event Password:** ulurp

Those wishing to call in without video may do so using the following information:

**Audio Conference:** +1-408-418-9388

**Access Code:** 173 090 4122

This hearing will be recorded for public transparency and made available on Borough President Adams' YouTube channel, One Brooklyn.

*Note: For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact Nathan Sherfinski via email, at [nathan.sherfinski@brooklynbp.nyc.gov](mailto:nathan.sherfinski@brooklynbp.nyc.gov), or via phone at (718) 802-3857, at least five (5) business days in advance to ensure availability.*

#### 1) Citywide Hotels Text Amendment (N 210406 ZRY)

An application by the New York City Department of City Planning (DCP) for a citywide action, affecting all boroughs and community districts, to require a special permit for new hotels. The proposed City Planning Commission (CPC) Special Permit would establish a case-by-case, site-specific review process to better regulate where and how hotels are built and ensure that new hotels do not create conflicts with surrounding uses. It would also replace existing CPC special permits for new hotels and enlargements in C1 (except for C1-1, C1-2, C1-3 or C1-4 Districts), C2-4, C4, C5, C6, C8, Mixed Use (MX), and paired M1/R districts, where hotels are currently permitted as-of-right.

#### 2) Gowanus Canal CSO Facility - Owls Head and Douglass Street Demapping (200319 PCK, 200321 PSK, 200320 MMK, 180039 MMK)

An application submitted by the New York City Department of Environmental Protection (DEP), the New York City Department of Sanitation (DSNY), and the New York City Department of Citywide Administrative Services (DCAS) for the following actions:

- (1) Site selection of a property located at 2 Second Avenue in Brooklyn Community District 6 (CD 6) for use as a combined sewer overflow (CSO) control facility
- (2) Site selection and acquisition of property located at 110 Fifth Street, 122 Fifth Street, 22 Second Avenue, Fifth Street and 2 Second Avenue for DSNY salt and equipment storage, environmental education activities and additional space as needed for the CSO control facility
- (3) An amendment to the City Map involving the elimination of:
  1. Douglass Street between Nevins Street and the Gowanus Canal, and the adjustment of grades and block dimensions, as necessary, in accordance with Map No. N-2752 dated July 2, 2019, and signed by the Brooklyn borough president
  2. Fifth Street between Second Avenue and the Gowanus Canal the adjustment of grades and block dimensions as necessary in accordance with Map No. X-2758 dated May 3, 2021, and signed by the Brooklyn borough president

**3) Brooklyn Navy Yard Master Plan (210462 ZMK N210463 ZRK)**  
An application submitted by Building 77 QALICB, Inc. together with the New York City Department of Small Business Services (SBS), for the following actions:

- (1) A zoning text amendment to create the Special Brooklyn Navy Yard District with special use, bulk, parking and loading, and publicly accessible space regulations
- (2) A zoning map amendment to map the Special District over the entirety of Tax Lots 1 and 150 and rezone part or all of the existing R6B, M1-2, and M3-1 districts within the Project Area to M2-1

The requested actions would guide the future development of a modern manufacturing campus at the Brooklyn Navy Yard, which is expected to grow by approximately 4.6 million square feet (sq. ft.) in the next 10 to 15 years. Specifically, the proposed regulations would rationalize parking and loading controls; permit compatible community facility and commercial uses to complement core industrial uses, and establish public access area requirements in connection with development in certain areas of the Yard. Finally, the rules would introduce modified bulk, height, and setback controls compatible with modern industrial development and the Yard's surrounding context in Brooklyn Community District 2 (CD 2).

#### 4) 506 Third Avenue (210119 ZMK N 210120 ZRK)

An application submitted by PAB 3rd Avenue Holdings, LLC for zoning map and text amendments affecting Block 1020, Lots 34-36, 39, 40-45, and Block 1026, Lots 32-37, 40, and 42 in Brooklyn Community District 6 (CD 6). The proposed zoning map amendment would change an M2-1 district to C4-4A to facilitate a new 18,000 sq. ft. five-story commercial office development at 506 Third Avenue and the enlargement of 530 Third Avenue to a six-story, 39,638 commercial building, with approximately 10,000 sq. ft. of ground-floor retail. The zoning text amendment would create a Mandatory Inclusionary Housing (MIH) area coterminous with the affected properties. No parking would be required or provided under the proposed C4-4A district.

#### 5) 1045 Atlantic Avenue (210276 ZMK, 210277 ZRK)

An application submitted by Atlantic Brooklyn LLC for zoning map and text amendments affecting an approximately 44,000 sq. ft. assemblage on the south side of Atlantic Avenue between Classon and Franklin avenues in Brooklyn Community District 3 (CD 3). The zoning map amendment would change the project area from an M1-1 to a C6-A district. The zoning text amendments would establish an MIH area coterminous with the rezoning boundary and permit the applicant to widen the sidewalk fronting the proposed development. The requested actions would enable a 17-story building with 426 dwelling units, of which 126 would be affordable pursuant to MIH Options 2 and 4. The development would provide approximately 63,000 sq. ft. of commercial uses on the first and second floors, and 152 parking spaces in the cellar.

Accessibility questions: Nathan Sherfinski, (718) 802-3857, nathan.sherfinski@brooklynbp.nyc.gov, by: Wednesday, June 30, 2021, 6:00 P.M.



j30-jy7

## CITY PLANNING COMMISSION

### ■ PUBLIC HEARINGS

In light of the Governor's announcement on June 24, 2021 of the end of the State-declared state of emergency, and in support of the City's continued efforts to contain the spread of COVID-19, the City Planning Commission will hold a public hearing accessible both in person and remotely.

The public hearing will be held on Wednesday, July 14, 2021, starting at 10:00 A.M. Eastern Daylight Time. The public hearing will be held in person in the NYC City Planning Commission Hearing Room, Lower

Concourse, 120 Broadway, New York, NY. Masks are required to be worn to enter the building and during the hearing.

The meeting will be live streamed through Department of City Planning's (DCP's) website and accessible from the following webpage, which contains specific instructions on how to observe and participate remotely via the teleconferencing application Zoom, as well as materials relating to the meeting: <https://www1.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/287258/1>

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

877 853 5247 US Toll-free

888 788 0099 US Toll-free

253 215 8782 US Toll Number

213 338 8477 US Toll Number

Meeting ID: **618 237 7396**

[Press # to skip the Participation ID]

Password: 1

Written comments will also be accepted until 11:59 P.M., one week before the date of vote. Such written testimony may be submitted at the hearing or through the CPC Comments form that is accessible through the above webpage.

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

### CITYWIDE

#### No. 1

### CITYWIDE HOTELS TEXT AMENDMENT

#### CITYWIDE

#### N 210406 ZRY

**IN THE MATTER OF** an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to modify Article III, Chapter 2 (Use Regulations), Article IV, Chapter 2 (Use Regulations) and related Sections, to create a special permit for new hotels, motels, tourist cabins and boats in Commercial Districts and in M1 Districts paired with Residence Districts.

Matter underlined is new, to be added;

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

Matter within # # is defined in Section 12-10 or other, as applicable;

\* \* \* indicates where unchanged text appears in the Zoning

Resolution.

\* \* \*

### ARTICLE III

### COMMERCIAL DISTRICT REGULATIONS

#### Chapter 2

#### Use Regulations

#### 32-00

#### GENERAL PROVISIONS

\* \* \*

#### 32-02

#### Special Provisions for Hotels

#Transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boats#, as listed in Section 32-16 (Use Group 7A), shall be subject to the special provisions of this Section. For the purposes of this Section, #transient hotels# shall include #motels#, #tourist cabins# and #boats#.

In all Districts, #transient hotels# shall be permitted only as set forth in this Section.

#### (a) Applicability

A special permit for #transient hotels#, by the City Planning Commission, pursuant to Section 74-802 (Transient hotels within Commercial Districts) shall be applicable to:

- (1) the #development# of a #transient hotel#;
- (2) a change of #use# or #conversion# to a #transient hotel#, or an #enlargement#, containing a #transient hotel#, of a #building# that, as of [date of adoption], did not contain such #use#; or
- (3) an #enlargement# or #extension# of a #transient hotel# that existed prior to [date of adoption], that increases the #floor area# of such #use# by 20 percent or more.

#### (b) Exclusions

Notwithstanding the above, the provisions of this Section shall not apply to the following:

- (1) a #transient hotel# operated exclusively for the public purpose of temporary housing assistance by the City or State of New York, or operated by a non-governmental entity pursuant to an active contract or other written agreement with an agency of the City or State specifying such public purpose;
- (2) where an application for a project containing a #transient hotel# has been filed at the Board of Standards and Appeals before [date of adoption] and such application has been approved after January 1, 2018, provided that:
  - (i) such #transient hotel# was considered in such application, as evidenced by its description or assessment at a specified location in a land use application or in environmental review documents; and
  - (ii) in the event that a temporary or final certificate of occupancy has not been issued by [six years after date of adoption], the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section 11-332 (Extension of period to complete construction); or
- (3) where an application for a project containing a #transient hotel# has been certified by the City Planning Commission before [date of adoption] and has been approved by the Commission after January 1, 2018, provided that:
  - (i) such #transient hotel# was considered in such application, as evidenced by its description or assessment at a specified location in a land use application or in environmental review documents; and
  - (ii) in the event that a temporary or final certificate of occupancy has not been issued by [six years after date of adoption], the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section 11-332. For such applications where a special permit for a #transient hotel# has been certified by the Commission pursuant to a #Special Purpose District#, such application may continue pursuant to the regulations and term of years proposed or in effect at the time such special permit was certified by the Commission.
- (c) **Existing hotels**
  - (1) Any #transient hotel# existing on [date of adoption] shall be considered a conforming #use# and may be continued, structurally altered, #extended# or #enlarged# subject to the limitations set forth in this Section and subject to the applicable #bulk# regulations. However, if for a continuous period of two years such #transient hotel# is discontinued, the space allocated to such #transient hotel# shall thereafter be used only for a conforming #use# other than a #transient hotel#, or may be utilized for a #transient hotel# only if the Commission grants a special permit for such #use# in accordance with the provisions of Section 74-802 or other applicable section of this Resolution.
  - (2) The provisions of paragraph (c)(1) of this Section shall be modified up to [six years after date of adoption] to allow a #transient hotel# existing on [date of adoption] to be restored to such #use# regardless of more than two years of discontinuance of the #use#, and regardless of any change of #use# between [date of adoption] and [six years after date of adoption].
  - (3) In the event a casualty damages or destroys a #transient hotel# that was in such #use# as of [date of adoption], such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit. A #non-complying building# may be reconstructed pursuant to Section 54-40 (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS).
- (d) **Vesting regulations**  
The provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) regarding the right to continue construction shall apply. As an alternative, the following provisions shall apply.
  - (1) If, on or before [date of referral], an application for a #development#, #enlargement# or #conversion# to a #transient hotel# has been filed with the Department of Buildings, and if, on or before [date of adoption], the Department of Buildings has approved an application for a foundation, a new #building# or an alteration based on

a complete zoning analysis showing zoning compliance for such #transient hotel#, such application may be continued, and construction may be started or continued. The application may be revised and retain vested status, provided that the #floor area# for the #transient hotel# is not increased beyond the amount approved.

- (2) However, in the case of an application for a #development#, #enlargement# or #conversion# to a #transient hotel# that has been filed with the Department of Buildings prior to January 1, 2018 and has not received a permit contingent on zoning approval on or before [date of adoption], the provisions of paragraph (d)(1) of this Section shall not apply. In lieu thereof, the provisions of this paragraph shall apply. For such applications, if, on or before [date of adoption] a permit contingent on zoning approval was lawfully issued by the Department of Buildings, such construction may be started or continued.

In the event that a temporary or final certificate of occupancy has not been issued by [six years after date of adoption], the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section 11-332 (Extension of period to complete construction).

\* \* \*

### 32-10 USES PERMITTED AS-OF-RIGHT

\* \* \*

#### 32-14 Use Group 5

C1\* C2\*\* C4 C5 C6 C8

Use Group 5 consists of hotels used primarily for transient occupancy.

A. Transient Accommodations

#Hotels, transient#\*\*\* [PRC-H]

B. #Accessory Uses#

\* In a C1-1, C1-2, C1-3 or C1-4 District, a #transient hotel# shall not be permitted

\*\* In a C2-1, C2-2, C2-3 or C2-4 District, each #transient hotel# shall be located on a #zoning lot# in whole or in part within a 1,000-foot radius of the entrance or exit of a limited-access expressway, freeway, parkway, or highway, all of which prohibit direct vehicular access to abutting land and provide complete separation of conflicting traffic flows, measured from the centerline of the entrance or exit ramp at its intersection with the nearest adjacent #street#

\*\*\* Subject to the provisions of Section 32-02 (Special Provisions for Hotels)

\* \* \*

#### 32-16 Use Group 7

C2 C6\* C8

Use Group 7 consists primarily of home maintenance or repair services which:

- (1) fulfill recurrent needs of residents in nearby areas;
- (2) have a relatively small service area and are, therefore, widely distributed throughout the City; and
- (3) are incompatible in primary retail districts since they break the continuity of retail frontage.

A. Transient Accommodations

#Motels#, #tourist cabins# or #boatels#\*\*\* [PRC-H]

In C2 Districts, each #motel# or #tourist cabin# shall be located on a #zoning lot# in whole or in part within a 1,000 foot radius of the entrance or exit of a limited-access expressway, freeway, parkway or highway, all of which prohibit direct vehicular access to abutting land and provide complete separation of conflicting traffic flows, measured from the centerline of the entrance or exit ramp at its intersection with the nearest adjacent #street#

\* \* \*

E. #Accessory Uses#

\* In a C6-1A District, #uses# in Use Group 7 are not permitted  
\*\* Subject to the provisions of Section 32-02 (Special Provisions for Hotels)

\* \* \*

### 32-30 USES PERMITTED BY SPECIAL PERMIT

#### 32-31

#### By the Board of Standards and Appeals

In the districts indicated, the following #uses# are permitted by special permit of the Board of Standards and Appeals, in accordance with standards set forth in Article VII, Chapter 3.

C4-1

Amusement arcades [PRC-E]

C2 C4 C6 C7

#Automotive service stations#, open or enclosed, with sites of not less than 7,500 square feet per establishment, and provided that facilities for lubrication, minor repairs, or washing are permitted only if located within a #completely enclosed building#

C3

#Boatels# [PRC-H]

C1 C2 C3

Camps, overnight or outdoor day [PRC-H]

\* \* \*

**ARTICLE IV****MANUFACTURING DISTRICT REGULATIONS****Chapter 2****Use Regulations**

\* \* \*

**42-10****USES PERMITTED AS-OF-RIGHT****42-11****Use Groups 4A, 4B, 4C, 5, 6C, 6E, 7A, 9A and 12B****M1**

Use Groups 4B, 4C, 5, 6C, 6E, 7A, 9A and 12B as set forth in Sections 32-13, 32-14, 32-15, 32-16, 32-18, 32-21.

Use Group 4A shall be limited to all health facilities requiring approval under Article 28 of the Public Health Law of the State of New York that, prior to July 10, 1974, have received approval of Part I of the required application from the Commissioner of Health, ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), and houses of worship. Such #uses# are not subject to the special permit provisions of Sections 42-32 and 74-921.

#Transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16 (Use Group 7A), shall be subject to the special provisions of Section 42-111 (Special provisions for hotels in M1 Districts) or, where applicable, Section 32-02 (Special Provisions for Hotels). For the purposes of this Section, inclusive, #transient hotels# shall include #motels#, #tourist cabins# and #boatels#.

**42-111****Special provisions for hotels in M1 Districts**

In M1 Districts, #transient hotels# shall be permitted only as set forth in this Section. The City Planning Commission may permit #transient hotels# in an M1 District pursuant to a special permit set forth in another Section of this Resolution, or pursuant to Section 74-803 (Transient hotels within M1 Districts), as applicable.

**(a) Applicability**

Such special permit for #transient hotels# pursuant to Section 74-803 shall be applicable to:

- (1) #development# of a #transient hotel#;
- (2) a change of #use# or #conversion# to a #transient hotel#, or an #enlargement#, containing a #transient hotel#, of a #building# that, as of December 20, 2018, did not contain such #use#; or
- (3) #enlargement# or #extension# of a #transient hotel# that existed prior to December 20, 2018, that increases the #floor area# of such #use# by 20 percent or more.

**(b) Exclusions**

The provisions of this Section shall not apply to the following:

- (1) ~~A special permit shall not be required for a #transient hotel# operated exclusively for the public purpose of temporary housing assistance by the City or State of New York, or operated by a non-governmental entity pursuant to an active contract or other written agreement with an agency of the City or State specifying such public purpose.~~
- (1) ~~In addition, a special permit pursuant to the provisions of Section 74-803 shall not be required for #developments#, #enlargements#, #extensions# or changes of #use# of #transient hotels# in:~~
  - (i) ~~a #transient hotel# located within John F. Kennedy International Airport and LaGuardia Airport, which shall include property under the jurisdiction of the Port Authority of New York and New Jersey for airport use;~~
  - (ii) ~~a #transient hotel# in an M1-6D District, a #Special Mixed Use District# or any other #Special Purpose District# where any M1 District is paired with a #Residence District#, all of which shall instead be subject to the provisions of Section 32-02 (Special Provisions for Hotels); or~~
  - (iii) ~~an M1 District where another special permit in this Resolution permitting such #use# is applicable, subject to approval by the City Planning Commission, including, but not limited to, a special permit for a #transient hotel# applicable within a Special Purpose District or in a Historic District designated by the Landmarks Preservation Commission.~~
- (4) ~~(2) A special permit pursuant to the provisions of Section 74-803 shall also not be required in an M1-2 District for~~

a change of #use# to a #transient hotel# that occupies no more than 30 percent of the #floor area# on the #zoning lot# and where such #zoning lot# contains a minimum #lot area# of 100,000 square feet, comprises an entire #block#, and contains #buildings# with a minimum total of 500,000 square feet of #floor area# on December 20, 2018.

**(c) Within M1-5A and M1-5B Districts**

Within an M1-5A or M1-5B District, a special permit pursuant to Section 74-803 shall be required in conjunction with a special permit pursuant to Section 74-781 (Modifications by special permit of the City Planning Commission of uses in M1-5A and M1-5B Districts) except that a permit pursuant to Section 74-781 shall not be required for a #transient hotel# located above the ground floor level, where the #floor area# used for such #use# on the ground floor does not exceed an amount minimally necessary to access and service such #transient hotel#.

**(d) Existing hotels**

- (1) Any #transient hotel# existing prior to December 20, 2018, within an M1 District shall be considered a conforming #use# and may be continued, structurally altered, #extended# or #enlarged# subject to the limitations set forth in this Section and subject to the applicable #bulk# regulations. However, if for a continuous period of two years such #transient hotel# is discontinued, or the active operation of substantially all the #uses# in the #building# or other structure# is discontinued, the space allocated to such #transient hotel# shall thereafter be used only for a conforming #use#, or may be utilized #used# for a #transient hotel# only if the Commission grants a special permit for such #use# in accordance with the provisions of Section 74-803 or other applicable section of this Resolution.
- (2) The provisions of paragraph (d)(1) of this Section shall be modified up to [six years after date of adoption] to allow a #transient hotel# existing on [date of adoption] to be restored to such #use# regardless of more than two years of discontinuance of the #use#, and regardless of any change of #use# between [date of adoption] and [six years after date of adoption].
- (3) ~~In addition, in the event a casualty damages or destroys a #transient hotel# within an M1 District that was in such #use# as of December 20, 2018, such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit. A #non-complying building# may be reconstructed pursuant to Section 54-40 (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS).~~

**(e) Vesting**

The provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) regarding the right to continue construction shall apply. As an alternative, if on or before April 23, 2018, a building permit for a #development#, #enlargement# or #conversion# to a #transient hotel#, or a partial permit for a #development# of a #transient hotel# was lawfully issued by the Department of Buildings, such construction may be started or continued. In the event that construction has not been completed and a certificate of occupancy including a temporary certificate of occupancy, has not been issued by December 20, 2021, the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section 11-332 (Extension of period to complete construction). Any special permit approved by the City Council for a #transient hotel# prior to December 20, 2018, shall be permitted and this Section shall not apply to such #transient hotel#, subject to the provisions of Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution).

\* \* \*

**42-30****USES PERMITTED BY SPECIAL PERMIT**

\* \* \*

**42-32****By the City Planning Commission**

In the districts indicated, the following #uses# are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4.

\* \* \*

**M1 M2 M3**

Trade expositions, with rated capacity of more than 2,500 persons [PRC-D]

**M1**

#Transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16

(Use Group 7A), pursuant to the special provisions of Section 42-111 (Special provisions for hotels in M1 Districts)

M1 M2 M3

#Uses# listed in a permitted Use Group for which #railroad or transit air space# is #developed#

\* \* \*

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

\* \* \*

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

\* \* \*

### 42-483 Commercial uses

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

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

The residential development goal shall be met when at least 865 #dwelling units#, permitted pursuant to the provisions of Section 42-481, on #zoning lots# located within an area bounded by West 28th Street, West 30th Street, a line 100 feet west of Seventh Avenue, and a line 100 feet east of Eighth Avenue, have received temporary or final certificates of occupancy subsequent to September 21, 2011.

- (b)(a) Food stores, including supermarkets, grocery stores and delicatessen stores, shall not be limited as to size of establishment.
- (c)(b) On #narrow streets#, ground floor #commercial uses# shall be subject to special streetscape provisions, as set forth in Section 42-485.
- (d)(c) All #uses# listed in Use Group 10 shall be permitted without limitation, except as provided for in paragraph (c)(b) of this Section.

\* \* \*

## ARTICLE VII ADMINISTRATION

### Chapter 3 Special Permits by the Board of Standards and Appeals

\* \* \*

### 73-25 Boatels

In C3 Districts, the Board of Standards and Appeals may permit #boatels# provided that the following findings are made:

- (a) that such #use# is so located as not to impair the essential character or the future use or development of the nearby residential neighborhood; and
- (b) that any restaurant permitted in connection with such #use# satisfies the conditions for issuance of special permits to eating or drinking places, as set forth in Section 73-24.

The Board may modify the regulations relating to #signs# in C3 Districts to permit a maximum total #surface area# of 50 square feet of non-#illuminated# or #illuminated# non-#flashing signs# on each of not more than three #street# or water frontages.

The Board may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area, including requirements with respect to the location of #illuminated signs#, the shielding of floodlights or adequate screening.

### 73-26 73-25 Children's Amusement Parks

\* \* \*

### 73-27 73-26 Funeral Establishments

\* \* \*

### 73-28 73-27 Newspaper Publishing

\* \* \*

### 73-29 73-28

## Utilization of Explosives in Manufacturing Processes

\* \* \*

### Chapter 4 Special Permits by the City Planning Commission

\* \* \*

### 74-80 TRANSIENT HOTELS

\* \* \*

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

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

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

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

### Transient hotels within Commercial Districts

In C1 Districts, except C1-1, C1-2, C1-3 and C1-4 Districts, in C2 Districts, except C2-1, C2-2, C2-3 and C2-4 Districts where #transient hotels# are not permitted pursuant to Section 32-14 (Use Group 5), in C4, C5, C6 and C8 Districts, in M1 Districts paired with a #Residence District#, and in M1-6D Districts, #transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16 (Use Group 7A), shall be permitted only by special permit of the City Planning Commission. In order to grant such special permit, the Commission shall find that such #use# will not impair the future use or development of the surrounding area. The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

### 74-803 Transient hotels within M1 Districts

In M1 Districts, pursuant to Section 42-111 (Special provisions for hotels in M1 Districts), #transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16 (Use Group 7A), shall be permitted only by special permit of the City Planning Commission. In order to grant such special permit, the Commission shall find that:

- (a) the site plan incorporates elements that address any potential conflicts between the proposed #use# and adjacent #uses#, such as the location of the proposed access to the #building# and to service areas for refuse and laundry, and the #building's# orientation and landscaping;
- (b) the site plan demonstrates that the proposed #street wall# location and the design and landscaping of any area of the #zoning lot# between the #street line# and all #street walls# of the #building# and their prolongations will result in a site design that does not impair the character of the existing streetscape;
- (c) such #use# will not cause undue vehicular or pedestrian congestion on local #streets# or unduly inhibit vehicular or pedestrian movement or loading operations; and
- (d) such #use# will not impair the essential character including, but not limited to, existing industrial businesses, or future use or development of the surrounding area.

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

\* \* \*

## ARTICLE VIII SPECIAL PURPOSE DISTRICTS

### Chapter 1 Special Midtown District

\* \* \*

### 81-60 SPECIAL REGULATIONS FOR THE EAST MIDTOWN SUBDISTRICT

\* \* \*

### 81-62 Special Use Provisions

### 81-621 Special provisions for transient hotels

Within the East Midtown Subdistrict, as shown on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, the #development# of a #building# containing a #transient hotel#, as listed in Use Group 5, or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed by special permit of the City Planning Commission pursuant

to the provisions of this Section. In addition, in Subareas other than the Vanderbilt Corridor, as shown on Map 2 (Special East Midtown District and Subareas), the #enlargement# of a #building# containing a #transient hotel# shall only be allowed by special permit of the City Planning Commission pursuant to the provisions of this Section.

However, in the event a casualty damages or destroys a #building# within the East Midtown Subdistrict that was used as a #transient hotel# as of May 27, 2015, in the Vanderbilt Corridor Subarea or on August 9, 2017, in other Subareas, such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit, provided the #floor area# of such reconstructed #building#, less the #floor area# of any other #buildings# on the #zoning lot# does not exceed the applicable basic maximum #floor area ratio# for the #zoning lot# set forth in Section 81-60, inclusive. #Transient hotels# existing on May 27, 2015 within the Vanderbilt Corridor Subarea or on August 9, 2017, in other Subareas, shall be considered conforming #uses#.

To permit such a #transient hotel#, the Commission shall find that such #transient hotel# will:

- (a) be appropriate to the needs of businesses in the vicinity of the East Midtown area; and
- (b) provide on-site amenities and services that will support the area's role as an office district. Such business-oriented amenities and services shall be proportionate to the scale of the #transient hotel# being proposed, and shall include, but shall not be limited to, conference and meeting facilities, and telecommunication services.

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

However, after August 9, 2017, #development# of a #building# containing a #transient hotel# shall be permitted under the regulations which were in effect prior to August 9, 2017, if a new building application for such #development# was filed at the Department of Buildings after June 9, 2016, and a partial permit for such application was issued by the Department of Buildings on or prior to July 20, 2017, and a temporary certificate of occupancy for the entire #building# has been granted prior to January 31, 2020. In the event that such temporary certificate of occupancy has not been granted prior to such date, and an application is filed prior to such date, pursuant to this Section, with the Board of Standards and Appeals, the Board may permit the new building permit to be renewed for a term of one year upon the following findings:

- (1) that the applicant has been prevented from completing such construction by hardship or circumstances beyond the applicant's control;
- (2) that the applicant has not recovered all or substantially all of the financial expenditures incurred in construction, nor is the applicant able to recover substantially all of the financial expenditures incurred through development that conforms and complies with any applicable amendment to this Resolution; and
- (3) that there are no considerations of public safety, health and welfare that have become apparent since the issuance of the permit that indicate an overriding benefit to the public in enforcement of the special permit provisions of this Section. In the event that the Board permits the renewal, the temporary certificate of occupancy shall be obtained by no later than January 31, 2021.

81-622-

81-621

#### Location of uses in mixed buildings

\* \* \*

81-70

#### SPECIAL REGULATIONS FOR THEATER SUBDISTRICT

\* \* \*

81-72

#### Use Regulations Modified

\* \* \*

81-722

#### Use Group T

The following #uses# are subject to the limitations on location and #floor area# of the underlying zoning district:

\* \* \*

#Use#

Hotels, where permitted, pursuant to Section 32-02 (Special Provisions for Hotels) - lobby space limited to 20 percent of total #zoning lot# frontage on #wide streets#

\* \* \*

#### Chapter 3

#### Special Limited Commercial District

\* \* \*

83-03

#### Use Group "LC"

Use Group "LC" comprises #residential uses# listed in Use Groups 1 and 2, and a group of specially related #uses# selected from Use Groups 3, 4, 5, 6, 8 and 9 to provide for the special needs, comfort,

convenience, enjoyment, education and recreation of the residents of the surrounding communities and of the many visitors who are attracted to its activities.

\* \* \*

#### H. Transient Accommodations

#Hotels, transient#, where permitted pursuant to Section 32-02 (Special Provisions for Hotels)

\* \* \*

#### Chapter 4

#### Special Battery Park District

\* \* \*

84-10

#### ZONE A GENERAL DISTRICT REGULATIONS

\* \* \*

84-12

#### Use Regulations

In the areas indicated as permitted #commercial# locations in Appendices 2.3 and 3.3, the #use# regulations applying in a C2 District shall apply, except as provided in Sections 84-031 (Special permit uses), 84-032 (Uses not permitted), 84-121 (Uses along Esplanade) and this Section.

In the case of a #mixed building# containing #residential# and #commercial uses#, #residential uses# are permitted on the same #story# as a #commercial use#, provided no access exists between such #uses# at any level containing #residences# and provided any #commercial uses# are not located over any #residences#.

However, such #commercial use# may be located over #residences# by authorization of the City Planning Commission upon finding that sufficient separation of #residences# from #commercial uses# exists within the #building#.

Notwithstanding any other provisions of this Resolution, the permitted #uses# listed in Use Groups 6, 7, 8, 9 or 14 and the additional #uses# permitted hereunder shall be limited, per establishment, to 10,000 square feet of #floor area# of any #story# and shall not be located above the first #story# ceiling, except that:

- (a) in any #building# containing an #arcade# required in Section 84-134 (Mandatory arcades), any permitted #use# may be located above the first #story# ceiling and below the second #story# ceiling; and
- (b) supermarkets are permitted with no limitation on #floor area#. Notwithstanding any other provisions of this Resolution, the #zoning lot# south of First Place and east of Battery Place may contain #residential uses#, #transient hotel uses# where permitted pursuant to Section 32-02 (Special Provisions for Hotels), or both #residential# and hotel #uses#.

In the case of hotel #uses# on this #zoning lot#:

- (1) a #physical culture or health establishment# may be permitted; and
- (2) an eating and drinking establishment, as permitted in Section 32-15 (Use Group 6), and a #physical culture and health establishment# or a non-#residential accessory use#, may be located above a #story# containing #residential uses#.

\* \* \*

#### Chapter 8

#### Special Hudson Square District

\* \* \*

88-10

#### SUPPLEMENTAL USE REGULATIONS

\* \* \*

88-13

#### Commercial Use

The #commercial use# regulations applicable in M1 Districts shall apply in the #Special Hudson Square District#, except that:

- (a) food stores, including supermarkets, grocery stores or delicatessen stores, shall not be limited as to the size of the establishment;
- (b) #uses# listed in Use Group 6A, other than food stores, and Use Groups 6C, pursuant to Section 42-13, 6E, 10 and 12B, shall be limited to 10,000 square feet of #floor area# at the ground floor level, per establishment. Portions of such establishments located above or below ground floor level shall not be limited in size;
- (c) ground floor #commercial uses# shall be subject to special streetscape provisions set forth in Section 88-131;
- (d) #commercial uses# permitted in M1 Districts shall be subject to the modifications set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive;
- (e) #transient hotels# shall be subject to the provisions of Section 32-02 (Special Provisions for Hotels); and allowed, except that:

- (1) #development# or #enlargement# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with paragraph (a) of Section 88-11, shall only be allowed upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal has been met for the #Special Hudson Square District# as set forth in this paragraph (e) (1); or, where such residential development goal has not

been met, by special permit pursuant to Section 88-132- (Special permit for large transient hotels). The residential development goal shall be met when at least 2,255- #dwelling units#, permitted pursuant to the provisions of Section 88-11, within the #Special Hudson Square District#, have received temporary or final certificates of occupancy subsequent to March 20, 2013; and

- (2) a change of #use# within a #qualifying building# to a #transient hotel# with greater than 100 sleeping units shall only be allowed by special permit, pursuant to Section 88-132; and
- (f) eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments with dancing, are permitted only by special permit of the Board of Standards and Appeals, pursuant to Section 73-244.

\* \* \*

## 88-132

### Special permit for large transient hotels

- (a) #Developments# or #enlargements# In the #Special Hudson Square District#, prior to the residential development goal set forth in paragraph (e) of Section 88-13 (Commercial Use) having been achieved, the City Planning Commission may permit #developments# or #enlargements# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with paragraph (a) of Section 88-11, provided the Commission finds that:

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

- (b) Changes of #use# In the #Special Hudson Square District#, the City Planning Commission may permit the change of #use# of #floor area# within #qualifying buildings# to a Use Group 5- #transient hotel# with greater than 100 sleeping units provided that, at minimum, the amount of #floor area# changed to such #transient hotel# is:

- (1) preserved for Use Group 6B office #use# within a #qualifying building# located within the #Special Hudson Square District#; or
- (2) created for Use Group 6B office #use# within a #building developed# after March 20, 2013, or within the #enlarged# portion of a #building#, where such #enlargement# was constructed within one year of the date an application pursuant to this Section is filed with the Department of City Planning (DCP). Such #developed# or #enlarged buildings# may be located anywhere within the #Special Hudson Square District#, and shall have either temporary or final certificates of occupancy for Use Group 6B office #use#.

In order to permit such change of #use#, the Commission shall find that the proposed #transient hotel# is so located as not to impair the essential character, or the future use or development, of the surrounding area.

A restrictive declaration acceptable to the DCP shall be executed and recorded, binding the owners, successors and assigns to preserve an amount of Use Group 6B office #use# within a #qualifying building#, or created within a #development# or #enlargement#, as applicable. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from Use Group 6B office #use# to any other #use#.

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

\* \* \*

## ARTICLE IX

### SPECIAL PURPOSE DISTRICTS

\* \* \*

#### Chapter 4

#### Special Sheephead Bay District

\* \* \*

#### 94-06

#### Special Use Regulations

\* \* \*

#### 94-061

#### Permitted residential, community facility and commercial uses

##### A. #Residential# and #community facility uses#

#Uses# listed in Use Groups 1, 2, 3 and 4 shall be allowed anywhere within the Special District, except as set forth in Section 94-065 (Restriction on ground floor use).

##### B. #Commercial uses#

In Areas A, B, C, D and E, as indicated in Appendix A (Special Sheephead Bay District Map) of this Chapter, only those #commercial uses# listed in Section 94-062 (Use Group SB), those #uses# listed in Section 62-211 (Water-Dependent (WD) uses) from Use Groups 6, 7, where permitted pursuant to Section 32-02 (Special Provisions for Hotels), 9 and 14, and those #uses# permitted pursuant to Section 94-063 (Uses permitted by special permit), shall be allowed. In addition, in Area B, a food store, as listed in Section 32-15 (Use Group 6), shall also be allowed on a #zoning lot# existing on May 27, 2015, for a period of 10 years from such date. Such food store shall be limited to one such establishment per #zoning lot# and shall be limited to 15,000 square feet of #floor area# utilized for the sale of food and non-food grocery products, and further such establishment shall be limited to an additional 6,500 square feet of #floor area# for #accessory# office and storage space. There shall be no limitation on the amount of #floor area# utilized for eating or drinking places as listed in Use Group SB, pursuant to Section 94-062.

In Area F, only #commercial uses# listed in Use Group 6 and those listed in Section 62-211 from Use Groups 6, 7, where permitted pursuant to Section 32-02 (Special Provisions for Hotels), 9 and 14 shall be allowed within the underlying #Commercial Districts#.

In Area G, only #commercial uses# listed in Use Groups 6, 7, where permitted pursuant to Section 32-02 (Special Provisions for Hotels), 8 and 9 and those listed in Section 62-211 from Use Groups 6, 7, 9 and 14 shall be allowed within the underlying #Commercial Districts#.

In Area H, except for #uses# permitted pursuant to Section 94-063, #commercial uses# shall be limited to those listed in Section 62-211 from Use Groups 6, 7, 9 and 14 and the following #uses#:

\* \* \*

#Hotels, transient#, #motels# or #boatels#, where permitted, pursuant to Section 32-02 (Special Provisions for Hotels)

Jewelry or art metal craft shops

#Motels# or #boatels#

\* \* \*

#### Chapter 6

#### Special Clinton District

\* \* \*

#### 96-30

#### OTHER AREAS

\* \* \*

#### 96-34

#### Special Regulations in Northern Subarea C1

Within Northern Subarea C1, Special Use Regulations Areas C1-1 and C1-2, as shown on the map in Appendix A of this Chapter, are subject to the special #use# regulations of this Section. In addition, the special Inclusionary Housing regulations set forth in this Section shall apply in Area C1-1.

- (a) Inclusionary Housing Program

The boundaries of the #Inclusionary Housing designated area# within the #Special Clinton District# are shown on Map 2 in Manhattan Community District 4, in APPENDIX F of this Resolution. Such area shall be an #Inclusionary Housing designated area#, pursuant to Section 12-10 (DEFINITIONS), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90, inclusive, applicable as modified within the Special District.

Within such #Inclusionary Housing designated area# the following special regulations shall apply. The #residential floor area# of the #zoning lot# may be increased by 1.25 square feet for each square foot of #low income floor area# provided, or by 0.625 square feet for each one square foot of #middle income floor area# provided, up to the maximum #floor area# set forth in Section 23-154 (Inclusionary Housing). However, the amount of #low income floor area# plus half the amount of #middle income floor area# required to receive such #floor area compensation# need not exceed 20 percent of the total #floor area#, exclusive of ground floor non-#residential floor area# on the #compensated zoning lot#, provided that no more than 8,000 square feet of #middle income floor area# may be included within this calculation.

- (b) Special #use# regulations

(1) In Special Use Regulations Areas C1-1 and C1-2, the following #uses# shall be permitted below the level of the lowest floor occupied by #dwelling units#:

(i)(1) automobile showrooms or sales with preparation of automobiles for delivery; and

(ii)(2) automobile repairs.

(2) #Transient hotels# shall not be permitted within the portion of Area C1-1 that is located between Eleventh Avenue and a line 250 feet west of Eleventh Avenue, and in the portion located between West 57th Street and a line 100 feet south of West 57th Street, except by special permit of the City Planning Commission, pursuant to the provisions of this paragraph (b)(2).



The Commission may permit ~~transient hotels~~, resulting from a ~~development~~, ~~enlargement~~, ~~extension~~ or change of ~~use~~, provided that the Commission shall find that such ~~transient hotel~~ is so located as not to impair the essential character of, or the future use or development of the surrounding area. The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

\* \* \*

## Chapter 7 Special 125th Street District

\* \* \*

### 97-14 Transient Hotels Within the Park Avenue Hub Subdistrict

Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, the ~~development~~ or ~~enlargement~~ of a ~~building~~ containing a ~~transient hotel~~, as listed in Section 32-14 (Use Group 5), or the ~~conversion~~ or change of ~~use~~ within an existing ~~building~~ to a ~~transient hotel~~, shall only be allowed:

- (a) upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal, as set forth in this Section, has been met; or
- (b) where such residential development goal, has not been met, by special permit by the City Planning Commission. To permit such a ~~transient hotel~~, the Commission shall find that:
  - (1) sufficient sites are available in the area to meet the ~~residential development~~ goal; or
  - (2) a harmonious mix of ~~residential~~ and non-~~residential uses~~ has been established in the area, and such ~~transient hotel~~ is consistent with the character of the surrounding area.

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

For the purpose of applying the provisions of this Section, the ~~residential development~~ goal shall be met when at least 3,865 ~~dwelling units~~ within the combined areas of the ~~Special East Harlem Corridors District~~, and the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, have received temporary or final certificates of occupancy subsequent to November 30, 2017.

\* \* \*

### 97-412 Maximum floor area ratio in the Park Avenue Hub Subdistrict

Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, the maximum ~~floor area ratio~~ for ~~zoning lots~~ is set forth in paragraph (a) of this Section, and is modified for certain ~~zoning lots~~ in accordance with paragraph (b) of this Section.

- (a) Maximum ~~floor area ratio~~ The maximum ~~floor area ratio~~ shall be 12.0. Where a ~~development~~ or ~~enlargement~~ contains ~~residential floor area~~, such ~~zoning lot~~ shall satisfy the provisions of either:
  - (1) a minimum non-~~residential floor area ratio~~ of 2.0 shall be provided on such ~~zoning lot~~. Such ~~floor area~~ shall not include any ~~floor area~~ containing a ~~transient hotel~~ pursuant to the provisions of Section 97-14 (Transient Hotels Within the Park Avenue Hub Subdistrict); or

\* \* \*

## Chapter 9 Special Madison Avenue Preservation District

\* \* \*

### 99-03 Special Use Regulations

\* \* \*

#### 99-031 Use Group MP

Use Group MP comprises a group of ~~commercial~~ establishments selected to promote and strengthen the existing ~~commercial~~ character of the Special District. The ~~commercial uses~~ listed in Table A of this Section are permitted in any portion of the Special District located within a C1 District. The ~~commercial uses~~ listed in Tables A and B of this Section are permitted in any portion of the Special District located within a C5 District.

Table A

#### A. Transient Accommodations

~~Hotels, transient~~, where permitted pursuant to Section 32-02 (Special Provisions for Hotels)

\* \* \*

## ARTICLE XI SPECIAL PURPOSE DISTRICTS

### Chapter 1 Special Tribeca Mixed Use District

\* \* \*

#### 111-10 SPECIAL USE REGULATIONS

\* \* \*

#### 111-13 Additional Use Regulations

\* \* \*

#### (d) Areas A4, A5, A6 and A7

~~Transient hotels~~ shall be allowed, except that ~~developments~~, ~~enlargements~~, ~~extensions~~ or changes of ~~use~~ that result in a ~~transient hotel~~ with greater than 100 sleeping units shall only be allowed pursuant to Section 111-31 (Special Permit for Large Transient Hotels). However, any ~~transient hotel~~ that received a special permit pursuant to Section 74-711, granted prior to October 13, 2010, may continue under the terms of such approval.

#### (e)(d) Environmental conditions for Area A2

\* \* \*

#### 111-31 Special Permit for Large Transient Hotels

In Areas A4 through A7, the City Planning Commission may permit ~~transient hotels~~ that are comprised of more than 100 sleeping units, provided the Commission shall find that such ~~transient hotel~~, resulting from a ~~development~~, ~~enlargement~~, ~~extension~~ or change of ~~use~~, is so located as not to impair the essential residential character of, or the future use or development of, the surrounding area. The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

#### 111-32 Special Permit for Certain Large Commercial Establishments

\* \* \*

## ARTICLE XII SPECIAL PURPOSE DISTRICTS

### Chapter 1 Special Garment Center District

\* \* \*

#### 121-10 SPECIAL USE REGULATIONS

\* \* \*

#### 121-11 Transient Hotels and Offices

In the ~~Special Garment Center District~~, ~~transient hotels~~, as listed in Section 32-14 (Use Group 5), and ~~motels~~, ~~tourist cabins~~ or ~~boatels~~, as listed in Section 32-16 (Use Group 7A), shall be permitted only by special permit of the City Planning Commission pursuant to Section 121-70 (Special Permit for Transient Hotels).

However, a special permit shall not be required for a ~~transient hotel~~ operated exclusively for the public purpose of temporary housing assistance by the City or State of New York, or operated by a non-governmental entity pursuant to an active contract or other written agreement with an agency of the City or State specifying such public purpose.

Furthermore, for For a ~~building~~ subject to the provisions of Section 121-60 (ANTI-HARASSMENT AND DEMOLITION REGULATIONS IN SUBDISTRICT A-2) and for which ~~HPD~~ issued a ~~certification~~ of no harassment# that was in effect on June 11, 2018, a special permit pursuant to Section 74-802 (Transient hotels within Commercial Districts) shall not be required where such ~~building~~ is ~~enlarged~~ and a portion of which is subsequently converted to ~~residences~~ pursuant to Article I, Chapter 5 (Residential Conversions Within Existing Buildings), provided all new ~~transient hotel~~ rooms shall be located in the ~~enlarged~~ portion of such ~~building~~, and except for ~~transient hotel~~ lobbies and ~~accessory uses~~ located below the floor level of the second ~~story~~, the non-~~enlarged~~ portion of such ~~building~~ shall contain only permanently affordable ~~residences~~ pursuant to a ~~regulatory agreement~~ enforceable by ~~HPD~~. Any ~~transient hotel~~ existing prior to December 20, 2018, within the ~~Special Garment Center District~~, shall be considered a conforming ~~use~~. Any ~~enlargement~~ or ~~extension~~ of such existing conforming ~~use~~ shall not require a special permit. In the event a casualty damages or destroys a ~~building~~ within the ~~Special Garment Center District~~ that was used as a ~~transient hotel~~ as of December 20, 2018, such ~~building~~ may be reconstructed and continue as a ~~transient hotel~~ without obtaining a special permit, provided the ~~floor area~~ of such reconstructed ~~building~~ does not exceed the ~~floor area~~ permitted pursuant to the provisions of Section 121-31 (Maximum Permitted Floor Area Within Subdistrict A-1) or Section 121-41 (Maximum Permitted Floor Area Within Subdistrict A-2), as applicable.



In Subdistrict A-2, any #development# or #enlargement# that includes offices, as listed in Section 32-15 (Use Group 6B) #developed# or #enlarged# after January 19, 2005, shall be permitted only pursuant to Section 93-13 (Special Office Use Regulations).

\* \* \*

## 121-70

### SPECIAL PERMIT FOR TRANSIENT HOTELS

In the #Special Garment Center District#, the City Planning Commission may permit a #transient hotel# as listed in Use Group 5, including #motels#, #tourist cabins# or #boatels# as listed in Use Group 7, that is not otherwise permitted pursuant to Section 121-10 (SPECIAL USE REGULATIONS), provided that:

- (a) the location of such proposed #transient hotel# within the Special District will not impair the achievement of a diverse and harmonious mix of #commercial#, #manufacturing# and #community facility uses# within Subdistrict A-1 and of #residential#, #commercial#, #manufacturing# and #community facility uses# in Subdistrict A-2, consistent with the applicable district regulations;
- (b) the site plan for such #transient hotel# demonstrates that the design is appropriate, does not impair the character of the area and incorporates elements that are necessary to address any potential conflicts between the proposed #use# and adjacent #uses#, such as the location of the proposed access to the #building#, the orientation of the #building# and landscaping;
- (c) such #transient hotel use# will not cause undue vehicular or pedestrian congestion on local #streets#; and
- (d) such #transient hotel use# is consistent with the planning objectives of the Special District.

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

\* \* \*

## ARTICLE XIII

### SPECIAL PURPOSE DISTRICTS

#### Chapter 1

#### Special Coney Island District

\* \* \*

## 131-10

### SPECIAL USE REGULATIONS

\* \* \*

## 131-11

#### Use Group 5

For the purposes of this Chapter, the definition of #transient hotel# shall be modified to allow only such hotels used exclusively for transient occupancy. Such #transient hotels# used exclusively for transient occupancy shall be permitted only in specified locations as set forth in this Chapter, where permitted pursuant to Section 32-02 (Special Provisions for Hotels).

\* \* \*

## 131-13

#### Special Use Regulations in Subdistricts

\* \* \*

## 131-131

#### Coney East Subdistrict

The #use# regulations of the underlying C7 District are modified as set forth in this Section. The provisions of Section 32-02 (Special Provisions for Hotels) are modified to apply in a C7 District. The locations of the mandatory ground floor #use# regulations of paragraphs (b), (c), (d) and (f) of this Section are shown on the #streets#, or portions of #streets#, specified on Map 2 in the Appendix to this Chapter. #Transient hotels# and Use Groups A, B and C, as set forth in Sections 131-11 through 131-123, inclusive, and #public parking garages#, shall be the only #uses# allowed in the Coney East Subdistrict, and shall comply with the following regulations:

\* \* \*

- (e) #Transient hotels#

- (1) Where permitted pursuant to Section 32-02, #Transient-transient hotels# shall be permitted only on #blocks# with Surf Avenue frontage, except that no #transient hotels# shall be permitted on that portion of the #block# bounded by West 15th and West 16th Streets south of the prolongation of the centerline of Bowery.
- (2) #Transient hotel use# shall not be permitted within 50 feet of Bowery on the ground floor level of a #building#, except that where a #zoning lot# has frontage only on Bowery, a #transient hotel# lobby may occupy up to 30 feet of such frontage.
- (3) For #transient hotels# located on #zoning lots# with at least 20,000 square feet of #lot area#, an amount of #floor area# or #lot area# of Use Group A1 #uses# equal to at least 20 percent of the total #floor area# permitted on such #zoning

lot# shall be provided either onsite or anywhere within the Coney East Subdistrict.

- (4) The #street wall# of the ground floor level of a #transient hotel# shall be occupied by active #accessory uses# including, but not limited to, lobbies, retail establishments, eating and drinking establishments and amusements.
- (5) #Accessory# retail establishments within a #transient hotel# shall be limited to 2,500 square feet of #floor area#.

\* \* \*

## 131-132

#### Coney North and Coney West Subdistricts

In the Coney North and Coney West Subdistricts, #uses# allowed by the underlying district regulations shall apply, except as modified in this Section for #uses# fronting upon #streets# specified on Map 2 (Mandatory Ground Floor Use Requirements) in the Appendix to this Chapter. For the purposes of this Section, the "building line" shown on Parcel F on Map 2 shall be considered a #street line# of Ocean Way or Parachute Way, as applicable. Furthermore, an open or enclosed ice skating rink shall be a permitted #use# anywhere within Parcel F in the Coney West Subdistrict.

- (a) Mandatory ground floor level #uses# along certain #streets#

Any #use# listed in Use Groups A, B and C, as set forth in Section 131-12, inclusive, not otherwise allowed by the underlying district regulations, shall be permitted within 70 feet of Riegelmann Boardwalk and within 100 feet of all other designated #streets#, as shown on Map 2.

- (1) Riegelmann Boardwalk

Only #uses# listed in Use Groups A, B and C and, where permitted pursuant to Section 32-02 (Special Provisions for Hotels), #transient hotels# located above the ground floor level are permitted within 70 feet of Riegelmann Boardwalk, except that a #transient hotel# lobby may occupy up to 30 feet of such ground floor frontage along Riegelmann Boardwalk. Use Group C #uses# shall be limited to 2,500 square feet of #floor area# and 30 feet of #street# frontage for each establishment. All other establishments shall be limited to 60 feet of #street# frontage, except that for any establishment on a corner, one #street# frontage may extend up to 100 feet. All ground floor #uses# within #buildings# shall have a depth of at least 15 feet measured from the #street wall# of the #building#. However, such minimum depth requirement may be reduced where necessary in order to accommodate vertical circulation cores or structural columns associated with upper #stories# of the #building#.

- (2) #Streets# other than Riegelmann Boardwalk

At least 20 percent of the frontage of a #building# or of an open #use#, on a #street# specified on Map 2, shall be allocated exclusively to #uses# listed in Use Groups A, B or C. The remaining frontage of such #building# or open #use#, on a specified #street#, shall be allocated to #commercial uses# permitted by the underlying district regulations or, where permitted pursuant to Section 32-02, a #transient hotel#. In addition, a #residential# lobby may occupy up to 40 feet of frontage along a specified #street# frontage.

There shall be at least four separate ground floor or open #commercial# establishments fronting upon each #block# fronting on Surf Avenue.

All ground floor #commercial uses# within #buildings# shall have a depth of at least 50 feet measured from the #street wall# of the #building#. Such minimum 50 foot depth requirement may be reduced where necessary in order to accommodate a #residential# lobby, vertical circulation cores or structural columns associated with upper #stories# of the #building#.

- (b) Prohibited ground floor level #uses# along #streets# other than Riegelmann Boardwalk

No #use# listed in this paragraph, (b), shall be permitted within 50 feet of a #street# specified on Map 2. Lobbies or entryways to non-ground floor level #uses# are permitted, provided the length of #street# frontage occupied by such lobbies or entryways does not exceed, in total, 60 feet.

\* \* \*

From Use Group 5A:

All #uses#, except that #transient hotels# shall be permitted within 200 feet of Surf Avenue between Stillwell Avenue and West 16th Street, where permitted pursuant to Section 32-02.

\* \* \*

## Chapter 4

#### Special Governors Island District

[NOTE: Modifications to this chapter are based on zoning changes proposed pursuant to the current Governors Island Text Amendment N 210126 ZRM]

\* \* \*

## 134-10 SPECIAL USE REGULATIONS

### 134-11 Permitted Uses

\* \* \*

### 134-111 Permitted uses in subdistricts

In the Northern Subdistrict and the Southern Subdistrict, the following #uses# shall be permitted, except as otherwise specified in Section 134-112 (Permitted uses in the Open Space Subarea). In addition, in the Northern Subdistrict, the provisions of Section 134-14 (Certification for Large Commercial Establishments) shall apply to any #commercial use# exceeding 7,500 square feet of #floor area#.

From Use Groups 1 through 4, as set forth in Sections 22-11 through 22-14:

All #uses#.

From Use Group 5, as set forth in Section 32-14:

All #uses#, where permitted pursuant to Section 32-02 (Special Provisions for Hotels).

From Use Group 6, as set forth in Section 32-15:

All #uses#, except automobile supply stores, drive-in banks, carpet, rug, linoleum or other floor covering stores, furniture stores, loan offices, medical or orthopedic appliance stores, paint stores, sewing machine stores or typewriter stores.

From Use Group 7, as set forth in Section 32-16:

All #uses# in Use Group 7A, where permitted pursuant to Section 32-02 (Special Provisions for Hotels).

From Use Group 7B: bicycle rental or repair shops, sailmaking establishments, and sign painting shops, limited to 2,500 square feet of #floor area# per establishment.

\* \* \*

### 134-112 Permitted uses in the Open Space Subarea

In the Open Space Subarea of the Southern Subdistrict, the following #uses# shall be permitted.

\* \* \*

- (b) On any pier in the Open Space Subarea, #uses# shall be limited to the following:

From Use Group 4, as set forth in Section 22-14:

Clubs, limited to non-profit private beach clubs and non-profit private boat clubs.

From Use Group 6, as set forth in Section 32-15:

Docks for water taxis, with a vessel capacity of up to 99 passengers.

From Use Group 7, as set forth in Section 32-16:

#Boatels#, where permitted pursuant to Section 32-02 (Special Provisions for Hotels)

\* \* \*

## Chapter 8 Special East Harlem Corridors District

\* \* \*

### 138-10 SPECIAL USE REGULATIONS

\* \* \*

### 138-12 Transient Hotels C1-5 C2-5 C4-6 C6-4 M1-6/R9 M1-6/R10

In the districts indicated, the #development# or #enlargement# of a #building# containing a #transient hotel#, as listed in Section 32-14 (Use Group 5); or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed:

- (a) upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal, as set forth in this Section, has been met, or
- (b) where such residential development goal, has not been met, by special permit by the City Planning Commission. To permit such a #transient hotel#, the Commission shall find that:

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

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

For the purpose of applying the provisions of this Section, the #residential development# goal shall be met when at least 3,865 #dwelling units# within the combined areas of the #Special East Harlem Corridors District#, and the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of Article IX, Chapter 7 (Special-125th Street District), have received temporary or final certificates of occupancy subsequent to November 30, 2017.

### 138-13 Physical Culture or Health Establishments

Within the #Special East Harlem Corridors District#, the provisions of Section 73-36 (Physical Culture or Health Establishments) shall not apply. In lieu thereof, #physical culture or health establishments# shall be permitted as-of-right in C2-5, C4-6 and C6-4 Districts, and in M1 Districts paired with an R9 or R10 District.

### 138-14-138-13 Public Parking Garages

\* \* \*

## ARTICLE XIV SPECIAL PURPOSE DISTRICTS

### Chapter 1 Special Jerome Corridor District

\* \* \*

### 141-10 SPECIAL USE REGULATIONS

\* \* \*

### 141-11 Special Permit for Transient Hotels

The #development# or #enlargement# of a #building# containing a #transient hotel#, as listed in Section 32-14 (Use Group 5); or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed in C2 Districts, subject to the locational criteria set forth in the double-asterisked footnote of Use Group 5 in Section 32-14, and in C4 Districts;

- (a) upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the #residential development# goal, as set forth in this Section, has been met; or
- (b) by special permit by the City Planning Commission where such #residential development# goal, has not been met. To permit such a #transient hotel#, the Commission shall find that:
- (1) sufficient sites are available in the area to meet the #residential development# goal; or
- (2) a harmonious mix of #residential# and non-#residential# uses# has been established in the area, and such #transient hotel# is consistent with the character of the surrounding area.

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

For the purpose of applying the provisions of this Section, the #residential development# goal shall be met when at least 3,006 #dwelling units# within the #Special Jerome Corridor District# have received temporary or final certificates of occupancy subsequent to March 22, 2018.

### 141-12 Physical Culture or Health Establishments

#Physical culture or health establishments# shall be permitted as-of-right in C2 and C4 Districts. For the purposes of applying the underlying regulations to such #use#, a #physical culture or health establishment# shall be considered a Use Group 9 #use# and shall be within parking requirement category B.

### 141-13-141-12 Modification of Supplemental Use Provisions

\* \* \*

### Chapter 2 Special Inwood District

\* \* \*

### 142-10 SPECIAL USE REGULATIONS

\* \* \*

### 142-11 Permitted Uses

\* \* \*

**142-111****Special provisions for transient hotels**

The #development# or #enlargement# of a #building# containing a #transient hotel#, as listed in Section 32-14 (Use Group 5), or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed in C2 Districts, subject to the locational criteria set forth in the double-asterisked footnote of Use Group 5 in Section 32-14, and in C4, C6 or M1 Districts:

- (a) upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal, as set forth in this Section, has been met, or
- (b) where such residential development goal has not been met, by special permit by the City Planning Commission. To permit such a #transient hotel#, the Commission shall find that:
- (1) sufficient sites are available in the area to meet the residential development goal; or
  - (2) a harmonious mix of #residential# and non-#residential# uses has been established in the area, and the #transient hotel# is consistent with the character of the surrounding area.

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

For the purpose of applying the provisions of this Section, the residential development goal shall be met when at least 3,860 #dwelling units# within the #Special Inwood District# have received temporary or final certificates of occupancy subsequent to August 8, 2018.

**142-112****Regulations for manufacturing uses in Subareas B2 and B3**

\* \* \*

**NOTICE**

On Wednesday, July 14, 2021, a public hearing is being held by the City Planning Commission (CPC), accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by the New York City Department of City Planning (DCP). The Proposed Action is a zoning text amendment to require a CPC special permit for new and enlarged transient hotels (Use Group 5) and motels, tourist cabins, and boatels (Use Group 7). The new CPC special permit would replace existing special permits for hotels in Special Purpose Districts. These include the Inwood, Jerome Avenue, East Harlem, Midtown, Garment Center, Hudson Square, 125th Street, Clinton, and Tribeca Special Purpose Districts. It would also require a CPC special permit citywide for new hotels and enlargements in C1 (except for C1-1, C1-2, C1-3 or C1-4 Districts), C2, C4, C5, C6, C8, Mixed Use (MX), and paired M1/R districts. This is the "Area of Applicability" for the Proposed Action. The proposed text amendment would retain existing findings and regulations for hotels in M1 districts where a special permit was adopted in December 2018. The Proposed Action would also retain provisions adopted in the 2018 text amendment to exempt hotels in M1 districts operated for a public purpose. The proposed zoning text amendment would affect every community district within the City, since all community districts contain zoning districts that currently permit as-of-right hotel development, either in the form of commercial (C) districts or mixed-use (MX) districts. In addition, since changes to discontinuance provisions described below may apply to existing commercial hotels that are closed on the date of enactment and could apply in all districts citywide, the action has the potential to affect all community districts.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, July 26, 2021.

For instructions on how to submit comments and participate remotely in the hearing, please refer to the instructions at the beginning of this agenda.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 21DCP111Y.

**BOROUGH OF BROOKLYN****Nos. 2 & 3****2840 KNAPP STREET REZONING****No. 2****CD 15****C 200203 ZMK**

**IN THE MATTER OF** an application submitted by Lipkaw Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 29a, changing from an R5 to an R6 District property bounded by the Shore Parkway (northerly portion), Knapp Street, a line 250 feet northerly of Emmons Avenue, and Brigham Street and its northerly centerline prolongation,

as shown on a diagram (for illustrative purposes only) dated April 19, 2021, and subject to the conditions of CEQR Declaration of E-611.

**No. 3****N 200204 ZRK**

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

Matter underlined is new, to be added;

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

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

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

\* \* \*

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

\* \* \*

**BROOKLYN**

\* \* \*

**Brooklyn Community District 15**

\* \* \*

**Map 2 [date of adoption]**

Mandatory Inclusionary Housing Area (see Section 23-154(d)(3))

Area # — [date of adoption] — MIH Program Option 1 and Option 2

**Portion of Community District 15, Brooklyn**

\* \* \*

**Nos. 4 & 5****307 KENT AVENUE REZONING****No. 4****C 200306 ZMK****CD 1**

**IN THE MATTER OF** an application submitted by 307 Kent Associates pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d:

1. changing from an M3-1 District to an M1-5 District property bounded by South 2<sup>nd</sup> Street, a line 300 feet northwesterly of Wythe Avenue, South 3<sup>rd</sup> Street, and Kent Avenue;
2. changing from an M3-1 District to an M1-4/R6A District property bounded by South 2<sup>nd</sup> Street, a line 210 feet northwesterly of Wythe Avenue, South 3<sup>rd</sup> Street, and a line 300 feet northwesterly of Wythe Street; and
3. establishing a Special Mixed Use District (MX-8) bounded by South 2<sup>nd</sup> Street, a line 210 feet northwesterly of Wythe Avenue, South 3<sup>rd</sup> Street, and a line 300 feet westerly of Wythe Street;
4. as shown on a diagram (for illustrative purposes only) dated April 5, 2021, and subject to the conditions of CEQR Declaration E-592.

**No. 5****CD 1****N 200307 ZRK**

**IN THE MATTER OF** an application submitted by Soma 142, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing Area.

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

## APPENDIX F INCLUSIONARY HOUSING DESIGNATED AREAS AND MANDATORY INCLUSIONARY HOUSING AREAS

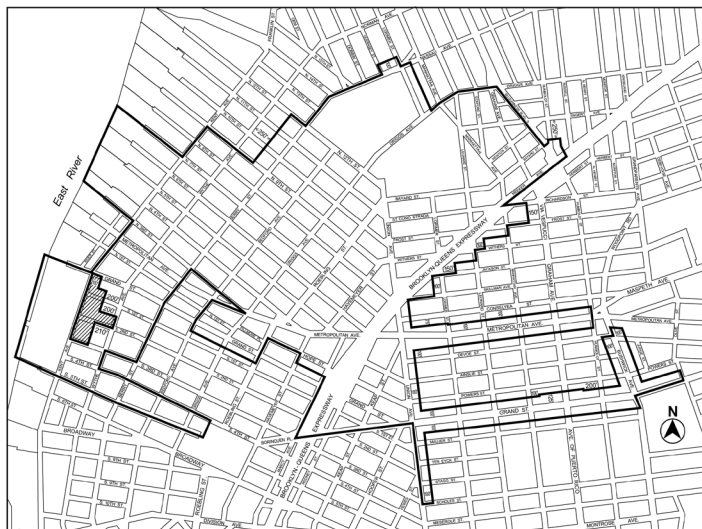
### Brooklyn

#### Brooklyn Community District 1

\* \* \*

Map 2 - [Date of Adoption]

[Existing Map]



□ Inclusionary Housing designated area  
 ▨ Excluded Area

[Proposed Map]



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

### NOTICE

On Wednesday, July 14, 2021, a public hearing is being held by the City Planning Commission, accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by 307 Kent Associates. The Proposed Actions include a zoning map amendment to rezone the western portion of Block 2415, including Block 2415, Lots 1, 6, 10, 7501, 7502, and a portion of (p/o) Lots 16 and 38 (the Rezoning Area), from M3-1 to M1-5 and MX-8 (M1-4/R6A), as well as a text amendment to Appendix F of the Zoning Resolution to remove a portion of the Rezoning Area from the "Excluded Area" shown on the applicable map in order to establish a Mandatory Inclusionary Housing (MIH) area and to make MIH regulations applicable. The Proposed Actions would facilitate a proposal by the applicant to construct a mixed-use office, community facility, and retail building (the Proposed Project) at 307 Kent Avenue (Block 2415, Lot 1, Projected Development Site 1), a site controlled by

the applicant in the Williamsburg neighborhood of Brooklyn, Community District 1.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, July 26, 2021.

For instructions on how to submit comments and participate remotely in the hearing, please refer to the instructions at the beginning of this agenda.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 20DCP100K.

#### No. 6 101 VARICK AVENUE

**CD 1 C 210329 PCK**  
**IN THE MATTER OF** an application submitted by the New York City Department of Transportation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of a property, located at 101 Varick Avenue (Block 2974, Lot 113) for use as a DOT operations and warehouse facility.

#### BOROUGH OF MANHATTAN

#### No. 7 RESTORING THE GEORGE CITY MAP AMENDMENT CD 12 C 180024 MMM

**IN THE MATTER OF** an application submitted by The Port Authority of New York and New Jersey pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of West 178th Street and West 180th Street between Haven Avenue and Cabrini Boulevard;
- the elimination, discontinuance and closing of West 179th Street between the westerly end of West 179th Street and Cabrini Boulevard;
- the elimination, discontinuance and closing of Haven Avenue between West 177th Street and West 178th Street;
- the elimination, discontinuance and closing of Haven Avenue between West 179th Street and West 180th Street;
- the elimination, discontinuance and closing of West 177th Street at its intersection with Haven Avenue;
- the widening of a portion of Haven Avenue south of West 181st Street;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map Acc Nos. 30259 and 3026.

#### Nos. 8 & 9 629-639 WEST 142<sup>ND</sup> STREET REZONING No. 8

#### CD 9 C 210261 ZMM

**IN THE MATTER OF** an application submitted by Soma 142, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a, by changing from an existing R6A District to an R9A District property bounded by a line midway between West 142<sup>nd</sup> Street and West 143<sup>rd</sup> Street and its westerly prolongation, a line 365 feet westerly of Broadway, West 142<sup>nd</sup> Street and its westerly prolongation, and the easterly boundary line of Riverside Park, as shown on a diagram (for illustrative purposes only) dated March 15, 2021, and subject to the conditions of CEQR Declaration E-607.

#### No. 9

#### CD 9 N 210262 ZRM

**IN THE MATTER OF** an application submitted by Soma 142, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing Area.

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

### APPENDIX F

#### Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

\* \* \*

#### Manhattan

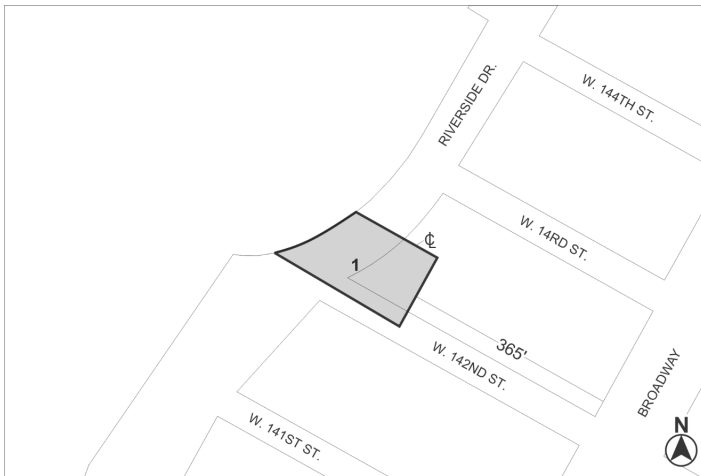
\* \* \*

**Manhattan Community District 9**

\* \* \*

Map 4 – [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing Area (see Section 23-154(d)(3))

Area 1 — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 9, Manhattan

\* \* \*

**No. 10  
THE WINDERMERE****CD 4****C 210202 ZSM**

**IN THE MATTER OF** an application submitted by Windermere Properties LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 74-711 of the Zoning Resolution to modify:

1. the use regulations of:
  - a. Section 22-10 (Uses Permitted As-of Right) to allow the conversion of residential floor area to commercial floor area; and
  - b. Section 32-421 (Limitation on Floors Occupied by Commercial Uses) to allow commercial use in Use Group 6 uses to be located above the first story of a building occupied by residential use on its upper stories; and
2. the bulk regulations of:
  - a. Sections 35-32 (Open Space Ratio for Residential Portions of Buildings) and 23-15 (Open Space and Floor Area Regulations in R6 through R10 Districts) to reduce the required amount of open space;
  - b. Section 33-43 (Maximum Height of Walls and Required Setbacks) to allow the building to penetrate the permitted height and setback requirements;
  - c. Section 23-86 (Minimum Distance between Legally Required Windows and Walls or Lot Lines) to reduce the minimum required distance between legally required windows and walls; and
  - d. Section 23-87 (Permitted Obstructions in Courts) to allow portions of the building to be located within the inner court;

in connection with the proposed conversion, alteration and enlargement of an existing 8-story building, on property, located at 400-406 West 57<sup>th</sup> Street (Block 1066, Lot 32), in C1-8 and R8/C1-5 Districts, within the Special Clinton District.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271.

**BOROUGH OF QUEENS****No. 11****LEFRAK CITY SENIOR CENTER****CD 4****C 210337 PCQ**

**IN THE MATTER OF** an application submitted by the Department for the Aging and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at a 96-05 Horace Harding Expressway (Block 1918, p/o Lot 114) for use as a neighborhood senior center.

**No. 12****106-02 ROCKAWAY BEACH BOULEVARD REZONING  
CD 14 C 180395 ZMQ**

**IN THE MATTER OF** an application submitted by RBB II LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 30a and 30b:

1. eliminating from an existing R5D District a C2-3 District bounded by Rockaway Freeway, Beach 106<sup>th</sup> Street, Rockaway Beach Boulevard, and Beach 108<sup>th</sup> Street; and
2. changing from an R5D District to a M1-3 District property bounded by Rockaway Freeway, the centerline of a Railroad Right-Of-Way, Beach 106<sup>th</sup> Street, Rockaway Beach Boulevard, and Beach 108<sup>th</sup> Street;

as shown in a diagram (for illustrative purposes only) dated April 5, 2021, and subject to the conditions of CEQR Declaration E-215.

**BOROUGH OF STATEN ISLAND****Nos. 13, 14 & 15****RIVER NORTH (LIBERTY TOWERS)****No. 13****CD 1****C 210289 ZMR**

**IN THE MATTER OF** an application submitted by Richmond SI Owner, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21c:

1. eliminating from an existing R6 District a C2-2 District bounded by Richmond Terrace, Hamilton Avenue, a line 100 feet westerly of Stuyvesant Place, a line 100 feet southwesterly of Richmond Terrace, and Nicholas Street;
2. eliminating a Special Hillside Preservation District (HS) bounded by Richmond Terrace, Stuyvesant Place, Hamilton Avenue, a line 185 feet westerly of Stuyvesant Place, a line 185 feet southwesterly of Richmond Terrace, and Nicholas Street;
3. changing from an R6 District to an R7-3 District property bounded by Richmond Terrace, Stuyvesant Place, Hamilton Avenue, a line 185 feet westerly of Stuyvesant Place, a line 185 feet southwesterly of Richmond Terrace, and Nicholas Street;
4. establishing within an existing R6 District a C2-4 District bounded by Richmond Terrace, Hamilton Avenue, and Stuyvesant Place;
5. establishing within a proposed R7-3 District a C2-4 District bounded by Richmond Terrace, Stuyvesant Place, Hamilton Avenue, a line 185 feet westerly of Stuyvesant Place, a line 185 feet southwesterly of Richmond Terrace, and Nicholas Street; and
6. establishing a Special St. George District (SG) bounded by Richmond Terrace, Hamilton Avenue, a line 185 feet westerly of Stuyvesant Place, a line 185 feet southwesterly of Richmond Terrace, and Nicholas Street;

as shown on a diagram (for illustrative purposes only) dated May 3, 2021, and subject to the conditions of CEQR Declaration E-614.

**No. 14****CD 1****C 210291 ZSR**

**IN THE MATTER OF** an application submitted by Richmond SI Owner, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 128-62\* of the Zoning Resolution as follows:

1. to modify the rear yard requirements of Section 23-47 (Minimum Required rear yard);
2. to modify the permitted obstruction requirements of Section 128-31 (Rooftop Regulations) and Section 33-42 (Permitted Obstructions);
3. to modify the height and setback requirements of Section 128-33\* (Maximum Base Height) and Section 128-34\* (Maximum Building Height); and
4. to modify the planting requirements of Section 128-42 (Planting Areas);

in connection with a proposed mixed-use development, on property located at 24 Stuyvesant Place (Block 13, Lots 82, 92, 100 and p/o Lot 8), in an R7-3/C2-4\*\* District, within the Special St. George District (SG)\*\*.

\* Note: Sections 128-33, 128-34 & 128-62 are proposed to be change under a concurrent related application for a Zoning Text change (N 210290 ZRR).

\*\* Note: This site is proposed to be rezoned by changing R6(HS) & R6/C2-2(HS) Districts to an R7-3/C2-4(SG) District under a concurrent related application for a Zoning Map change (C 210289 ZMR).

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

## No. 15

## CD 1

## N 210290 ZRR

**IN THE MATTER OF** an application submitted by Richmond SI Owner, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XII, Chapter 8 (Special St. George District) and related Sections, and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

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

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

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

\* \* \*

## ARTICLE II RESIDENCE DISTRICT REGULATIONS

### Chapter 1 Statement of Legislative Intent

\* \* \*

### 21-10 PURPOSES OF SPECIFIC RESIDENCE DISTRICTS

\* \* \*

#### 21-15 R3-2, R4, R4B, R5, R6, R7, R8, R9 and R10 — General Residence Districts

These districts are designed to provide for all types of residential buildings, in order to permit a broad range of housing types, with appropriate standards for each district on density, open space, and spacing of buildings. However, R4B Districts are limited to single- or two-family dwellings, and zero lot line buildings are not permitted in R3-2, R4 (except R4-1 and R4B), and R5 (except R5B) Districts. The various districts are mapped in relation to a desirable future residential density pattern, with emphasis on accessibility to transportation facilities and to various community facilities, and upon the character of existing development. These districts also include community facilities and open uses which serve the residents of these districts or benefit from a residential environment.

R7-3 and R9-1 Districts may be mapped only as specified in this paragraph. Such districts may be mapped within the waterfront area and in the #Special Mixed Use Districts#. In addition, R7-3 Districts may be mapped in the #Special Long Island City Mixed Use District# and #Special St. George District#, and R9-1 Districts may be mapped in #Mandatory Inclusionary Housing areas#.

\* \* \*

### Chapter 3 Residential Bulk Regulations in Residence Districts

#### 23-00 APPLICABILITY AND GENERAL PURPOSES

#### 23-01 Applicability of This Chapter

\* \* \*

#### 23-011 Quality Housing Program

\* \* \*

#### R6 R7 R8 R9 R10

(c) In the districts indicated without a letter suffix, the optional Quality Housing #bulk# regulations permitted as an alternative, pursuant to paragraph (b) of this Section, shall not apply to:

- (1) Article VII, Chapter 8 (Special Regulations applying to Large Scale Residential Developments) ,except that they may be permitted as an alternative to apply within #Large Scale Residential Developments# located:
  - (i) in C2-5 Districts mapped within R9-1 Districts in Community District 3 in the Borough of Manhattan.
- (2) Special Purpose Districts  
However, such optional Quality Housing #bulk# regulations are permitted as an alternative to apply in the following Special Purpose Districts:

\* \* \*

Special Ocean Parkway District;

Special St. George District;

Special Transit Land Use District; or

Special Tribeca Mixed Use District.

\* \* \*

## ARTICLE XII SPECIAL PURPOSE DISTRICTS

### Chapter 8 Special St. George District

#### 128-00 GENERAL PURPOSES

The “Special St. George District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include among others, the following specific purposes:

- (a) to build upon St. George’s existing strengths as a civic center, neighborhood and transit hub by providing rules that will bolster a thriving, pedestrian-friendly business and residence district;
- (b) to establish zoning regulations that facilitate continuous ground floor retail and the critical mass needed to attract and sustain a broader mix of uses;
- (c) to require a tall, slender building form that capitalizes on St. George’s hillside topography and maintains waterfront vistas;
- (d) to encourage the reuse and reinvestment of vacant office buildings;
- (e) to accommodate an appropriate level of off-street parking while reducing its visual impact; and
- (f) to enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes; and
- (g) to promote the most desirable use of land and building development in accordance with the District Plan for St. George and thus conserve the value of land and buildings and thereby protect the City’s tax revenues.

#### 128-01 Definitions

Definitions specifically applicable to this Chapter are set forth in this Section and may modify definitions set forth in Section 12-10 (DEFINITIONS). Where matter in italics is defined both in Section 12-10 and in this Chapter, the definitions in this Chapter shall govern.

Commercial street

A “commercial street” shall be a #street#, or portion thereof, where special regulations pertaining to ground floor #uses# on #commercial streets#, pursuant to Section 128-11, apply to #zoning lots# fronting upon such #streets#. #Commercial streets# are designated on Map 2 in the Appendix to this Chapter.

\* \* \*

#### 128-056 Applicability of the Quality Housing Program

In C4-2 Districts, the optional Quality Housing #bulk# regulations permitted as an alternative pursuant to Section 23-011 (Quality Housing Program) shall not apply. In lieu thereof, the #bulk# regulations of this Chapter shall apply. However, where any of the Quality Housing Program elements set forth Article II, Chapter 8 (Quality Housing Program) are provided, the associated #floor area# exemption shall apply.

In C2-4 Districts mapped within R6 Districts, the optional Quality Housing #bulk# regulations permitted as an alternative pursuant to Section 23-011 shall apply.

In R7-3 Districts, the Quality Housing Program shall apply. For the purposes of applying such regulations, #buildings# constructed pursuant to the #bulk# regulations of this Chapter shall be considered #Quality Housing buildings#, and any #building# containing #residences# shall also comply with the requirements of Article II, Chapter 8.

For the purposes of applying the Quality Housing Program elements set forth in Article II, Chapter 8 to C2-4 Districts mapped within R6 Districts and to R7-3 Districts, the elements set forth in Sections 28-23 (Planting Areas) and 28-40 (Parking for Quality Housing) shall be superseded by the planting and parking location provisions of this Chapter.

\* \* \*

#### 128-20 FLOOR AREA, LOT COVERAGE AND YARD REGULATIONS

#### 128-21 Maximum Floor Area Ratio

In C4-2 Districts within the Upland Subdistrict, the underlying #floor area ratio# and #open space# regulations shall not apply. In lieu thereof, the maximum #floor area ratio# for any #use#, separately or in combination, shall be 3.4, and no #floor area# bonuses shall apply, except that for #zoning lots# with less than 10,000 square feet of #lot area# without frontage on a #commercial street#, the maximum #floor area ratio# for any #use#, separately or in combination, shall be 2.2, and no #floor area# bonuses shall apply.

In R7-3 Districts, the maximum #floor area ratio# for any #use# within a #Mandatory Inclusionary Housing area# shall be 6.0.

## 128-22

### Maximum Lot Coverage

In C4-2 Districts within the Upland Subdistrict and in R7-3 Districts, the underlying #open space ratio# provisions shall not apply. In lieu thereof, the maximum permitted #lot coverage# for a #residential building#, or portion thereof, shall be 70 percent for an #interior# or #through lot# and 100 percent for a #corner lot#.

\* \* \*

## 128-30

### HEIGHT AND SETBACK REGULATIONS

The provisions of this Section, inclusive, shall apply to all #buildings or other structures# within the Upland Subdistrict, except in C2-4 Districts mapped within R6 Districts, where the underlying height and setback regulations shall apply.

In C1-2 Districts mapped within R3-2 Districts, all #buildings or other structures# shall comply with the height and setback regulations of R4 Districts, except that the maximum perimeter wall height shall be 26 feet, and the #street wall# location provisions of Section 128-32 (Street Wall Location) shall apply.

The underlying height and setback regulations of C4-2 Districts within the Upland Subdistrict shall not apply. In lieu thereof, the height and setback regulations of this Section, inclusive, shall apply. In R7-3 Districts, all #buildings or other structures# shall comply with the height and setback regulations of this Section, inclusive.

In the South and North Waterfront Subdistricts, the underlying height and setback regulations of Section 62-34 (Height and Setback Regulations on Waterfront Blocks) shall apply, except that:

- in the South Waterfront Subdistrict, rooftop regulations shall be as modified in Section 128-31 (Rooftop Regulations); and
- in the North Waterfront Subdistrict, #developments#, #enlargements#, alterations and changes of #use# permitted pursuant to Section 128-61 (Special Permit for North Waterfront Sites) shall instead be subject to the Proposed Plans, as set forth in Section 128-61, as approved pursuant to such special permit.

All heights shall be measured from the #base plane#, except that wherever a minimum or maximum base height is specified for #zoning lots# with multiple #street frontages#, such heights shall be determined separately for each #street# frontage, with each height measured from the final grade of the sidewalk fronting such #street wall#.

\* \* \*

## 128-32

### Street Wall Location

The following #street wall# regulations shall apply in C1-2 Districts mapped within R3-2 Districts and in C4-2 Districts within the Upland Subdistrict. In R7-3 Districts, no #street wall# location provisions shall apply.

- #Street walls# along #commercial streets#

\* \* \*

## 128-33

### Maximum Base Height

In C4-2 Districts within the Upland Subdistrict, the The maximum height of a #building or other structure# before setback shall be as specified on Map 3 (Minimum and Maximum Base Heights) in the Appendix to this Chapter. Where a maximum base height of 65 feet applies as shown on Map 3, such maximum base height shall be reduced to 40 feet for #zoning lots developed# or #enlarged# pursuant to the tower provisions of Section 128-35. When a #building# fronts on two intersecting #streets# for which different maximum base heights apply, the higher base height may wrap around to the #street# with the lower base height for a distance of up to 100 feet.

In R7-3 Districts, the maximum base height shall be 75 feet.

In C4-2 Districts within the Upland Subdistrict and in R7-3 Districts, all All portions of #buildings or other structures# above such maximum base heights shall provide a setback at least 10 feet in depth measured from any #street wall# facing a #wide street# and 15 feet in depth from any #street wall# facing a #narrow street#.

In C4-2 Districts within the Upland Subdistrict and in R7-3 Districts, dormers may exceed the maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts). However, on any #zoning lot# that includes a tower #developed# or #enlarged# pursuant to Section 128-35, dormers shall not be permitted.

## 128-34

### Maximum Building Height

In C4-2 Districts within the Upland Subdistrict, for #buildings# that are not #developed# or #enlarged# pursuant to the tower provisions of Section 128-35 (Towers), the maximum height of a #building or other structure# and the maximum number of #stories#, as applicable, shall be as set forth in Section 23-662 (Maximum height of buildings and setback regulations) for a residential equivalent of an R6 District. Separate maximum #building# heights are set forth within such Section for #developments# or #enlargements# with #qualifying ground floors# and for those with #non-qualifying ground floors#. However, on Bay Street where there is a maximum base height of 85 feet, the maximum height of a #building or other structure# also shall be 85 feet.

In C4-2 Districts within the Upland Subdistrict for #buildings# that are #developed# or #enlarged# pursuant to the tower provisions of Section 128-35, the maximum height of the tower portion of a #building# shall be 200 feet, and the height of all other portions of the #building# shall not exceed the applicable maximum base height. Where a maximum base height of 65 feet applies as shown on Map 3 in the Appendix to this Chapter, such maximum base height shall be reduced to 40 feet for #zoning lots developed# or #enlarged# pursuant to the tower provisions of Section 128-35.

In R7-3 Districts, the maximum height of a #building or other structure# shall be 185 feet or 18 #stories#, whichever is lower. The tower provisions of Section 128-35 shall not apply.

\* \* \*

## 128-50

### PARKING REGULATIONS

\* \* \*

## 128-51

### Required Off-street Parking and Loading

In the #Special St. George District#, the following parking and loading regulations shall apply:

- In C4-2 Districts, the following special regulations shall apply:

#### (a)(1) #Residential uses#

One off-street parking space shall be provided for each #dwelling unit# created after October 23, 2008, including any #dwelling units# within #buildings# converted, pursuant to Article I, Chapter 5 (Residential Conversion Within Existing Buildings), except that the provisions of Section 25-25 (Modification of Requirements for Income-restricted Housing Units, Affordable Independent Residences for Seniors or Other Government-assisted Dwelling Units) shall apply to #income-restricted housing units#. However, where the total number of required spaces is five or fewer or, for #conversions#, where the total number of required spaces is 20 or fewer, no parking shall be required, except that such waiver provision shall not apply to any #zoning lot# subdivided after October 28, 2008. The provisions of Section 73-46 (Waiver of Requirements for Conversions) shall apply to #conversions# where more than 20 parking spaces are required.

#### (b)(2) #Commercial# #uses#

For #commercial# #uses#, the off-street parking and loading requirements of a C4-3 District shall apply, except that food stores with 2,000 or more square feet of #floor area# per establishment shall require one parking space per 400 square feet of #floor area# and, for places of assembly and hotels, the off-street parking and loading requirements of a C4-2 District shall apply.



## (c)(3) #Community facility use#

For ambulatory diagnostic or treatment health care facilities listed in Use Group 4, the off-street parking requirements of a C4-3 District shall apply.

(b) In R7-3 Districts, the parking and loading regulations of an R7-2 District shall apply, except as modified by Sections 128-52 (Special Floor Area Regulations) through 128-56 (Curb Cuts on Commercial Streets).

(c) In C2-4 Districts mapped within R6 Districts, the underlying regulations shall apply, except as modified by Sections 128-52 through 128-56.

\* \* \*

**128-60****SPECIAL APPROVALS**

The special permit for North Waterfront sites set forth in Section 128-61 is established in order to guide and encourage appropriate #use# and #development# in a unique location within the #Special St. George District# that serves as a gateway between Staten Island and Manhattan for both visitors and daily commuters. Redevelopment of the North Waterfront sites pursuant to this special permit provides an appropriate means to address the special characteristics of these sites, while accommodating their continuing transportation function, as part of their transformation into a regional destination that will contribute to the revitalization of the #Special St. George District# and surrounding area.

The special permit for #buildings# in R7-3 Districts set forth in Section 128-62 is established to allow modification of #bulk# regulations and mandatory improvements, except #floor area ratio# provisions, in order to encourage better site planning, and streetscapes that are consistent with the goals of the Special District.

\* \* \*

**128-62****Special Permit for Buildings in R7-3 Districts**

For any #zoning lot# in an R7-3 District, the City Planning Commission may permit modification of #bulk# regulations, except #floor area ratio# provisions, and modification of mandatory improvements, provided the Commission shall find that such modifications:

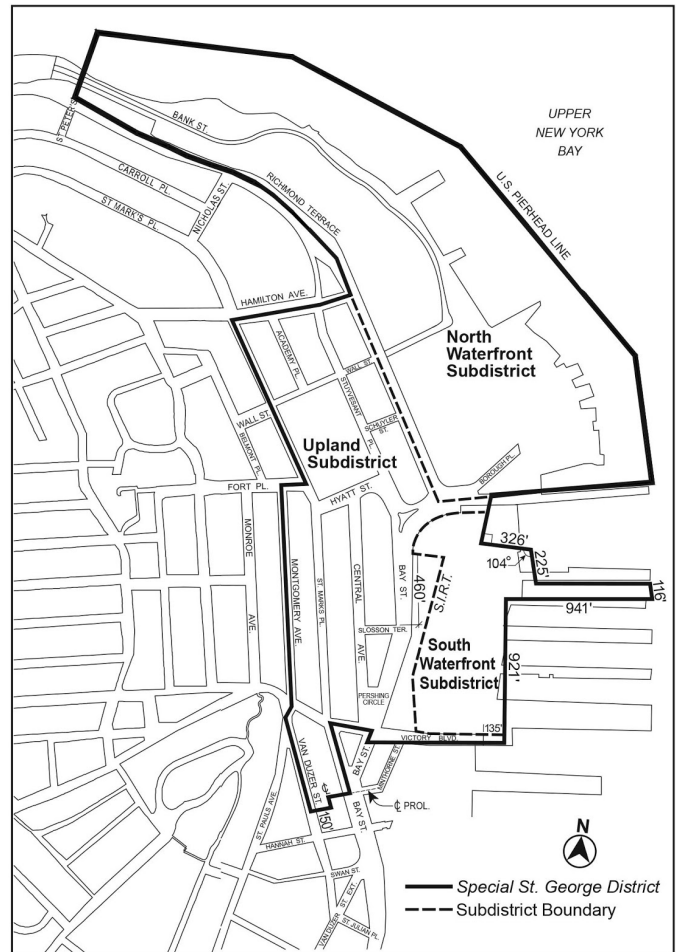
- will aid in achieving the general purposes and intent of the Special District;
- will enhance the distribution of #bulk# on the #zoning lot#;
- will not unduly obstruct access to light and air from surrounding #streets# and properties; and
- will result in a better site plan and urban design relationship with adjacent #streets#, open areas, and the surrounding neighborhood.

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

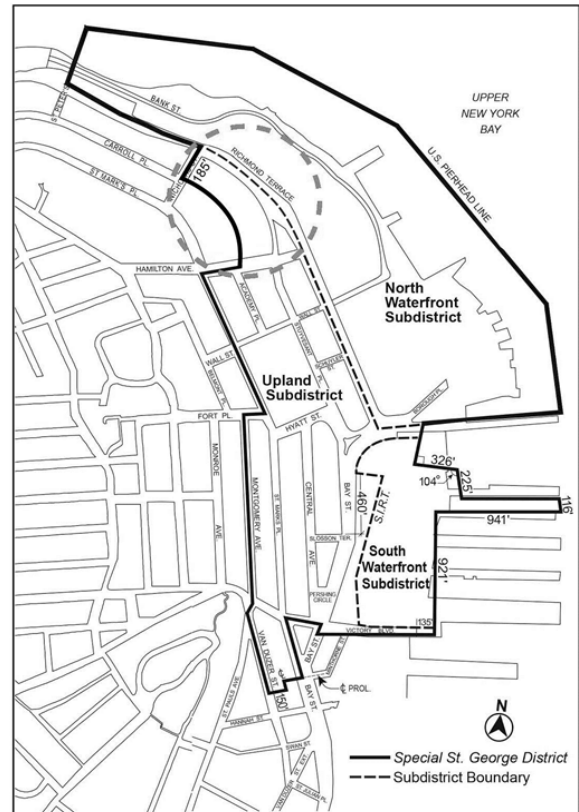
**Appendix – Special St. George District Plan**

Map 1 – Special St. George District and Subdistricts [date of adoption]

[EXISTING MAP]

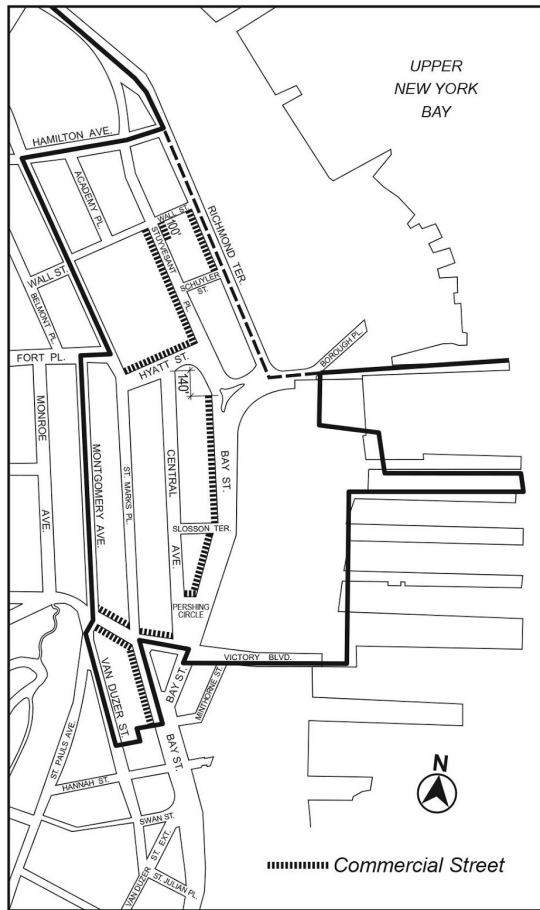


[PROPOSED MAP]

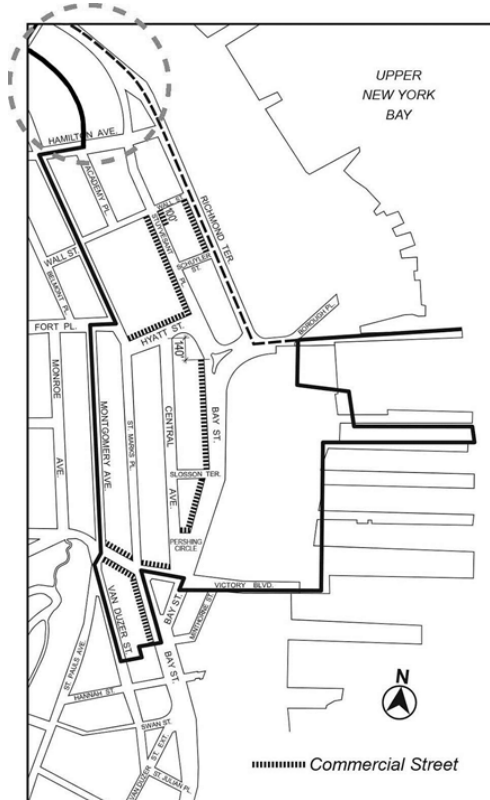


Map 2 – Commercial Streets [date of adoption]

[EXISTING MAP]

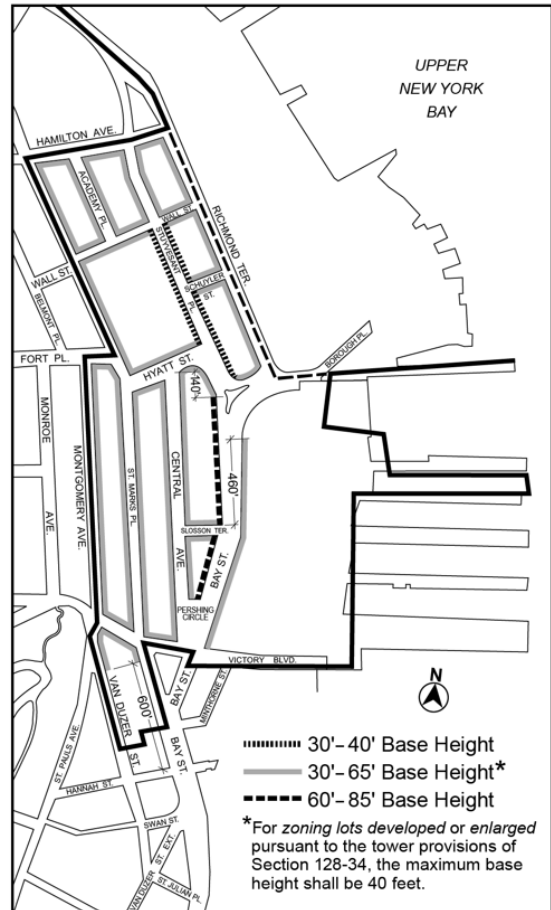


[PROPOSED MAP]

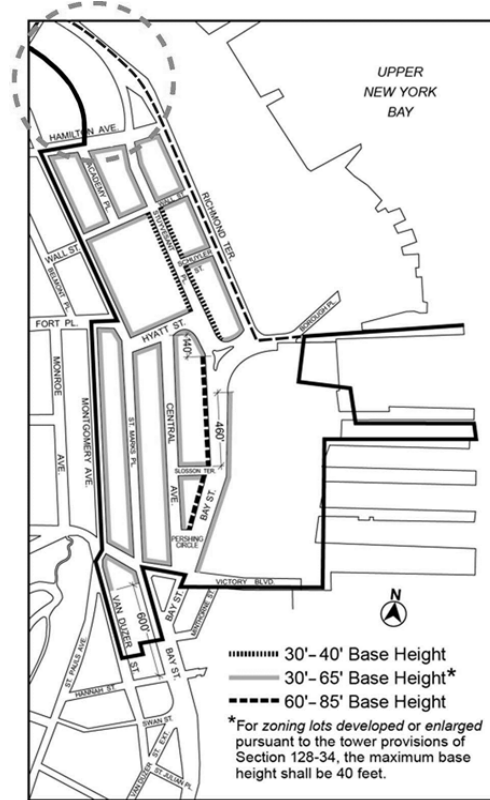


Map 3 –Minimum and Maximum Base Heights [date of adoption]

[EXISTING MAP]

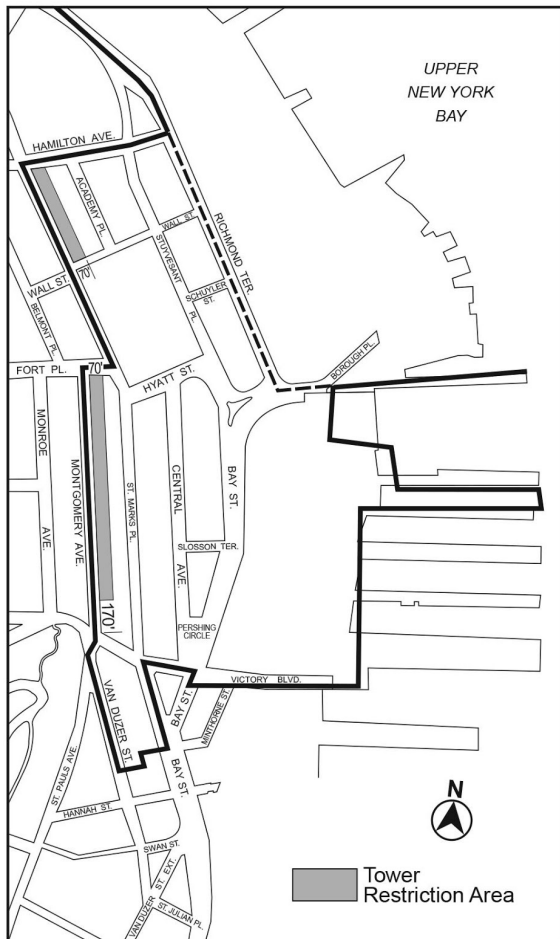


[PROPOSED MAP]

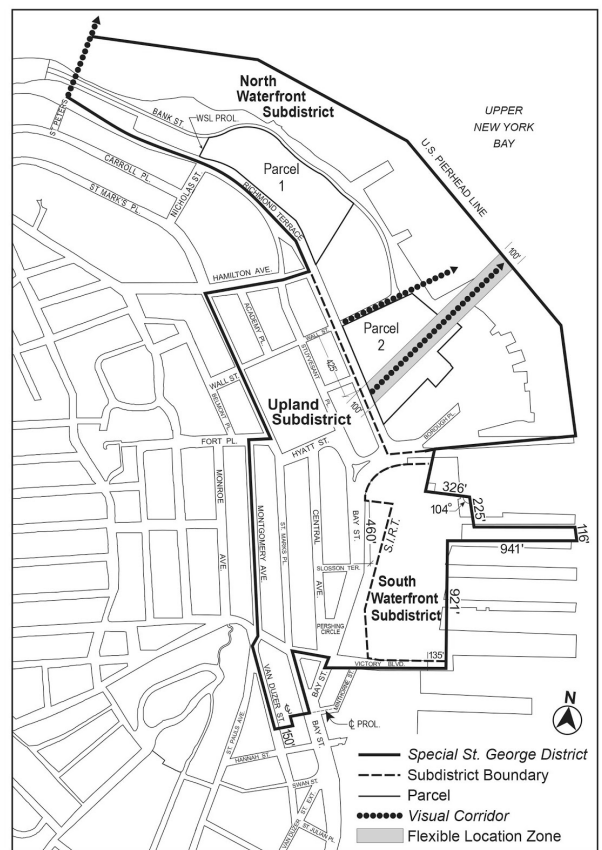


Map 4 – Tower Restriction Areas [date of adoption]

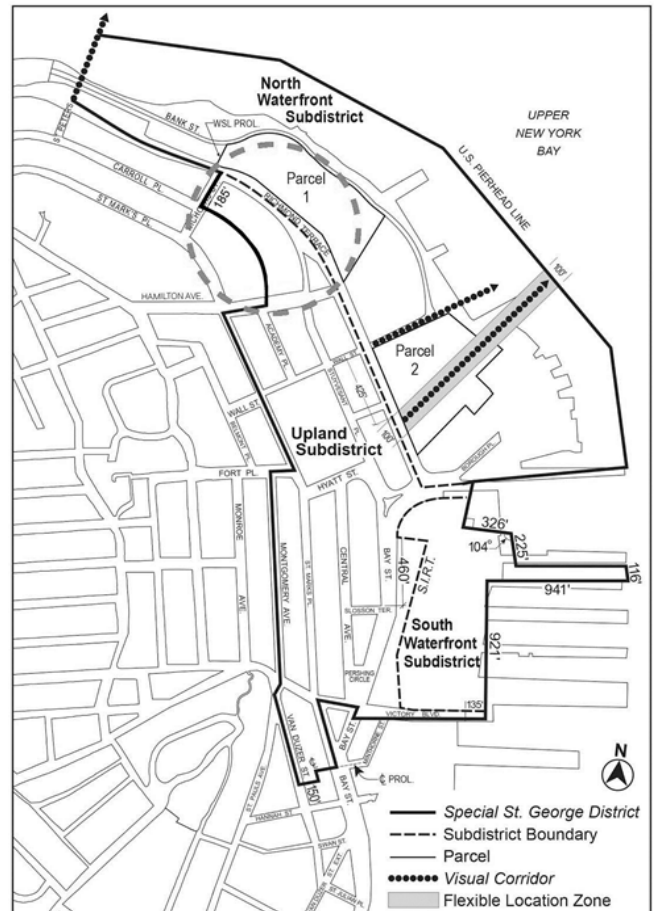
[EXISTING MAP]



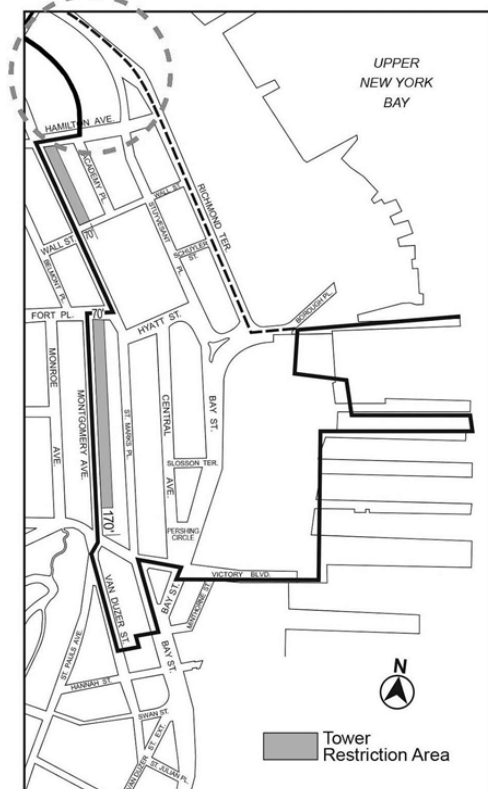
[EXISTING MAP]



[PROPOSED MAP]



[PROPOSED MAP]



\* \* \*

## APPENDIX F

## Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

\* \* \*

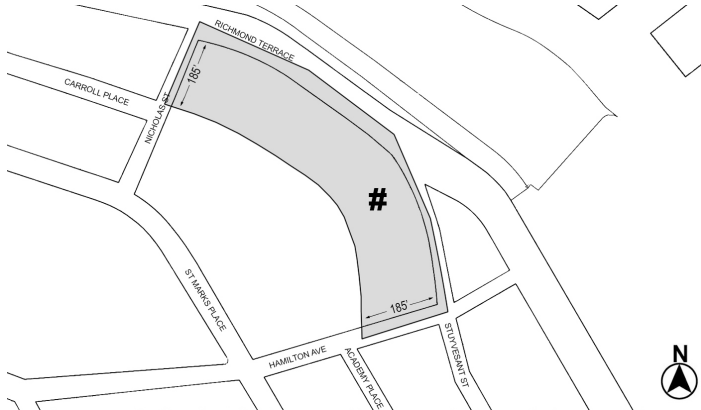
## STATEN ISLAND

## Staten Island Community District 1

\* \* \*

Map 3 – [date of adoption]

[PROPOSED MAP]



■ Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)

Area # - [date of adoption] MIH Program Option 1 and Option 2

\* \* \*

## NOTICE

On Wednesday, July 14, 2021, a public hearing is being held by the City Planning Commission (CPC), accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by Richmond SI Owner LLC ("The Applicant"). The Applicant seeks approval of a series of discretionary land use actions including a zoning map amendment, zoning text amendments, and a special permit (the "Proposed Actions") from the City Planning Commission (CPC) that would facilitate the development of a mixed use project comprising residential and commercial uses, open space, and accessory parking (the "Proposed Development") in the St. George neighborhood of Staten Island, Community District 1. The Project Area includes two vacant development sites and an underdeveloped site near the St. George Waterfront and the Staten Island Ferry Terminal. The Proposed Actions would facilitate the development of 919,442 gross square feet (gsf) of floor area within four buildings across two development sites. The Applicant's site would be developed with three buildings totaling 801,594 gsf (see architectural drawings in Appendix A). The Applicant also would develop an approximately 7,790 square foot (sf) privately owned public space next to the intersection of Stuyvesant Place and Hamilton Avenue. An additional site that is not controlled or under ownership of the Applicant ("Projected Development Site 2") is projected to be developed as a result of the Proposed Actions.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, July 26, 2021.

For instructions on how to submit comments and participate remotely in the hearing, please refer to the instructions at the beginning of this agenda.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 20DCP140R.

Nos. 16 & 17  
252 VICTORY BOULEVARD  
No. 16

CD 1  
IN THE MATTER OF an application submitted by Victory Boulevard Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21c:

1. changing from an R3-2 District to an R6B District property bounded by the northwesterly centerline prolongation of Avon Place, the northeasterly prolongation of the northwesterly streetline of Rosewood Place, the northwesterly prolongation of a line 100 feet southwesterly of Avon Place, a line midway between Victory Boulevard and Rosewood Place and its northeasterly prolongation, the northwesterly centerline prolongation of Bayview Place, and Victory Boulevard;
2. changing from an R3X District to an R6B District property bounded by the northwesterly prolongation of a line 100 feet southwesterly of Avon Place, the northeasterly prolongation of the northwesterly streetline of Rosewood Place, the northwesterly centerline prolongation of Bayview Place, and a line midway between Victory Boulevard and Rosewood Place and its northeasterly prolongation;
3. establishing within an existing R3-2 District a C1-3 District bounded by the northwesterly centerline prolongation of Bayview Place, a line midway between Victory Boulevard and Rosewood Place, a line 400 feet northeasterly of Cebra Avenue, and Victory Boulevard; and
4. establishing within the proposed R6B District a C1-3 District bounded by northwesterly centerline prolongation of Avon Place, a line 75 feet southeasterly of Victory Boulevard, the northwesterly centerline prolongation of Bayview Place, and Victory Boulevard;

as shown on a diagram (for illustrative purposes only) dated May 3, 2021, and subject to the conditions of CEQR Declaration E-615.

No. 17

N 210362 ZRR

CD 1

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

Matter underlined is new, to be added;

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

Matter within # is defined in Section 12-10;

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

## APPENDIX F

## Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

\* \* \*

## STATEN ISLAND

## Staten Island Community District 1

\* \* \*

Map 2 – [date of adoption]

[EXISTING]



■ Mandatory Inclusionary Housing Program Area see Sections 23-154(d)(3), 135-02 and 135-01 (MIH Area 2) and see Section 23-154(d)(3) (MIH Area 3)  
Area 2 – 6/26/19 MIH Program Option 1 and Deep Affordability Option  
Area 3 – 6/26/19 MIH Program Option 1 and Deep Affordability Option

## [PROPOSED]



■ Mandatory Inclusionary Housing Program Area — see Section 23-154(c)(3), 135-043 and 135-21 (MHI Area 2) and see Section 23-154(c)(3) (MHI Area 3)  
 Area 2 — 6/26/19 MHI Program Option 1 and Deep Affordability Option  
 Area 3 — 6/26/19 MHI Program Option 1 and Deep Affordability Option  
 Area # — [date of adoption] MHI Program Option 1 and Option 2

Portion of Community District 1, Staten Island

\* \* \*

## BOROUGH OF THE BRONX

No. 18

2100 BARTOW AVENUE

CD 10

N 210435 PXX

**IN THE MATTER OF** a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 2100 Bartow Avenue (Block 5141, Lot 810) (Administration For Children's Services office).

YVETTE V. GRUEL, Calendar Officer  
 City Planning Commission  
 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271  
 Telephone (212) 720-3370



j29-jy14

## COMMUNITY BOARDS

### ■ NOTICE

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

#### BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 01 - Thursday, July 8, 2021, at 6:30 P.M., held virtually via WEBEX, Land Use Committee Held Public Hearing on: BSA#2021-35-BZ 957 Grand Street -Block 2924 Lot 24, The proposed application is for a use variance to construct a 5,240 sq. ft., 8 unit, 4-story residential building at 957 Grand Street in the East Williamsburg neighborhood of Brooklyn. The parcel is located in a M1-1 zoning district and residential use is not permitted as-of right in this zoning district. (Owner/applicant: 957 Grand LLC)

Address for Attendees:  
<https://nycb.webex.com/nycb/j.php?MTID=mee50c944cb4dd75a4a83dcab0e29cb4a>

Event number: 173 967 3982  
 Event password: qmUXGRAy373

Join by phone

+1-646-992-2010 United States Toll (New York City)

+1-408-418-9388 United States Toll

Access code: 173 967 3982

+1-646-992-2010 United States Toll (New York City)

+1-408-418-9388 United States Toll

Access code: 173 967 3982

Accessibility questions: Brooklyn CB#1, Tel. (718) 389-0009 or by email to: [bk91@cb.nyc.gov](mailto:bk91@cb.nyc.gov), by: Tuesday, July 6, 2021, 5:00 P.M.

cc

jy6-8

## BOARD OF CORRECTION

### ■ MEETING

The New York City Board of Correction will hold a public meeting, on Tuesday, July 13, 2021, at 9:00 A.M. The Board will discuss issues impacting the New York City jail system.

More information is available on the Board's website, at <https://www1.nyc.gov/site/boc/meetings/july-13-2021.page>.

• jy7-13

## EMPLOYEES' RETIREMENT SYSTEM

### ■ MEETING

#### CORRECTED NOTICE

Please be advised that the next Regular Meeting of the Board of Trustees of the New York City Employees' Retirement System, is Thursday, July 8, 2021, at 9:30 A.M.

The meeting will be held at 335 Adams Street, 22nd Floor Board Room with an overflow room, at 335 Adams Street 22nd Floor Executive Conference Room and also will be available at the following web address [www.nycers.org/meeting-webcasts](http://www.nycers.org/meeting-webcasts).

jy1-7

## FRANCHISE AND CONCESSION REVIEW COMMITTEE

### ■ MEETING

**PUBLIC NOTICE IS HEREBY GIVEN THAT** the Franchise and Concession Review Committee, will hold a public meeting on Thursday, July 22, 2021, at 2:30 P.M., at the Thomas Jefferson recreation center which is located at 2180 1st Avenue, New York, NY 10029.

NOTE: This location is 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 email, at [DisabilityAffairs@mocs.nyc.gov](mailto:DisabilityAffairs@mocs.nyc.gov) or via phone at (212) 788-0010. Any person requiring reasonable accommodation for the public meeting, should contact MOCS at least three (3) business days in advance of the meeting to ensure availability.

jy2-20

## 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, July 13, 2021, 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](http://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 Anthony Fabre, Director of Community and Intergovernmental Affairs, at [anfabre@lpc.nyc.gov](mailto:anfabre@lpc.nyc.gov), 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.

**122 Gates Avenue - Clinton Hill Historic District**

**LPC-21-09251** - Block 1981 - Lot 35 - **Zoning:** R6B

**CERTIFICATE OF APPROPRIATENESS**

An Italianate style rowhouse, designed by Effingham Nichols & John W. Gregory and built c. 1863. Application is to construct a rear yard addition.

**347 President Street - Carroll Gardens Historic District**

**LPC-21-05095** - Block 436 - Lot 46 - **Zoning:** R6B

**CERTIFICATE OF APPROPRIATENESS**

A Neo-Grec style rowhouse, built in 1878. Application is to construct a rear yard addition.

**267 Cumberland Street - Fort Greene Historic District**

**LPC-21-06055** - Block 2102 - Lot 2 - **Zoning:** R6B

**CERTIFICATE OF APPROPRIATENESS**

A rowhouse built in 1863. Application is to construct a rear yard addition.

**174 Bergen Street - Boerum Hill Historic District**

**LPC-21-03796** - Block 386 - Lot 26 - **Zoning:** R6B

**CERTIFICATE OF APPROPRIATENESS**

A modified Italianate style rowhouse, built in 1873-74. Application is to replace windows.

**29 Center Drive - Douglaston Historic District**

**LPC-21-00717** - Block 8064 - Lot 76 - **Zoning:** R1-2

**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival/Italianate style freestanding house with attached garage, built c. 1848-1850. Application is to construct additions, modify the garage, porch, steps and retaining wall, and reconstruct a cupola.

**100 Prospect Avenue - Douglaston Historic District**

**LPC-21-04351** - Block 8095 - Lot 42 - **Zoning:** R1-2

**CERTIFICATE OF APPROPRIATENESS**

An Arts and Craft/Shingle style house built in 1910. Application is to construct a retaining wall and fencing at the rear yard and widen the driveway.

**145 Hudson Street - Tribeca West Historic District**

**LPC-21-06618** - Block 214 - Lot 7502 - **Zoning:** C6-2A

**CERTIFICATE OF APPROPRIATENESS**

A 1920s Industrial style factory with Art Deco style elements, designed by Renwick, Aspinwall & Guard and built in 1929. Application is to alter the entrance.

**53 West 9th Street - Greenwich Village Historic District**

**LPC-21-07882** - Block 573 - Lot 71 - **Zoning:** R6

**CERTIFICATE OF APPROPRIATENESS**

An Anglo-Italianate style house with English and Italianate style elements built in 1854. Application is to install shutters.

**408-410 Broadway - SoHo-Cast Iron Historic District**

**LPC-21-08147** - Block 196 - Lot 5 - **Zoning:** M1-5

**CERTIFICATE OF APPROPRIATENESS**

An Italianate style store and loft building, designed by Henry Engelbert and built c. 1866-1868. Application is to modify openings, replace infill and install signage.

**547 West 26th Street - West Chelsea Historic District**

**LPC-21-08999** - Block 698 - Lot 10 - **Zoning:** M1-5

**CERTIFICATE OF APPROPRIATENESS**

A utilitarian garage, designed by Charles H. Caldwell and built in 1912-14. Application is to install and alter canopies, and install.

**30 Rockefeller Plaza - Individual and Interior Landmark**

**LPC-21-09092** - Block 1265 - Lot 7501 - **Zoning:** C5-2.5, C5-3

**CERTIFICATE OF APPROPRIATENESS**

An office building and designated lobby, designed by the Associated Architects and featuring artwork by Jose Maria Sert and Frank Brangwyn, and constructed in 1931-33 as part of an Art Deco style office, commercial and entertainment complex. Application is to modify openings, extend walls, and replace light fixtures within the interior lobby, install storefront infill at the ground floor, and install attractions and accretions at the rooftop observation terraces.

**333 Central Park West - Upper West Side/Central Park West Historic District**

**LPC-21-05268** - Block 1207 - Lot 29 - **Zoning:** R10A R7-2

**CERTIFICATE OF APPROPRIATENESS**

A Neo-Renaissance style apartment building, designed by Albert Joseph Bodker and built in 1909-1910. Application is to install a rooftop pergola.

**15 East 91st Street - Expanded Carnegie Hill Historic District**

**LPC-21-05725** - Block 1503 - Lot 14 - **Zoning:** R10 R8B

**CERTIFICATE OF APPROPRIATENESS**

A Modern style apartment building, designed by Leonard Schultze & Associates and built in 1946-47. Application is to remove a balcony enclosure.

**1083 Fifth Avenue - Expanded Carnegie Hill Historic District**

**LPC-21-01604** - Block 1501 - Lot 4 - **Zoning:** R10, P1

**CERTIFICATE OF APPROPRIATENESS**

A Beaux-Arts style townhouse, designed by Turner & Kilian and built in 1901-02, with significant alterations by Ogden Codman in 1913-15. Application is to enlarge a rooftop bulkhead.

**120 East 106th Street - Individual Landmark**

**LPC-21-09366** - Block 1633 - Lot 61 - **Zoning:** R7-2

**CERTIFICATE OF APPROPRIATENESS**

A Romanesque Revival style church building, designed by Napoleon Le Brun & Sons and built in 1883-1887. Application is to install a barrier-free access lift.

**1047 Amsterdam Avenue - Individual Landmark**

**LPC-21-09853** - Block 1865 - Lot 1 - **Zoning:** R7-2

**CERTIFICATE OF APPROPRIATENESS**

An ecclesiastical complex set in landscaped grounds comprising seven religious and institutional buildings, designed in varied styles, by Ithiel Town, Heins & LaFarge, Cram, Goodhue & Ferguson, Hoyle, Doran & Berry, Cook & Welch, Ralph Adams Cram, and C. Grant LaFarge and built over the course of the 19th and 20th Century. Application is to remove a retaining wall, regrade, and install fencing and light fixtures.

j29-jy13

**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, July 20, 2021, at 9:30 A.M., a public hearing will be held at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting. **Finally, please be aware:** COVID-19 safety protocols are in effect at the location; all members of the public and applicants and their teams must wear a proper face covering.

**34-27 84th Street - Jackson Heights Historic District**

**LPC-21-04911** - Block 1445 - Lot 56 - **Zoning:** R5

**CERTIFICATE OF APPROPRIATENESS**

An Anglo-American Garden House style semi-detached house, designed by Robert Tappan and built in 1927. Application is to install a storm door with security grille.

**237 Beverly Road - Douglaston Historic District**

**LPC-21-07505** - Block 8033 - Lot 53 - **Zoning:** R1-2

**CERTIFICATE OF APPROPRIATENESS**

An Arts & Crafts style house, designed by Frederick J. Schroeter, Jr. and built in 1924. Application is to enclose a porch, replace windows, and construct dormers and additions.

**356 Hollywood Avenue - Douglaston Hill Historic District**

**LPC-20-08873** - Block 8049 - Lot 25 - **Zoning:** R1-2

**CERTIFICATE OF APPROPRIATENESS**

A free-standing English Cottage style house, designed by Philip Resnyk and built in 1930. Application is to legalize the replacement of windows, alterations to planters and installation of steps in non-compliance or without Landmarks Preservation Commission permit(s).

**49-51 Chambers Street - African Burial Ground & The Commons Historic District**

**LPC-21-10492** - Block 153 - Lot 7501 - **Zoning:** C6-4

**MISCELLANEOUS - AMENDMENT**

A Beaux-Arts style skyscraper and interior banking hall, designed by Raymond F. Almiraal and built in 1909-12. Application is to amend a proposal approved at the Public Meeting of July 21, 2020 for alterations to the banking hall, to include the installation of partitions, desk and cabinetry.

**36 Walker Street - Tribeca East Historic District**

**LPC-21-01775** - Block 194 - Lot 14 - **Zoning:** C6-2A

**CERTIFICATE OF APPROPRIATENESS**

An Italianate style store and loft building, built in 1859-60. Application is to construct bulkheads and a pergola, remove steps, replace storefront infill, and install a cornice.

**140 West Broadway (aka 140-142 West Broadway and 82 Thomas Street) - Tribeca West Historic District**

**LPC-21-04082** - Block 144 - Lot 26 - **Zoning:** C6-2A

**CERTIFICATE OF APPROPRIATENESS**

An Italianate/ Neo-Grec style store and loft building, designed by Carl Pfeiffer and built in 1866. Application is to remove and relocate vault lights and replace the sidewalk and loading dock.

**38-44 Lighthouse Street - Tribeca North Historic District**  
**LPC-21-09458** - Block 220 - Lot 7503, 36 - **Zoning:** C6-2A  
**CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style warehouse building, designed by Clinton & Russell and built in 1896. Application is to replace the sidewalk.

**15 Greenwich Avenue - Greenwich Village Historic District**  
**LPC-21-05550** - Block 610 - Lot 56 - **Zoning:** C1-6  
**CERTIFICATE OF APPROPRIATENESS**

A one-story taxpayer constructed in 1937 and designed by Charles Kreyborg. Application is to demolish the building and construct a new building.

**43 West 74th Street - Upper West Side/Central Park West Historic District**  
**LPC-21-07897** - Block 1127 - Lot 11 - **Zoning:** R8B  
**CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style rowhouse, designed by Max Hensel and built in 1889-90. Application is to demolish a rear extension and reconstruct the rear extension facade.

**390 Park Avenue - Individual Landmark**  
**LPC-21-10428** - Block 1289 - Lot 36 - **Zoning:** C5-3  
**CERTIFICATE OF APPROPRIATENESS**

An International Style office building, designed by Gordon Bunshaft of Skidmore, Owings, & Merrill, and built in 1950-52. Application is to replace plaza paving and terrace pavers, modify walls at the plaza and 3rd Floor terrace, and install signage and railings.

**260 West End Avenue (aka 262-270 West 72nd Street) - West End - Collegiate Historic District**  
**LPC-21-07273** - Block 1163 - Lot 61 - **Zoning:** C4-6A  
**CERTIFICATE OF APPROPRIATENESS**

A Colonial Revival style apartment building, designed by Schwartz & Gross and built in 1924-1925. Application is to establish a Master Plan governing the future installation of windows.

**724 East 18th Street - Fiske Terrace-Midwood Park Historic District**  
**LPC-21-03784** - Block 5238 - Lot 68 - **Zoning:** R1-2  
**CERTIFICATE OF APPROPRIATENESS**

An altered Colonial Revival style freestanding house, designed by Benjamin Driesler and built c. 1907. Application is to install solar.

jy6-19

## 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:  
 Kenben Industries Ltd., 1908 Shore Parkway, Brooklyn, NY 11214  
 Phone: (718) 802-0022

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

f23-a4

### HOUSING PRESERVATION AND DEVELOPMENT

#### ■ PUBLIC HEARINGS

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

j4-d30

## 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](http://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](http://www.nyc.gov/hhsaccelerator)



**ADMINISTRATION FOR CHILDREN'S SERVICES****■ AWARD***Human Services/Client Services*

**TREATMENT FAMILY FOSTER CARE** - Negotiated Acquisition - Other - PIN#06821N0059001 - AMT: \$6,172,491.24 - TO: Catholic Guardian Services, 1011 First Avenue, 10th Floor, New York, NY 10022.

Negotiated Acquisition Extension (One Year Ext.) The Administration for Children's Services is extending this Family Foster Care contract by one year, from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

• jy7

**FAMILY FOSTER CARE** - Negotiated Acquisition - Other - PIN#06821N0079001 - AMT: \$23,450,835.90 - TO: New York Foundling, 590 Avenue of The Americas, New York, NY 10011-2019.

Negotiated Acquisition Extension (One Year Ext.) The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

Pursuant to Section 3-04 (b)(2)(iii) of the Procurement Policy Board Rules. The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

• jy7

**FAMILY FOSTER CARE** - Negotiated Acquisition - Other - PIN#06821N0090001 - AMT: \$9,969,993.50 - TO: Cardinal McCloskey School & Home for Children, 115 East Stevens Avenue, Suite LL5, Valhalla, NY 10595-1286.

Negotiated Acquisition Extension (One Year Ext.) The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

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• jy7

**FAMILY FOSTER CARE** - Negotiated Acquisition - Other - PIN#06821N0073001 - AMT: \$13,282,981.20 - TO: Seamen's Society for Children and Families, 50 Bay Street, Staten Island, NY 10301.

Negotiated Acquisition Extension (One Year Ext.) The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

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• jy7

**FAMILY FOSTER CARE** - Negotiated Acquisition - Other - PIN#06821N0076001 - AMT: \$11,870,844.35 - TO: Rising Ground Inc, 151 Lawrence Street, 5th Floor, Brooklyn, NY 11201.

Negotiated Acquisition Extension (One Year Ext.) The Administration for Children's Services is extending this Family Foster Care contract by

one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

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• jy7

**FAMILY FOSTER CARE** - Negotiated Acquisition - Other - PIN#06821N0069001 - AMT: \$12,155,658.15 - TO: The Children's Village, Echo Hills, Dobbs Ferry, NY 10522.

Negotiated Acquisition Extension (One Year Ext.) The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

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• jy7

**FAMILY FOSTER CARE** - Negotiated Acquisition - Other - PIN#06821N0086001 - AMT: \$12,872,245.35 - TO: Forestdale Inc, 6735 112th Street, Forest Hills, NY 11375-2349.

Negotiated Acquisition Extension (One Year Ext.) The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

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• jy7

**FAMILY FOSTER CARE** - Negotiated Acquisition - Other - PIN#06821N0080001 - AMT: \$14,745,411.20 - TO: Mercyfirst, 525 Convent Road, Syosset, NY 11791.

Negotiated Acquisition Extension (One Year Ext.) The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

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• jy7

**FAMILY FOSTER CARE** - Negotiated Acquisition - Other - PIN#06821N0074001 - AMT: \$20,921,999.00 - TO: SCO Family of Services, 1 Alexander Place, Glen Cove, NY 11542.

Negotiated Acquisition Extension (One Year Ext.) The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

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• jy7

**FAMILY FOSTER CARE** - Negotiated Acquisition - Other - PIN#06821N0082001 - AMT: \$21,882,712.60 - TO: Little Flower Children's & Family Services of New York, 2450 North Wading River Road, Wading River, NY 11792-1402.

Negotiated Acquisition Extension (One Year Ext.) The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

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• jy7

**FAMILY FOSTER CARE** - Negotiated Acquisition - Other - PIN#06821N0072001 - AMT: \$12,012,815.55 - TO: Sheltering Arms Children and Family Services Inc, 25 Broadway - 18th Floor, New York, NY 10004.

Negotiated Acquisition Extension (One Year Ext.) The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

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• jy7

**FAMILY FOSTER CARE** - Negotiated Acquisition - Other - PIN#06821N0075001 - AMT: \$12,053,543.10 - TO: St Dominics Family Services, 500 Western Highway, Blauvelt, NY 10913-2022.

Negotiated Acquisition Extension (One Year Ext.) The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

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• jy7

**FAMILY FOSTER CARE** - Negotiated Acquisition - Other - PIN#06821N0071001 - AMT: \$19,812,807.15 - TO: St Vincent's Services Inc, 66 Boerum Place, Brooklyn, NY 11201.

Negotiated Acquisition Extension (One Year Ext.) The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

Pursuant to Section 3-04 (b)(2)(iii) of the Procurement Policy Board Rules. The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

• jy7

*Services (other than human services)*

**QUMU MAINTENANCE + SUPPORT** - Intergovernmental Purchase - PIN#06821O0007001 - AMT: \$74,095.73 - TO: Insight Public Sector Inc, 6820 South Harl Avenue, Tempe, AZ 85283.

QUMU Maintenance + Support from 1/31/21 to 3/31/22

• jy7

## POLICY, PLANNING, AND MEASUREMENT

### ■ INTENT TO AWARD

*Services (other than human services)*

**06821N0094-CASII TOOLS** - Negotiated Acquisition/Pre-Qualified List - PIN#06821N0094 - Due 7-21-21 at 2:00 P.M.

The Administration for Children's Services (ACS) intends to enter into negotiations with AMERICAN ACADEMY OF CHILD & ADOLESCENT PSYCHIATRY to acquire the New York State-specified assessment tool. This evidence-based tool will support ACS's decisions in making appropriate Level of Care determinations. In accordance with Section 3-04(b)(2)(ii) of the Procurement Policy Board Rules, ACS intends to use the negotiated acquisition process to enter into a 35 - month contract from August 1, 2021 through June 30, 2024, with an option to renew for an additional 3-years. Organizations interested in future solicitations for these services, are invited to do so by registering the NYC Mayor's Office of Contract Services (MOCS) PASSPort system. To register with PASSPort, please go to [www.nyc.gov/PASSPort](http://www.nyc.gov/PASSPort). There you will find additional guides to assist you with the registration process.

In order to comply with the Federal requirements of the Family First Prevention Services Act (FFPSA) which NYS will implement on September 29, 2021, ACS sought an evidence-based assessment tool to ensure that placements are appropriately evaluated. Out of the 2 assessment tools approved by the NYS Office of Child and Family Services (OCFS), ACS selected the Child and Adolescent Services Intensity Instrument (CASII) developed by the American Academy of Child and Adolescent Psychiatry. Due to time constraints involved with having the tool in place to ensure compliance with FFPSA by the September 29 implementation date, competitive sealed bidding is not practicable. Competitive sealed bidding is also not practicable due to there only being 2 assessment tools approved by OCFS that jurisdictions can select for evaluating foster care placements (see attached NA justification).

jy6-12

## AGING

### ■ AWARD

*Human Services/Client Services*

**FY22-23 RENEWAL - 12522TRAN196** - Renewal - PIN# 12520F8003KXLR002 - AMT: \$831,358.00 - TO: Regional Aid for Interim Needs Inc, 811 Morris Park Avenue, Bronx, NY 10462.

DFTA ID: 196 Transportation - FY22-23 Renewal DFTA Baseline funds for transportation services for older adults

• jy7

**FY22-23 RENEWAL - 12522TRAN446** - Renewal - PIN# 12517P0209001R002 - AMT: \$1,154,890.00 - TO: Hanac Inc, 27-40 Hoyt Avenue South, Astoria, NY 11102.

DFTA ID: 446 Transportation - FY22-23 Renewal DFTA Baseline funds for transportation services for older adults

• jy7

## CHIEF MEDICAL EXAMINER

### ■ INTENT TO AWARD

*Services (other than human services)*

**81621Y0082-OCME 20ME030 TECAN SERVICE AGREEMENT** - Request for Information - PIN#81621Y0082 - Due 7-17-21 at 2:00 P.M.

NYC Office of Chief Medical Examiner, intends to enter into a sole source contract with Tecan US, Inc for the provision of preventative maintenance and repair services on the Tecan Freedom EVO Workstations, located in our Forensic Laboratory. Any vendor who is capable of providing this service, to the NYC Office of Chief Medical Examiner, may express their interests by responding to RFI #81621Y0082 in PASSPORT.

Agency contact: Vilma Johnson, Contract Officer, via email, at: [vjohnson@ocme.nyc.gov](mailto:vjohnson@ocme.nyc.gov).

If you need assistance with PASSPORT, contact the Mayor's Office of Contracts, at [help@mocs.nyc.gov](mailto:help@mocs.nyc.gov)

jy2-9

## CITYWIDE ADMINISTRATIVE SERVICES

### ■ AWARD

#### Goods

**EQUIPMENT II, RENTAL OF VARIOUS FOR DOT** - Competitive Sealed Bids - PIN#8572000228 - AMT: \$1,965,600.00 - TO: Continental Lift Truck Inc, 12718 Foch Boulevard, South Ozone Park, NY 11420.

• jy7

**DOC - BAKING PRODUCTS AND BAKED GOODS** - Competitive Sealed Bids - PIN#85721B0049004 - AMT: \$153,780.00 - TO: Jamac Frozen Food Corp., 570 Grand Street, Jersey City, NJ 07302-4115.

• jy7

**DOC - BAKING PRODUCTS AND BAKED GOODS** - Competitive Sealed Bids - PIN#85721B0049005 - AMT: \$547.00 - TO: Mivila Corp., Mivila Foods, 226 Getty Avenue, Paterson, NJ 07503-2609.

• jy7

**DOC - BAKING PRODUCTS AND BAKED GOODS** - Competitive Sealed Bids - PIN#85721B0049003 - AMT: \$30,047.84 - TO: Universal Coffee Corporation, 123 47th Street, PO Box 320187, Brooklyn, NY 11232.

• jy7

**DOC - BAKING PRODUCTS AND BAKED GOODS** - Competitive Sealed Bids - PIN#85721B0049002 - AMT: \$246,021.40 - TO: Valente Yeast Company Inc, PO Box 178, Maspeth, NY 11378-0178.

• jy7

**DOC - BAKING PRODUCTS AND BAKED GOODS** - Competitive Sealed Bids - PIN#85721B0049001 - AMT: \$524,800.00 - TO: Countrywide Stone LLC, 1454 45th Street, Brooklyn, NY 11219.

• jy7

**CAR SERVICE, VOUCHER BASED, CITYWIDE - RENEWAL #2** - Renewal - PIN#8571800061 - AMT: \$335,000.00 - TO: Executive Charge Inc, 1440 39th Street, Brooklyn, NY 11218.

• jy7

#### Services (other than human services)

**SUBSCRIPTION TO MARKET COMPS SERVICE** - Other - PIN#85621U0287001 - AMT: \$25,000.00 - TO: Compstak Inc, 36 Cooper Square, Floor 6, New York, NY 10003.

• jy7

**PROF. DEVEL. TRAINING FOR CITY EMPLOYEES-RENEWAL #1** - Renewal - PIN# 85619P8187KXLR001 - AMT: \$144,830.92 - TO: Cora Group, Inc., 50 Lexington Avenue, Suite #292, New York, NY 10010.

• jy7

### OFFICE OF CITYWIDE PROCUREMENT

#### ■ SOLICITATION

#### Goods

**SODIUM HYPOCHLORITE SOLUTION- DEP (BWSO)** - Competitive Sealed Bids - PIN#2100122/ 85721B0175 - Due 8-3-21 at 10:30 A.M.

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

Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007. Vincent Edwards (212) 386-0431; vedwards@dcas.nyc.gov

• jy7

## EMERGENCY MANAGEMENT

### ■ AWARD

#### Services (other than human services)

**MICROSOFT PREMIER - STANDARD 0 SUPPORT SERVICES** - Intergovernmental Purchase - PIN#01721O0002001 - AMT: \$64,880.00 - TO: Microsoft Corporation, 1 Microsoft Way, Redmond, WA 98052.

New York City Emergency Management (NYCEM), is currently seeking a vendor to provide "Microsoft Premier - Standard 0 Support

Services". Items will be purchased off of the current NYS OGS Information Technology Umbrella Contract - Manufacturer Based (Statewide) - Group 76304, Award 23082, Contract PS67930.

• jy7

## ENVIRONMENTAL PROTECTION

### WASTEWATER TREATMENT

#### ■ SOLICITATION

#### Services (other than human services)

**82621B0047-BWT-1498-SCADA** - Competitive Sealed Bids - PIN#82621B0047 - Due 7-29-21 at 10:00 A.M.

1498-SCADA: Repair of the GE Cimplicity & Wonderware SCADA Systems, at various Wastewater Treatment Plants, Pump Stations and Associated DEP Facilities. This Competitive Sealed Bid ("RFx"), is being released through PASSPort, New York City's online procurement portal. Responses to this RFx should be submitted via PASSPort. To access the solicitation, vendors should visit the PASSPort Public Portal, at <https://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page>, and click on the "Search Funding Opportunities in PASSPort" blue box. This will take you to the Public Portal of all procurements in the PASSPort system. To quickly locate the RFx, insert the EPIN 826621B0047, into the Keywords search field. If you need assistance submitting a response, please contact, [help@mocs.nyc.gov](mailto:help@mocs.nyc.gov). On the Response Due Date at 10:00 A.M., please be advised that you will be required to submit a PAPER copy of the Bid Submission Form and the Bid Security, to NYC Department of Environmental Protection, 96-05 Horace Harding Expressway, 1st Floor Low Rise, Flushing, NY 11373.

Pre-Bid Conference location - Microsoft Teams - call in (audio only) +1 347-921-5612,,452644733#, Flushing, NY 11373. Mandatory: no Date/Time - 2021-7-14 10:00.

• jy7

## FIRE DEPARTMENT

### DIVISION OF TRAINING (FIRE - RANDALL ISLAND)

#### ■ INTENT TO AWARD

#### Services (other than human services)

**05721Y0064- 057220000170 - LIVE FIRE TRAINING SIMULATORS MAINTENANCE** - Request for Information - PIN# 05721Y0064 - Due 7-7-21 at 12:00 P.M.

The New York City Fire Department, intends to enter into sole source negotiations with KFT Fire Trainer, LLC. to provide ongoing preventative maintenance and repair services for the Live Fire Training System (Fire Simulators and Tank Farm). Any vendor besides KFT Fire Trainer, LLC that believes they can provide these services is invited to do so. To respond in PASSPort, please complete the Acknowledgement tab, and submit a response in the Manage Responses tab. If you have questions about the details of the RFx please submit questions through the Discussion with Buyer tab. Written questions may also be emailed to: [Cecily.halliburton@fdny.nyc.gov](mailto:Cecily.halliburton@fdny.nyc.gov). Vendor resources and materials can be found at the link below under the Findings and Responding to RFx (Solicitation) heading. If you need additional assistance with PASSPort, contact the MOCS Service Desk, at [Help@mocs.nyc.gov](mailto:Help@mocs.nyc.gov). Link: <https://www1.nyc.gov/site/mocs/systems/passport-user-materials.page>. If you need additional assistance, please contact MOCS Services desk, at [Help@mocs.nyc.gov](mailto:Help@mocs.nyc.gov).

j30-jy7

## HEALTH AND MENTAL HYGIENE

### ■ AWARD

#### Human Services/Client Services

**WESTON UNITED COMMUNITY RENEWAL INC RENEWAL #2** - Renewal - PIN# 81615R0251001R002 - AMT: \$1,153,560.00 - TO: Weston United Community Renewal Inc., 290 Lenox Avenue, 3rd Floor, New York, NY 10027-4991.

FY22 Renewal - 16AZ004901R2X00 - The vendor has provided and will continue to provide during the renewal term supported housing services.

• jy7

**JEWISH BOARD OF FAMILY AND CHILDREN'S SERVICES INC RENEWAL #2** - Renewal - PIN# 81619R8234KXLR001 - AMT: \$1,094,214.00 - TO: JEWISH BOARD OF FAMILY AND CHILDREN'S SERVICES INC, 135 West 50th Street, Floor 6, New York, NY 10020-1201.

FY22 Renewal – 16AO005601R2X00. The vendor has provided and will continue to provide during the renewal term school response team program.

☛ jy7

**BRONXWORKS INC RENEWAL #1** - Renewal - PIN# 81619P8228KXLR001 - AMT: \$4,217,886.00 - TO: Bronxworks Inc, 60 East Tremont Avenue, Bronx, NY 10453.

FY22 RENEWAL #1 08PO076381R1X00. The vendor provides and will continue providing housing services for individuals and families chronically street homeless and heads of households with mental illness or chronic medical conditions.

☛ jy7

**AMETHYST HOUSE INC RENEWAL #2** - Renewal - PIN# 81615R0250001R002 - AMT: \$2,770,533.00 - TO: Amethyst House Inc., 280 Richmond Terrace, Staten Island, NY 10301.

FY22 Renewal #2 16SA003901R2X00 Community Residential Treatment Services

☛ jy7

## CHIEF OPERATING OFFICER

### ■ INTENT TO AWARD

*Goods*

**81621Y0079-22MA008501R0X00 - WOLTERS KLUWER FINANCIAL SERVICES INC** - Request for Information - PIN#81621Y0079 - Due 7-23-21 at 12:00 P.M.

Pursuant to Procurement Policy Board Rule Section 3-05, Department of Health and Mental Hygiene, intends to enter into a sole source agreement with Wolters Kluwer Financial Services Inc., for the provision of the software package, "TeamMate". It is a audit tracking system that will supports DOHMH's Bureau of Audit Service's key processes, which will enable management of the full audit cycle from risk assessment to reporting. Audit Services aims to act in accordance with established control and security guidelines outlined by the National Institute of Science and Technology (NIST) and HIPAA, amongst others, to ensure that reasonable steps are taken to both protect DOHMH data and comply with professional standards.

DOHMH has determined that WOLTERS KLUWER FINANCIAL SERVICES INC, is the sole source vendor, to provide this audit tracking system as they are the owner and has full rights and title to license the software package "TeamMate". Any firm which believes is qualified, to provide such products are welcome to submit an expression of interest. All related inquiries should be sent via the Discussion Forum in PASSPort or to Min Feng (Jason) Wang, at mwang3@health.nyc.gov, no later than July 23, 2021 by 12:00 P.M.

jy2-9

## HOMELESS SERVICES

### ■ INTENT TO AWARD

*Human Services/Client Services*

**THE EXTENTION OF FANE SHELTER CONTRACT WITH PALLADIA, INC.** - Negotiated Acquisition - Available only from a single source - PIN#07121N0017 - Due 7-12-21 at 3:00 P.M.

The Department of Homeless Services (DHS), is requesting the one year Negotiated Acquisition Extension (NAE) for Palladia Inc. (Services for Undererved Inc.) for provision of transitional residence for single adults at the Fane Shelter, located at 205 West 135 Street, New York, NY 10030. This NAE will allow Palladia Inc., to continue services for DHS clients without any disruption while the procurement for the new long term contract is processed.

Contract Term is 7/1/2021 - 6/30/2022 Contract Amount is \$3,139,821.00

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

Homeless Services, 150 Greenwich Street (WTC4), 37th Floor, New York, NY 10007. Jacques Frazier (929) 221-5554; frazierjac@dss.nyc.gov

jy6-12

## 07121N0018-CRESTON NEGOTIATED ACQUISITION

**EXTENSION** - Negotiated Acquisition - Other - PIN# 07121N0018 - Due 7-9-21 at 2:00 P.M.

HELP CRESTON FY22 NAE

This NAE is being requested with the incumbent provider to maintain the continuity of critical services until a new RFP is awarded.

jy2-9

## 07121N0012-FATHER SMITH NEGOTIATED ACQUISITION

**EXTENSION** - Negotiated Acquisition - Other - PIN# 07121N0012 - Due 7-9-21 at 2:00 P.M.

NAE for SEBCO Father Smith for 1 year

This is a Negotiated Acquisition Extension for Father Smith Residence.

jy2-8

## 07121N0011-CONCOURSE HOUSE NEGOTIATED ACQUISITION

**EXTENSION** - Negotiated Acquisition - Other - PIN#07121N0011 - Due 7-14-21 at 2:00 P.M.

The Department of Homeless Services (DHS), intends to enter into the 12 month Negotiated Acquisition Extension (NAE), to increase the current Concourse House contract value, for FY 22, in amount of \$2,293,757.00. This site, located at 2751 Grand Concourse, Bronx, NY 10458, provides vital services for families with children.

The end of the current Concourse House contract term is 6-30-2022. DHS requested the Justification of Concourse House according the approved Budget Amendment.

☛ jy7-13

## 07121N0010-THE SPOT NEGOTIATED ACQUISITION

**EXTENSION** - Negotiated Acquisition - Other - PIN#07121N0010 - Due 7-9-21 at 2:00 P.M.

Palladia/SUS The Spot NAE Extension, 31-35 West 126th Street, New York, NY. The Negotiated Acquisition Extension is needed, to continue shelter services until a long term contract is put into place.

The Negotiated Acquisition Extension is needed with the current vendor, so as to continue services until a new long term contract can be finalized.

jy2-8

## HOUSING PRESERVATION AND DEVELOPMENT

### ■ AWARD

*Construction/Construction Services*

**EMERGENCY DEMOLITION AT 5749 KINGS HIGHWAY, BROOKLYN DL00390 (DL00390 E-5938)** - Emergency Purchase - PIN# 80621E0044001 - AMT: \$281,095.50 - TO: State Contracting Corp of NY, 555 Saw Mill River Road, Yonkers, NY 10701.

☛ jy7

**EMERGENCY DEMOLITION AT 739 BERGEN STREET, BROOKLYN] (AKA 658 WASHINGTON AVENUE), BROOKLYN (E-5939 / DL00391)** - Emergency Purchase - PIN# 80621E0037001 - AMT: \$337,687.00 - TO: State Contracting Corp of NY, 555 Saw Mill River Road, Yonkers, NY 10701.

☛ jy7

**IMMEDIATE EMERGENCY DEMOLITION AT 82 DAVIDSON STREET, SI (E-5985/ DL00467)** - Emergency Purchase - PIN# 80621E0043001 - AMT: \$1,600,000.00 - TO: Granite Environmental LLC, 847-Shepherd Avenue, Brooklyn, NY 11208.

☛ jy7

**EMERGENCY DEMOLITION OF 107 SOUTH 3RD STREET, BROOKLYN** - Emergency Purchase - PIN# 80621E0030001 - AMT: \$306,876.00 - TO: Granite Environmental LLC, 847-Shepherd Avenue, Brooklyn, NY 11208.

(E-5822 DL00218)

☛ jy7

**EMERGENCY DEMOLITION FOR 621 EAST 21ST STREET, BROOKLYN, NY** - Emergency Purchase - PIN# 80621E0042001 - AMT: \$239,500.00 - TO: Statewide Demolition Corp, 5883 54th Street, Maspeth, NY 11378.

☛ jy7

## HUMAN RESOURCES ADMINISTRATION

### ■ SOLICITATION

*Human Services/Client Services*

**NY/NY III NON-EMERGENCY PERMANENT SUPPORTIVE CONGREGATE HOUSING FOR CHRONICALLY HOMELESS SINGLE ADULTS LIVING WITH AIDS OR ADVANCED HIV ILLNESS RFP** - Completion Contract - PIN#06913H082100 - Due 1-4-99 at 9:00 A.M.

This notification is to announce that this Request for Proposals is now closed. HRA is informing all proposers, both current and potential, that the Agency is no longer accepting proposals.

Pursuant to the NY/NY III Non-Emergency Permanent Supportive Congregate Housing for Chronically Homeless Single Adults Living with AIDS or Advanced HIV Illness RFP, EPIN 09612P0014, the Human Resources Administration (HRA), has permanently set aside more than 98 percent of the available units through this Request for Proposals.

☛ jy7

### ■ AWARD

*Human Services/Client Services*

**JOBS PLUS PROGRAM SERVICES - 6 MONTHS EXTENSION** - Negotiated Acquisition - Judgment required in evaluating proposals - PIN#09612P0004005N006 - AMT: \$532,948.00 - TO: Bedford Stuyvesant Restoration Corp, 1368 Fulton Street, Brooklyn, NY 11216.

Contract Term from 7/1/2020 to 12/31/2020.

☛ jy7

**PERMANENT CONGREGATE SUPPORTIVE HOUSING FOR PLWAS** - Renewal - PIN#06917P9535KXLR001 - AMT: \$7,441,875.00 - TO: Camba Inc, 1720 Church Avenue, Brooklyn, NY 11226.

Contract Term from 7/1/2021 to 6/30/2030.

☛ jy7

**PROV. OF LEGAL & SOCIAL WORK SERVICES** - BP/City Council Discretionary - PIN#06921L0365001 - AMT: \$5,583,833.00 - TO: Brooklyn Defender Services, 177 Livingston Street, 7th Floor, Brooklyn, NY 11201.

FY21 00609; FY21 00610; FY21 00611; FY21 00612; FY21 00614; FY21 00615; FY21 05678; FY21 05707

Contract Term from 7/1/2020 to 6/30/2021.

☛ jy7

## NYC HEALTH + HOSPITALS

### SUPPLY CHAIN SERVICES

#### ■ SOLICITATION

*Goods*

**CONEY ISLAND HOSPITAL: SHELVEING** - Request for Quote - PIN#CIH-CP3-01 - Due 7-19-21 at 3:00 P.M.

Coney Island Hospital, is seeking a comprehensive quote for pharmacy system shelving.

A component of this Program, may be funded in part by a Public Assistance ("PA") grant, administered by the Federal Emergency Management Agency ("FEMA").

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

NYC Health + Hospitals. Samuel H. Finken (646) 537-0665; finkens@nychhc.org

☛ jy7

**CONEY ISLAND HOSPITAL: LEAD PROTECTION** - Request for Quote - PIN#CIH-CP3-3A-02 - Due 7-19-21 at 3:00 P.M.

Coney Island Hospital is seeking a comprehensive quotation for:

- (22) Apron, Lead
- (9) Rack, Apron, Wall Mount
- (15) Shield, Lead, Mobile

Based on the specifications outlined in this document, which detail the functional spaces and requirements as developed by NBBJ (Architect) and SM&W (Medical Equipment Planner) and approved by Coney Island Hospital.

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

NYC Health + Hospitals. Samuel H. Finken (646) 537-0665; finkens@nychhc.org

☛ jy7

**CONEY ISLAND HOSPITAL: LASER, KTP** - Request for Quote - PIN#CIH-CP4-05 - Due 7-19-21 at 3:00 P.M.

Coney Island Hospital is seeking a comprehensive quotation for:

- (1) Laser, Surgical, KTP

Based on the specifications outlined in this document, which detail the functional spaces and requirements as developed by NBBJ (Architect) and SM&W (Medical Equipment Planner) and approved by Coney Island Hospital.

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

NYC Health + Hospitals. Samuel H. Finken (646) 537-0665; finkens@nychhc.org

☛ jy7

**CONEY ISLAND HOSPITAL: DIAGNOSTIC SET** - Request for Quote - PIN#CIH-CP3-3A-01 - Due 7-19-21 at 3:00 P.M.

Coney Island Hospital is seeking a comprehensive quote for the following:

- (14) diagnostic system, integrated
- (1) oto/ophthalmoscope set, with mobile stand
- (46) oto/ophthalmoscope set, wall mount
- (15) sphygmomanometer, aneroid, mobile
- (82) sphygmomanometer, aneroid, wall mount
- (4) thermometer, digital, wall mount
- (6) thermometer, tympanic, digital

Based on the specifications outlined in this document, which detail the functional spaces and requirements as developed by NBBJ (Architect) and SM&W (Medical Equipment Planner) and approved by Coney Island Hospital.

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

NYC Health + Hospitals. Sam Finkens (646) 537-0665; finkens@nychhc.org

☛ jy7

## PARKS AND RECREATION

### CAPITAL PROGRAM MANAGEMENT

#### ■ SOLICITATION

*Construction/Construction Services*

**84621B0039-B405-116MA1-EPIPHANY PLAYGROUND RECONSTRUCTION** - Competitive Sealed Bids - PIN#84621B0039 - Due 7-30-21 at 3:30 P.M.

B405-116MA1- The reconstruction of Epiphany Playground, bounded by Berry Street, South 9th & South 10th Streets, Borough of Brooklyn. \*Please note that date of Bid Submission is different than date of Bid Opening. Please refer to website for updated procedures due to pandemic. This procurement is subject to: • Apprenticeship Requirements • Participation goals for MBEs and/or WBEs, as required by Local Law 1 of 2013. Bid Submission Due Date: 7/30/2021, Time: 3:30 P.M., by Mail or Drop Box, at Olmsted Center Annex, Date of Bid Opening (via Zoom Conference): 8/3/2021, Time: 10:30 A.M., <https://us02web.zoom.us/j/9573076290?pwd=cnVXVzN2Q014SjBLaktvVzIzWnlvUT09>. Meeting ID: 957 307 6290, Passcode: 118035, Conf. Number: +1 (929) 205-6099, 9573076290#, \*118035#.

The Cost Estimate Range is: \$3,000,000 - \$5,000,000. Bid documents are available online, for free, through NYC Parks' Capital Bid System website, [www.nyc.gov/parks/capital-bids](http://www.nyc.gov/parks/capital-bids). To download the bid solicitation documents (including drawings if any), you must have an NYC ID Account and Login. If you are already in PASSPort, then you will use the same username and password to log into the Capital Bid Solicitations website. If you do not currently have an NYC ID account, you will be prompted to register for one through the Capital Bids Solicitation website.

☛ jy7

## POLICE

### MANAGEMENT AND BUDGET

#### ■ INTENT TO AWARD

#### *Goods*

**05621Y0023-CALIFORNIA PSYCHOLOGICAL INVENTORY (CPI) EXAM AUTHORIZATIONS** - Request for Information - PIN#05621Y0023 - Due 7-20-21 at 2:00 P.M.

Pursuant to Section 3-05 of the NYC Procurement Policy Board Rules, It is the intent of the New York City Police Department ("NYPD") to enter into sole source negotiations with Johnson, Roberts and Associates, Inc., located at 2601C Blanding Avenue, #109, Alameda, CA 94501, with the expectation that they will be awarded a five-year contract with the NYPD for the provision of California Psychological Inventory (CPI) Personality Assessment Test and CPI Exam Authorization. The CPI is the California Psychological Inventory, an objective personality assessment measure used in Pre-employment suitability evaluations.

The CPI is part of the NYPD's standard written testing assessment battery that is utilized in conducting the pre-employment suitability evaluations for candidates applying to become Police Officers or Cadets with NYPD. This measure has been part of the NYPD testing battery for over a decade. The CPI exam "authorization" is the term used for generating the score reports. Basically, the process that is followed is that candidates complete the CPI via a scantron sheet using the test booklet. The scantron sheet is electronically scored using a software program which then generates an interpretive test score report. Each score report generated uses up to one authorization.

The NYPD purchases the CPI materials (test booklets, scantron sheets) and the authorization (score reports). It is the NYPD's belief that Johnson, Roberts and Associates, Inc., holds the exclusive license to sell the California Psychological Inventory (CPI) Personality Test and the Exam Authorization software. Any vendor besides Johnson, Roberts and Associate, Inc., that believes they can provide these same products for Police candidates and or other public safety positions may express interest in writing to NYPD Contract Administration Procurement

Division, 90 Church Street, Room 1206, New York, NY 10007 or email at [Contracts@nypd.org](mailto:Contracts@nypd.org). Any such letter or e-mail must be received no later than the vendor response date indicated in this notice.

jy1-8

#### *Services (other than human services)*

**05621Y0025-CORDICO SMARTPHONE APP** - Request for Information - PIN#05621Y0025 - Due 7-20-21 at 2:00 P.M.

Pursuant to Section 3-05 of the NYC Procurement Policy Board Rules, It is the intent of the New York City Police Department ("NYPD"), to enter into sole source negotiations with Cordico Inc, located at 2377 Gold Meadow Way, Suite 100, Gold River, CA 95670, for the purchase of the Cordico Wellness smartphone application.

Cordico Wellness Smartphone application is a customizable wellness application that can be made available to the employees of the NYPD, as well as their family, friends and retired members of the service. This application will allow access to local, state and national mental health and wellness resources created by Cordico team, as well as agency specific emergency contact information and personal assessment tools. This application would be installed on personal cell phones of interested members of the NYPD and their families.

The Cordico App provides continuously updated wellness content available on a 24/7 basis. Assistance with mental health provides vetting and geo-mapping for ease in accessing professional resources, one touch calling that connects the user to internal or external crisis resources such as on-call peer support personnel, HIPAA encrypted tele-therapy with vetted mental health professionals, and the customized integration of Department resources that enables easy access to established peer support, clergy, and wellness platforms through an external device that imparts confidence in user anonymity and confidentiality, increases utilization of resources and creates a healthier workforce.

The NYPD is looking to enter into a one year contract with Cordico Inc, for the provision of the Cordico Wellness Smartphone Application. It is the NYPD's belief that this product is provided exclusively by Cordico Inc. Any vendor besides Cordico that believes it can provide this service, may express interest in writing or email, to the NYPD Contract Administration Procurement Division, 90 Church Street, Room 1206, New York, NY 10007, or at [Contracts@nypd.org](mailto:Contracts@nypd.org). Any such letter or email must be received no later than the vendor response date indicated in this Notice.

jy1-8

## PROBATION

#### ■ AWARD

#### *Human Services/Client Services*

**ARCHES TRANSFORMATIVE MENTORING RENEWAL #4 78120F8002KXLR002** - Renewal - PIN#78120F8002KXLR002 - AMT: \$254,560.72 - TO: Community Mediation Services, Inc., 89-64 163rd Street, Jamaica, NY 11432-5073.

• jy7

**ARCHES TRANSFORMATIVE MENTORING INTERVENTION RENEWAL #4 78120F8007KXLR002** - Renewal - PIN#78120F8007KXLR002 - AMT: \$200,363.88 - TO: Health People Inc., 552 Southern Boulevard, Bronx, NY 10455.

• jy7

**ARCHES TRANSFORMATIVE MENTORING INTERVENTION RENEWAL #4 78120F8010KXLR002** - Renewal - PIN#78120F8010KXLR002 - AMT: \$198,459.11 - TO: Phipps Neighborhoods Inc, 902 Broadway, 13th Floor, New York, NY 10010-6033.

• jy7

## TRANSPORTATION

#### ■ AWARD

#### *Services (other than human services)*

**84121N0004-NYSID NEGOTIATED ACQUISITION EXTENSION** - Negotiated Acquisition - Other - PIN# 84121N0004001 - AMT: \$1,256,865.36 - TO: New York State Industries for the Disabled Inc, 11 Columbia Circle Drive, Albany, NY 12203-5156.

Negotiated acquisition extension agreement to an existing contract, with New York State Industries for the Disabled, Inc. (NYSID), pursuant to Section 3-04(b)(2)(iii) of the Procurement Policy Board Rules, to continue providing Cleaning Service and Material for Several DOT Facilities, for the period of 10/16/2020 – 10/15/2021. DOT has decided to extend the current contract agreement to continue providing these critical for Cleaning and Materials, for NYCDOT Citywide Facilities and Disinfecting Service for COVID-19 Emergency. DOT is planning a new RQS for these services to be registered by 10/16/2021.

Pursuant to EEO 101, the Agency Chief Contracting Officer, hereby determine that it is necessary for the New York City Department of Transportation ("NYCDOT"), to enter into a contract (the "Contract"), with New York State Industries for the Disabled, Inc. ("NYSID"), to require NYSID to provide Cleaning and Materials for NYCDOT Citywide Facilities and Disinfecting Service for COVID-19 Emergency. Pursuant to EEO 101 and the waiver of the above-mentioned procurement laws and rules, NYCDOT will enter into the Contract to require NYSID to provide Disinfecting Service for COVID-19 Emergency and Cleaning and Materials for NYCDOT Citywide Facilities. This service is required to help stop the spread of COVID-19.

• jy7

## 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](mailto: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 on Tuesday, July 20, 2021 commencing at 10:00 a.m. on the following:

**IN THE MATTER OF** one (1) proposed contract between the Administration for Children's Services of the City of New York and the contractor listed below, for the Tutoring grant to provide educational support services. The term of the contract will be from February 1, 2021 to June 30, 2023. Contractor/Address EPIN Amount NYC Tier, Inc. 06821N0035001 \$191,500 206 3rd Ave East Northport, NY 11731

The proposed contractor has been selected by means of a Negotiated Acquisition, pursuant to Section 3-04(b)(2)(i)(B) of the Procurement Policy Board Rules.

In order to access the public hearing conference or to testify, please join the public hearing WebEx call at 1-646-992-2010 (New York), 1-408-418-9388 (United States outside of NY), Meeting ID: 173 625 2420 no later than 9:50 am on the date of the hearing. If you require further accommodations, please contact Onajite Edah via email at Onajite.edah@acs.nyc.gov no later than three business days before the hearing date.

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**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held on Tuesday, July 20, 2021 commencing at 10:00 a.m. on the following:

**IN THE MATTER OF** one (1) proposed contract between the Administration for Children's Services of the City of New York and the contractor listed below, for the Tutoring grant to provide educational support services. The term of the contract will be from February 1, 2021 to June 30, 2023. Contractor/Address EPIN Amount Success4 Life GED Tutoring Services 06821N0034001 \$191,500 1232 Bergen Pkwy, 205 Evergreen, CO 80439.

The proposed contractor has been selected by means of a Negotiated Acquisition, pursuant to Section 3-04(b)(2)(i)(B) of the Procurement Policy Board Rules.

In order to access the public hearing conference or to testify, please join the public hearing WebEx call at 1-646-992-2010 (New York), 1-408-418-9388 (United States outside of NY), Meeting ID: 173 625 2420 no later than 9:50 am on the date of the hearing. If you require further accommodations, please contact Onajite Edah via email at Onajite.edah@acs.nyc.gov no later than three business days before the hearing date.

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## ENVIRONMENTAL PROTECTION

### ■ PUBLIC HEARINGS

#### THIS PUBLIC HEARING IS CANCELLED

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held at the Department of Environmental Protection Offices via conference call, on July 8, 2021 commencing at 10:00 A.M. on the following:

**IN THE MATTER OF** a proposed contract between the Department of Environmental Protection and Hazen & Sawyer DPC, 498 Seventh Avenue, New York, NY 10018 for DEL-444: Technical Support, Training and Knowledge Transfer and Development for DEP Operations Support Tool (OST). The Contract term shall be 1095 consecutive calendar days with an option to renew for 730 consecutive calendar days from the date of the written notice to proceed. The Contract amount shall be \$2,765,639.00 Location: Upstate NY EPIN: 82621S0006.

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

In order to access the Public Hearing and testify, please call 1-347-921-5612, Access Code: 609 148 438# 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 at jschreiber@dep.nyc.gov.

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## AGENCY RULES

### BUSINESS INTEGRITY COMMISSION

#### ■ NOTICE

#### NOTICE OF ADOPTION OF FINAL RULES GOVERNING MICRO-HAULERS

**NOTICE IS HEREBY GIVEN** in accordance with the requirements of section 1043 of the New York City Charter and exercising the authority vested in the New York City Business Integrity Commission ("BIC" or the "Commission") by sections 1043(a) and 2101(b) of the New York City Charter and section 16-504 of the Administrative Code that the Commission adopts the following rules governing micro-haulers, a sub-class of licensees who solely collect a prescribed annual tonnage of organic waste by bicycle or zero emissions vehicles. BIC published a Notice of Public Hearing and Opportunity to Comment on the proposed rule in the *City Record* on March 30, 2021. On May 4, 2021, BIC held a public hearing on the proposed rule.

#### Statement of Basis and Purpose of Final Rule

Under Section 2101 of the New York City Charter, the Business Integrity Commission (BIC) is authorized to regulate the trade waste industry. As provided in Administrative Code Title 16-A, Section 16-504(d), BIC has the authority to establish and enforce standards for service and regulate the conduct of businesses licensed or registered pursuant to this chapter. Under Section 16-504(i), BIC is authorized to establish fees and promulgate rules BIC deems necessary and appropriate to effectively regulate the trade waste industry.

Under Section 16-505 of the Administrative Code, any business engaged in the collection, removal or disposal of trade waste from a commercial establishment must first obtain a trade waste removal license from BIC. Trade waste includes organic waste. These rule amendments create a sub-class of BIC's trade waste removal license and various requirements for organic waste micro-haulers. A "micro-hauler" is defined as "any person that does not dispose of waste at a solid waste transfer station and either (1) collects less than 2,600 tons of source separated organic waste from commercial establishments per year and collects such waste exclusively using bicycles; or (2) collects less than 500 tons of source separated organic waste from commercial establishments per year and collects such waste using exclusively (i) a zero emissions vehicle that has a gross vehicle weight rating of not more than 14,000 pounds or (ii) any other mode of transport specified in the rules of the Department of Sanitation."

These rules include the definition of a "micro-hauler licensee," establish the requirements for maintaining a micro-hauler license, and set forth liability limits for various types of insurance required for micro-hauler licensees. The rules also specify various investigation fees that apply to micro-hauler license applicants (for the investigation of a micro-hauler license applicant, disclosures of managerial employees, and disclosures of employees, agents, or prospective employees or agents of micro-hauler licensees that the Commission has reasonable cause to believe lack good character, honesty and integrity).

The rules also modify and add recordkeeping and reporting requirements for licensees and micro-hauler licensees.

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

New material is underlined; deleted text is in [] brackets.

Section 1. Section 1-01 of title 17 of the rules of the city of New York is amended by adding the following definitions:

**Bicycle.** The term "bicycle" means: (i) a two or three wheeled device upon which a person or persons may ride, propelled by human power through a belt, a chain or gears; (ii) a "pedal-assist bicycle" as defined in section 4-01 of title 34 of the rules of the city of New York or as otherwise defined by the Department of Transportation; or (iii) any other device upon which a person or persons may ride, as defined by the rules of the Department of Sanitation.

**Micro-hauler.** The term "micro-hauler" means any person that does not dispose of waste at a solid waste transfer station and either: (1) collects less than 2,600 tons of source separated organic waste from commercial establishments per year and collects such waste exclusively using bicycles; or (2) collects less than 500 tons of source separated organic waste from commercial establishments per year and



collects such waste using exclusively (i) a zero emissions vehicle that has a gross vehicle weight rating of not more than 14,000 pounds or (ii) any other mode of transport specified in the rules of the Department of Sanitation.

**Micro-hauler licensee.** The term “micro-hauler licensee” means a licensee that is issued a micro-hauler license by the Commission.

**Vehicle.** The term “vehicle” does not include any bicycle used by a micro-hauler to collect organic waste from a commercial establishment.

§ 2. Subdivision (d) of section 1-06 of title 17 of the rules of the city of New York is added to read as follows:

(d) Paragraphs a, b, and c of this section do not apply to an applicant for a micro-hauler license.

§ 3. Section 1-13 of title 17 of the rules of the city of New York is renumbered section 1-14, and a new section 1-13 is added, to read as follows:

#### **§ 1-13 Micro-haulers.**

An applicant for a micro-hauler license and a micro-hauler licensee must comply with all requirements of this chapter unless otherwise stated.

§ 4. Subdivisions (b) and (f) of section 2-02 of title 17 of the rules of the city of New York are amended to read as follows:

(b) [A disclosure form completed by the applicant business and disclosure] Disclosure forms completed by all of the principals of the business[, except] as provided in [Subdivisions (b) and (c) of] 17 RCNY § 2-01, and disclosure forms completed by employees and agents or prospective employees or agents in the categories specified in Appendix A to this chapter.

(f) Before a license is issued, an applicant must submit proof that the following insurance policies have been secured:

(4) Commercial General Liability Insurance with liability limits of no less than five million dollars (\$5,000,000) combined single limit per occurrence for bodily injury and property damage. The maximum deductible for such insurance shall be no more than fifty thousand dollars (\$50,000). Except that a micro-hauler licensee must submit proof of a policy with liability limits of no less than one million dollars (\$1,000,000) combined single limit per occurrence for bodily injury and property damage. The maximum deductible shall be no more than ten thousand dollars (\$10,000).

(5) Business Automobile Liability Insurance covering every vehicle operated by the licensee in his or her business, whether or not owned by the applicant, and every vehicle hired by the licensee with liability limits of no less than two million dollars (\$2,000,000) combined single limit per accident for bodily injury and property damage. Except that a micro-hauler licensee must submit proof of a policy with liability limits of no less than five hundred thousand dollars (\$500,000) combined single limit per accident for bodily injury and property damage covering every zero emissions vehicle operated by the micro-hauler licensee in his or her business, whether or not owned by the applicant, and every zero emissions vehicle hired by the micro-hauler licensee.

(6) Employers' Liability Insurance in accordance with the laws of the state of New York, provided that a licensee that is not a micro-hauler licensee must maintain such insurance with limits of no less than one million five hundred thousand dollars (\$1,500,000) per accident.

(7) The policy or policies of insurance required by these rules must name the Commission as Certificate Holder and [must be endorsed to state that coverage shall not be suspended, voided, canceled, or reduced in coverage or in limits except upon sixty (60) days prior written notice to the Commission] additional insured, where applicable. Failure to maintain continuous insurance coverage meeting the requirements of these rules will result in revocation of the license. Such policy or policies of insurance must be obtained from a company, or companies, duly authorized to do business in the State of New York with [a] an A.M. Best's rating of [no less than A-X] at least A-/VII, a Standard & Poor's rating of at least A, a Moody's Investors Service rating of at least A3, a Fitch Ratings rating of at least A, or a similar rating by any other nationally recognized statistical rating organization acceptable to the Commission, unless specific approval has been granted by the Mayor's Office of Operations to accept a company with a lower rating. Two (2) certificates of insurance effecting the required coverage and signed by a person authorized by the insurer to bind coverage on its behalf, must be delivered to the Commission prior to the effective date of the license. A licensee must demonstrate that he or she has secured the insurance coverage required pursuant to this section and must maintain such required insurance coverage throughout the term of the license.

§ 5. Section 2-07 of title 17 of the rules of the city of New York is amended to read as follows:

The term of a license or Class 1 or Class 2 registration shall be two (2) years. The fee for investigation of a license applicant shall be five thousand dollars (\$5,000), the fee for an investigation of a micro-hauler license applicant shall be six hundred dollars (\$600), and the fee for

each vehicle in excess of one (1) operated, pursuant to a license or micro-hauler license, shall be five hundred dollars (\$500). The fee for investigation of a Class 2 registration applicant, pursuant to 17 RCNY § 2-03 shall be three thousand and five hundred dollars (\$3,500), and the fee for each vehicle operated, pursuant to a Class 2 registration shall be five hundred dollars (\$500). The fee for investigation of a Class 1 registration applicant shall be one thousand dollars (\$1,000), and the fee for each vehicle operated, pursuant to a Class 1 registration shall be four hundred dollars (\$400). There shall be no fee for a Class 1 registrant that is a Not-For-Profit Corporation. The fee for investigation of a trade waste broker registration application shall be five thousand dollars (\$5,000). The term of a Class 3 registration shall be five (5) years. The fee for investigation of a Class 3 registration applicant shall be four thousand dollars (\$4,000).

§ 6. Subdivision (a) of section 3-01 of title 17 of the rules of the city of New York is amended to read as follows:

(a) Each person not otherwise a principal as defined in 17 RCNY § 1-02 who is an employee or agent or prospective employee or agent of an applicant for a license or a licensee and who is in a managerial capacity or in a job category listed in Appendix A to this subchapter, shall: (i) be fingerprinted by a person designated for such purpose by the Commission and pay the fee prescribed by the Division of Criminal Justice Services for the purpose of obtaining criminal history records; and (ii) be photographed by the Commission and provide the disclosure set forth in subparagraphs (b) through (n) of paragraph (ii) of subdivision b of section 16-508 of the Code on the form provided by the Commission and pay the fee of six hundred (\$600) dollars for the investigation of such information, except that such employee or agent or prospective employee or agent of an applicant for a micro-hauler license or a micro-hauler licensee shall pay a fee of one hundred dollars (\$100) for the investigation of such information. Following receipt of such disclosure, the Commission may require such additional information, including without limitation documents and deposition testimony, as the Commission determines is necessary to render determination.

§ 7. Subdivision (a) of section 3-02 of title 17 of the rules of the city of New York is amended to read as follows:

(a) Where the Commission has reasonable cause to believe that an employee or agent or prospective employee or agent of a licensee or an applicant for a license not subject to the provisions of 17 RCNY § 3-01 lacks good character, honesty and integrity, the Commission shall notify such employee or agent or prospective employee or agent that he or she shall: (i) be fingerprinted by a person designated for such purpose by the Commission and pay the fee prescribed by the Division of Criminal Justice Services for the purpose of obtaining criminal history records; and (ii) provide the disclosure required in subparagraphs (b) through (n) of paragraph (ii) of subdivision b of section 16-508 of the Code on the form provided by the Commission and pay the fee of six hundred (\$600) dollars for the investigation of such information, except that such employee or agent or prospective employee or agent of an applicant for a micro-hauler license or a micro-hauler licensee shall pay a fee of one hundred dollars (\$100) for the investigation of such information. Following receipt of such disclosure, the Commission may require such additional information related to such disclosure including without limitation documents and deposition testimony, as the Commission determines is necessary to render determination.

§ 8. Appendix A to subchapter C of title 17 of the rules of the city of New York is amended to read as follows:

Employees who perform the following functions shall be subject to disclosure pursuant to 17 RCNY § 3-01:

- Solicitation of Businesses;
- Bill Collection;
- Evaluation of Trade Waste Stream of Customers;
- Dispatchers who have regular contacts with customers;
- Persons who have authority to agree or refuse to service customers;
- Persons who have authority to resolve complaints.

Except that for micro-hauler licensees, employees subject to disclosure pursuant to 17 RCNY § 3-01 are limited to managerial employees.

§ 9. Subdivisions (a), (e) and (f) of section 5-03 of title 17 of the rules of the city of New York are amended, and a new subdivision (a-1) is added, as follows:

(a) Except as provided in subdivision a-1, [A] a licensee must maintain records concerning its business including but not limited to:

(xvii) customer contracts and invoices,

(xxvii) submissions to and notices from the Commission, [and]

(xxviii) a schedule of contributions, gifts, and grants received by the licensee,

(xxix) dump tickets, scale tickets, invoices, and receipts from transfer stations, material recovery facilities, and compost facilities, and

[(xxviii)] (xxx) all documents supporting, evidencing, or used to create the reports, books, journals, registers, and ledgers that the licensee is required to maintain, pursuant to this section.

(a-1) A micro-hauler licensee must maintain only the records set forth in paragraphs (i)-(vi), (viii), (xvii), (xix), and (xxviii)-(xxx) of subdivision a.

(e) A licensee must maintain annual financial statements in a form or computer format prescribed by the Commission. The Commission may require that such financial statements be audited by an independent certified public accountant who is not employed by or related to the licensee or any principal of the licensee and has no financial interest in the licensee or any principal of the licensee. The financial statements must include a balance sheet, an income statement, a statement of cash flows, and a statement of retained earnings or (if the licensee is a sole proprietorship or partnership) capital. The auditor shall render an opinion as to whether the financial statements accurately reflect the financial position of the licensee as of the balance sheet date and the results of its operations and cash flows for the year ended, except that the auditor need not opine on Paragraphs (3) and (4) of this Subdivision. The auditor shall also issue a supplemental opinion on the licensee's compliance with the financial record-keeping and reporting requirements of the Commission. Such supplemental opinion shall detail each and every variance or deviation from the Commission's requirements noted during the auditor's examination of the licensee's financial books and records. The licensee must certify, and the principal responsible for the licensee's financial affairs must swear under oath upon penalty of perjury, that the financial statement accurately reflects the licensee's accounts and financial operations. At the completion of the audit, the licensee must obtain from the auditor copies of the accountant's work papers and must retain such papers with the licensee's records. Except that a micro-hauler licensee may satisfy the requirements of this Subdivision by maintaining tax returns prepared by a certified public accountant. The Commission is not precluded from requiring a micro-hauler licensee to prepare a financial statement required by this Subdivision upon the Commission's request.

(f) On or before June 30 of each year but not later than six (6) months following the end of the licensee's fiscal year, all licensees must file a report on a form or computer format prescribed by the Commission, provided, however, that a micro-hauler licensee may satisfy this requirement by submitting such licensee's tax returns prepared by a certified public accountant. If the Commission requires a revision of the report after review by an auditor on the Commission's staff, an amended report must be submitted to the Commission no later than the date specified by the Commission. The Commission may require that the annual report include the financial statement described in subdivision (e) of this section and other information and documents concerning the licensee's operations, including but not limited to: financial information reported on a calendar year basis, the management letter issued by the licensee's auditor to the licensee, and information concerning: affiliations with other licensees; organization and control of the licensee, corporate control over the licensee; corporations controlled by the licensee; officers and directors of the licensee; allocation of recyclables and non-recyclables; security holders of and voting powers within the licensee; subcontracting, management, engineering, and contracts of the licensee.

§ 10. Subdivisions (c) and (e) of section 5-11 of title 17 of the rules of the city of New York are amended to read as follows:

(c) Any container provided by a licensee to a [designated covered establishment] customer for the collection of organic waste shall be labeled to indicate that only organic waste may be placed in that container.

(e) If organic waste is collected from a [designated covered establishment] customer in a container that does not have a label indicating that the container contains only organic waste, the licensee collecting waste from such container shall report the exact location of such container to the Commission within three (3) business days of the time it had actual or constructive knowledge of the improper labeling.

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#### **NOTICE OF ADOPTION OF FINAL RULE ON TRAFFIC AND VEHICLE SAFETY IN THE TRADE WASTE INDUSTRY**

**NOTICE IS HEREBY GIVEN** in accordance with the requirements of section 1043 of the New York City Charter and exercising the authority vested in the New York City Business Integrity Commission ("BIC" or the "Commission") by sections 1043(a) and 2101(b) of the New York City Charter and section 16-504 of the Administrative Code that the Commission adopts the following rule regarding traffic and vehicle safety in the trade waste industry. BIC published a Notice of Public Hearing and Opportunity to Comment on the proposed rule in the *City Record* on March 12, 2021. On April 13, 2021, BIC held a public hearing on the proposed rule.

#### **Statement of Basis and Purpose of Final Rule**

Under Section 2101 of the New York City Charter, the Commission is authorized to regulate the trade waste industry. As provided in Administrative Code Title 16-A, Section 16-504(d), BIC has the authority to establish and enforce standards for service and regulate the conduct of businesses licensed or registered pursuant to this chapter, including but not limited to traffic safety requirements and environmental and safety requirements for vehicles used in the collection, removal, transportation or disposal of trade waste. Under Section 16-504(i),<sup>1</sup> BIC is authorized to promulgate rules BIC deems necessary and appropriate to effectively regulate the trade waste industry.

Since 2010, trucks operated by licensees and registrants have killed at least 51 individuals and injured at least 404 individuals on New York City streets. Some operators repeatedly violate even the most basic traffic safety rules, such as running red lights, speeding, and driving the wrong way. These rule amendments are designed to improve street safety for all street users by improving trade waste vehicle safety, holding licensees and registrants accountable for their drivers' repeated traffic safety violations, and requiring driver and helper training. Specifically, the new amendments will require licensees and registrants to ensure that vehicles are in safe operating condition by passing inspections conducted by qualified inspectors and undergoing daily inspections by vehicle operators. Moreover, certain types of vehicles will be required to comply with vehicle specifications, including being equipped with a convex mirror positioned on the front of such vehicles. These types of mirrors are commonly referred to as crossover mirrors and are used to reduce the blind spot at the front of the vehicles.

The amendments will also require licensees and registrants to provide annual safety training to all vehicle operators, laborers and helpers who are directly assigned to trade waste duties, including educating workers on workplace safety requirements, operational instructions for equipment, safety hazards, state and local traffic laws, and best practices for safety. Vehicle operators will be required to complete a defensive driving course every three years.

The amendments will also require licensees and registrants to maintain various records, including accurate time records for vehicle operators and workers who handle trade waste, inspection and certification of repair forms, daily inspection reports, and records demonstrating compliance with training requirements.

The amendments will also require licensees and registrants to comply with hours of service requirements set forth in Part 395.3 of Title 49 of the Code of Federal Regulations, as well as various traffic safety rules set forth in the New York State Vehicle and Traffic Law and New York City traffic rules and regulations.

#### **Timeline and Application of BIC and DSNY Rules**

The Commission and the New York City Department of Sanitation ("DSNY") are jointly promulgating rules to address industry-wide safety issues and to ensure a uniform baseline between the two agencies' overlapping regulatory authority. The requirements in the Commission's rules will apply immediately to all licensees and registrants in the trade waste industry, and will continue to apply to all licensees and registrants until the transition of the commercial waste zones program occurs in each zone, in accordance with the schedule and further details to be provided in an upcoming DSNY rule. Further details on the transition to commercial waste zones will be provided in a forthcoming rulemaking regarding the transition start and end dates.

After the transition to commercial waste zones occurs, the Commission's requirements regarding the topics contained in these rules will not apply to commercial waste carters, but will continue to apply to licensees and registrants that are hauling forms of trade waste other than commercial waste, such as construction and demolition debris. Once the commercial waste zones program is implemented, commercial waste zone carters will be required to follow DSNY's applicable rules. Please note that the majority of the Commission's safety requirements are replicated in DSNY's proposed rules for commercial waste zone carters. More details regarding the applicability of the Commission's rules to the commercial waste zones program will be provided in future rulemakings.

BIC's authority for these rules is found in Sections 1043(a) and 2101(b) of the New York City Charter and in Section 16-504 of the New York City Administrative Code.

New material is underlined; deleted text is in [] brackets.

Section 1. Section 1-01 of Subchapter A of Chapter 1 of Title 17 of the Rules of the City of New York is amended by adding a new definition of "qualified inspector" in alphabetical order to read as follows:

<sup>1</sup> Effective May 20, 2021, Section 16-504(i) will be relettered as Section 16-504(h).

**Qualified Inspector.** The term “qualified inspector” means an individual who meets the qualifications set forth in Part 396.19 of Title 49 of the Code of Federal Regulations.

Section 2. Subdivisions (l), (m) and (n) of Section 5-03 of Subchapter E of Chapter 1 of Title 17 of the Rules of the City of New York are relettered subdivisions (p), (q) and (r) and new Subdivisions (l), (m), (n) and (o) are added to read as follows:

(l) A licensee must maintain accurate time records for each vehicle operator and worker who handles trade waste. Such time records must identify the worker by name and job title, and for each day reflect the time the worker reported to work; the route, truck number or other information used to identify the worker's daily work assignment; any off-duty breaks; the time the worker was released from duty; and the total number of hours worked per week.

(m) A licensee must maintain copies of all inspection and certification of repair forms required by Section 5-10(e) for at least five (5) years, and copies of such forms (paper or electronic) must be available in the corresponding vehicles at all times for six (6) months.

(n) A licensee must maintain copies of all daily inspection reports required by Section 5-10(f) for at least five (5) years, and copies of such reports (paper or electronic) must be available in the corresponding vehicles at all times for fourteen (14) days.

(o) A licensee must maintain records demonstrating compliance with Section 5-14 that include, at a minimum, the date training was provided, the names of each employee that received the training, and each employee's job duties.

Section 3. Section 5-04 of Title 17 of the Rules of the City of New York is amended to read as follows:

#### **§ 5-04 Compliance with Applicable Law and Regulation.**

All licensees shall at all times comply with all the laws, rules and regulations of Federal, State and local governmental authorities having jurisdiction over any of the licensees' activities, including, but not limited to, rules and regulations of the Department of Environmental Protection, the Department of Health, the Department of Sanitation and the Department of Transportation concerning [the] environmental, safety and health standards, including but not limited to traffic safety, or relating to the collection, removal, transportation or disposal of trade waste in a safe manner, vehicle specifications, sanitary requirements, or the handling, transport, receipt, transfer or disposal of trade waste, regulated medical waste or waste containing asbestos or other hazardous, toxic or dangerous material. Failure to comply with these laws, rules or regulations shall be grounds for suspension and/or revocation of the license pursuant to Section 16-513 of the Code or refusal to issue a license pursuant to Section 16-509 of the Code and, in addition to any other penalty provided by law, the imposition of penalties pursuant to 17 RCNY § 1-04.

Section 4. Section 5-08 of Title 17 of the Rules of the City of New York is amended by adding new Subdivisions (u) and (v) to read as follows:

(u) A licensee must not permit or require any vehicle operator to drive the licensee's vehicles unless the vehicle operator complies with the hours of service requirements set forth in Part 395.3 of Title 49 of the Code of Federal Regulations.

(v) A licensee must ensure that the trade waste vehicles operated on behalf of the licensee are not engaging in a pattern of unsafe practices. Each such pattern of unsafe practices is a violation of this subdivision. For purposes of this subdivision, “a pattern of unsafe practices” means four instances of prohibited conduct set forth in paragraphs (1) through (6) of this subdivision within a six-month period by the licensee's vehicle operators and helpers, in the aggregate:

(1) A trade waste vehicle must not back up unless such movement can be made safely and without interfering with traffic for the minimum distance to allow for the safe collection of trade waste.

(2) A trade waste vehicle must not make a U turn, except where legally permitted at marked center lines and from designated lanes.

(3) A trade waste vehicle must stop at all steady red lights until such light turns green. A trade waste vehicle must stop at all flashing red lights and stop signs before entering an intersection.

(4) A trade waste vehicle must be driven only in the direction designated for the roadway.

(5) A trade waste vehicle must not obstruct a bike lane, bus stop, sidewalk, crosswalk, or intersection.

(6) Under no circumstances shall an individual ride on or cling to the outside of a trade waste vehicle while the vehicle is operating on a roadway.

Section 5. Section 5-10 of Title 17 of the Rules of the City of New York is amended by amending the heading and adding new Subdivisions (c), (d), (e), (f) and (g) to read as follows:

#### **§ 5-10 [License Plate and Vehicle Markings] Vehicle Specifications and Inspections.**

(c) Each vehicle having a gross vehicle weight rating of twenty-six thousand pounds or more and a conventional cab configuration in which the engine is mounted in front of the operator must be equipped with a convex mirror positioned on the front of such vehicle. When such vehicle is being operated, such mirror shall be adjusted so as to enable the operator thereof to see all points on an imaginary horizontal line which is three feet above the road, is one foot directly forward from the midpoint of the front of such motor vehicle, and extends the full width of the front of such vehicle or combination of vehicles.

(d) Nothing may be placed or suspended in or on the vehicle or windshield so as to obstruct the operator's vision through the windshield or other windows. Nothing in this subdivision shall be construed to prohibit the placement or suspension of an object in or on the vehicle or windshield in order to comply with or as expressly permitted by federal, state or local law.

(e) A trade waste vehicle must not be operated unless such vehicle is in safe operating condition and has passed an inspection conducted by a qualified inspector demonstrating compliance with the terms of this section at least once during the preceding six months. (1) Each such inspection must be recorded on an inspection report form prescribed by the Commission. Such inspection report must identify any safety defects discovered during the inspection and cover at a minimum, the following parts and accessories: service and parking brakes, steering mechanism, tires, wheels and rims, side guards, coupling devices, mirrors, lighting devices and reflectors, horn, windshield wipers, and emergency equipment. (2) Following an inspection, such vehicle may not be operated unless a qualified inspector certifies on the inspection report that all necessary repairs have been made and that such vehicle has passed the inspection. (3) Copies of such inspection reports must be kept in the corresponding vehicle in accordance with the requirements of subdivision (m) of Section 5-03.

(f) A trade waste vehicle must not be operated unless the operator of such vehicle is satisfied such vehicle is in safe operating condition. A licensee must require the operator of such vehicle to inspect such vehicle following each day's work and to prepare a daily inspection report that identifies such vehicle and any defect that would affect the safety of operation of such vehicle. Such daily inspection report must cover at a minimum the following parts and accessories: service and parking brakes, steering mechanism, tires, wheels and rims, side guards, coupling devices, mirrors, lighting devices and reflectors, horn, windshield wipers, and emergency equipment. Copies of such daily inspection reports must be kept in the corresponding vehicle in accordance with the requirements of subdivision (n) of Section 5-03. The operator of such vehicle must review the most recent daily inspection report and determine whether required repairs have been made when evaluating the condition of such vehicle.

(g) The Commission or a person designated by the Commission may inspect trade waste vehicles, equipment, licenses, registrations, inspection reports, and fleet records of each licensee at any time at its own discretion.

- (1) The Commission or a person designated by the Commission may order the licensee to immediately remove any trade waste vehicle or equipment from service and, where appropriate, to take corrective action within a prescribed period of time if the Commission or such person designated by the Commission determines the vehicle or equipment presents an imminent threat to public health or safety or to the environment due to an issue that may include, but need not be limited to, defective brakes, tires or lighting devices, or leaking or spilling of fluids and escaping of trade waste. The licensee shall comply with the order within the time prescribed in the order and shall notify the Commission when compliance has been achieved.
- (2) Within the time specified for compliance in an order issued pursuant to this section or as otherwise specified in such order, the licensee may submit a written statement appealing the order to the Chair in the manner specified in the order.
- (3) Submission of an appeal pursuant to paragraph (2) of this subdivision shall relieve the licensee's obligation to take any corrective action within the time prescribed in the order pending a final determination pursuant to paragraph (4) of this subdivision, provided, however, that in the event the Chair determines that failure to take corrective action within the time prescribed in the order poses a significant risk of imminent harm to public health or safety or to the environment, the licensee will be notified and will be required to take such corrective action within the specified time, or within an alternative time specified by the Chair. Notwithstanding the foregoing, submission of such an appeal shall not relieve the licensee's obligation to remove a trade waste vehicle or equipment from service during the pendency of an appeal.

- (4) The Chair must review appeals and make a final written determination regarding the appeal within a reasonable period of time. The Commission will serve final determinations on the licensee as provided in 17 RCNY § 1-02.
- (5) If the Chair sustains an appeal in whole or in part, then the stated terms of the final determination on appeal will replace the original requirements of the order.
- (6) If an appeal is denied, the final determination will specify a reasonable period of time for compliance with the order based on the circumstances, except in the case of an order where taking corrective action is required within an earlier time pursuant to paragraph (3) of this subdivision. The final determination by the Chair is subject to review pursuant to article 78 of the New York Civil Practice Laws and Rules.

Section 6. Subchapter E of Chapter 1 of Title 17 of the Rules of the City of New York is amended by adding a new Section 5-14 to read as follows:

#### **§ 5-14 Worker Training**

(a) Training. A licensee must provide annual safety training to all vehicle operators and laborers or helpers who are directly assigned to the collection, removal, transport or disposal of trade waste on the public right of way. Such training must include, at a minimum, (1) educating workers on workplace safety requirements; (2) operational instruction on each specific type of equipment used by the employee; and (3) training to address specific public safety hazards associated with collecting, transporting, removing and disposing of trade waste, including but not limited to, training, as applicable, regarding: (a) collision avoidance, including defensive driving and best practices to avoid collisions with pedestrians, cyclists and other vulnerable road users; (b) pre-trip and post-trip vehicle and equipment inspections; (c) state and local traffic laws, including speed limits, yielding, and bus and bicycle lane restrictions; (d) preventing distracted driving; (e) navigating intersections and turns; (f) backing up a trade waste vehicle; (g) best practices for safe collection stops; (h) container management; (i) hopper operation; (j) fire prevention and response; and (k) transporting and disposing of specialized waste or hazardous materials. Such training must be provided within 90 days after the start of employment or prior to the initial assignment of a worker to a job or task, whichever is earlier.

(b) Additional Driver Training. A licensee must not permit or require any vehicle operator to drive the licensee's vehicles unless, within the past three years, the vehicle operator has completed a defensive driving course approved by the Commission or a state agency that issues driver licenses.

(c) Provided that if a licensee is a designated carter pursuant to an agreement with the Department of Sanitation, compliance with Section 16-1008 satisfies the requirements of subdivisions (a) and (b) of this section.

Section 7. Section 7-02 of Subchapter G of Chapter 1 of Title 17 Rules of the City of New York is amended to read as follows:

#### **§ 7-02 Compliance with Applicable Law Required.**

All registrants shall at all times comply with all the laws, rules and regulations of Federal, State and local governmental authorities having jurisdiction over any of the registrants' activities, including, but not limited to, rules and regulations of the Department of Environmental Protection, the Department of Health, the Department of Sanitation and the Department of Transportation concerning [the] environmental, safety and health standards, including but not limited to traffic safety, or relating to the collection, removal, transportation or disposal of trade waste in a safe manner, vehicle specifications, sanitary requirements, or the handling, transport, receipt, transfer or disposal of trade waste, regulated medical waste or waste containing asbestos or other hazardous, toxic or dangerous material. Failure to comply with these laws, rules or regulations shall be grounds for suspension and/or revocation of the registration pursuant to Section 16-513 of the Code or refusal to issue a registration pursuant to Section 16-509 of the Code and, in addition to any other penalty provided by law, the imposition of penalties pursuant to 17 RCNY § [1-05] 1-04.

Section 8. Section 7-03 of Title 17 of the Rules of the City of New York is amended by amending the heading and adding new Subdivisions (c), (d), (e), (f) and (g) to read as follows:

#### **§ 7-03 [License Plates] Vehicle Specifications and Inspections.**

(c) Each vehicle having a gross vehicle weight rating of twenty-six thousand pounds or more and a conventional cab configuration in which the engine is mounted in front of the operator must be equipped with a convex mirror positioned on the front of such vehicle. When such vehicle is being operated, such mirror shall be adjusted so as to enable the operator thereof to see all points on an imaginary horizontal line which is three feet above the road, is one foot directly forward from the midpoint of the front of such motor vehicle, and extends the full width of the front of such vehicle or combination of vehicles.

(d) Nothing may be placed or suspended in or on the vehicle or windshield so as to obstruct the operator's vision through the windshield or other windows. Nothing in this subdivision shall be construed to prohibit the placement or suspension of an object in or on the vehicle or windshield in order to comply with or as expressly permitted by federal, state or local law.

(e) A trade waste vehicle must not be operated unless such vehicle is in safe operating condition and has passed an inspection conducted by a qualified inspector demonstrating compliance with the terms of this section at least once during the preceding six months. (1) Each such inspection must be recorded on an inspection report form prescribed by the Commission. Such inspection report must identify any safety defects discovered during the inspection and cover at a minimum, the following parts and accessories: service and parking brakes, steering mechanism, tires, wheels and rims, side guards, coupling devices, mirrors, lighting devices and reflectors, horn, windshield wipers, and emergency equipment. (2) Following an inspection, such vehicle may not be operated unless a qualified inspector certifies on the inspection report that all necessary repairs have been made and that such vehicle has passed the inspection. (3) Copies of the most recent inspection report must be kept in the corresponding vehicle in accordance with the requirements of subdivision (e) of Section 7-06.

(f) A trade waste vehicle must not be operated unless the operator of such vehicle is satisfied such vehicle is in safe operating condition. A registrant must require the operator of such vehicle to inspect such vehicle following each day's work and to prepare a daily inspection report that identifies such vehicle and any defect that would affect the safety of operation of the vehicle. Such daily inspection report must cover at a minimum, the following parts and accessories: service and parking brakes, steering mechanism, tires, wheels and rims, side guards, coupling devices, mirrors, lighting devices and reflectors, horn, windshield wipers, and emergency equipment. Copies of such daily inspection reports must be kept in the corresponding vehicle in accordance with the requirements of subdivision (f) of Section 7-06. The operator of such vehicle must review the most recent daily inspection report and determine whether required repairs have been made when evaluating the condition of such vehicle.

(g) The Commission or a person designated by the Commission may inspect trade waste vehicles, equipment, licenses, registrations, inspection reports, and fleet records of each registrant at any time at its own discretion.

- (1) The Commission or a person designated by the Commission may order the registrant to immediately remove any trade waste vehicle or equipment from service and, where appropriate, to take corrective action within a prescribed period of time if the Commission or such person designated by the Commission determines the vehicle or equipment presents an imminent threat to public health or safety or to the environment due to an issue that may include, but need not be limited to, defective brakes, tires or lighting devices, or leaking or spilling of fluids and escaping of trade waste. The registrant shall comply with the order within the time prescribed in the order, and shall notify the Commission when compliance has been achieved.
- (2) Within the time specified for compliance in an order issued pursuant to this section or as otherwise specified in such order, the registrant may submit a written statement appealing the order to the Chair in the manner specified in the order.
- (3) Submission of an appeal pursuant to paragraph (2) of this subdivision shall relieve the registrant's obligation to take any corrective action within the time prescribed in the order pending a final determination pursuant to paragraph (4) of this subdivision, provided, however, that in the event the Chair determines that failure to take corrective action within the time prescribed in the order poses a significant risk of imminent harm to public health or safety or to the environment, the registrant will be notified and will be required to take such corrective action within the specified time, or within an alternative time specified by the Chair. Notwithstanding the foregoing, submission of such an appeal shall not relieve the registrant's obligation to remove a trade waste vehicle or equipment from service during the pendency of an appeal.
- (4) The Chair must review appeals and make a final written determination regarding the appeal within a reasonable period of time. The Commission will serve final determinations on the registrant as provided in 17 RCNY § 1-02.
- (5) If the Chair sustains an appeal in whole or in part, then the stated terms of the final determination on appeal will replace the original requirements of the order.
- (6) If an appeal is denied, the final determination will specify a reasonable period of time for compliance with the order based

on the circumstances, except in the case of an order where taking corrective action is required within an earlier time pursuant to paragraph (3) of this subdivision. The final determination by the Chair is subject to review pursuant to article 78 of the New York Civil Practice Laws and Rules.

Section 9. Section 7-05 of Title 17 of the Rules of the City of New York is amended to read as follows:

#### **§ 7-05 Operations.**

A registrant that removes, collects or disposes of trade waste shall keep the sidewalk, flagging, curbstone and roadway abutting any area from which waste is removed free from obstruction, garbage, litter, debris and other offensive material resulting from the removal by the registrant of trade waste and shall comply with the requirements for operation contained in 17 RCNY § 5-11 and subdivisions (a) through (q) and (u) through (v) of 17 RCNY § 5-08 [and 17 RCNY § 5-11] of this chapter.

Section 10. Section 7-06 of Title 17 of the Rules of the City of New York is amended by adding subdivisions (d), (e), (f), (g) and (h) to read as follows:

(d) A registrant must maintain accurate time records for each vehicle operator and worker who handles trade waste. Such time records must identify the worker by name and job title, and for each day reflect the time the worker reported to work; the route, truck number or other information used to identify the worker's daily work assignment; any off-duty breaks; the time the worker was released from duty; and the total number of hours worked per week.

(e) A registrant must maintain copies of all inspection and certification of repair forms required by Section 7-03(e) for at least five (5) years, and copies of such forms (paper or electronic) must be available in the corresponding vehicles at all times for six (6) months.

(f) A registrant must maintain copies of all daily inspection reports required by Section 7-03(f) for at least five (5) years, and copies of such reports (paper or electronic) must be available in the corresponding vehicles at all times for fourteen (14) days.

(g) A registrant must maintain records demonstrating compliance with Section 7-08 that include, at a minimum, the date training was provided, the names of each employee that received the training, and each employee's job duties.

(h) All records that must be maintained pursuant to this section must be maintained for five (5) years unless the Commission directs otherwise.

Section 11. Subchapter G of Chapter 1 of Title 17 of the Rules of the City of New York is amended by adding a new Section 7-08 to read as follows:

#### **§ 7-08 Worker Training**

(a) Training. A registrant must provide annual safety training to all vehicle operators and laborers or helpers who are directly assigned to the collection, removal, transport or disposal of trade waste on the public right of way. Such training must include, at a minimum, (1) educating workers on workplace safety requirements; (2) operational instruction on each specific type of equipment used by the employee; and (3) training to address specific public safety hazards associated with collecting, transporting, removing and disposing of trade waste, including but not limited to, training, as applicable, regarding: (a) collision avoidance, including defensive driving and best practices to avoid collisions with pedestrians, cyclists and other vulnerable road users; (b) pre-trip and post-trip vehicle and equipment inspections; (c) state and local traffic laws, including speed limits, yielding, and bus and bicycle lane restrictions; (d) preventing distracted driving; (e) navigating intersections and turns; (f) backing up a trade waste vehicle; (g) best practices for safe collection stops; (h) container management; (i) hopper operation; (j) fire prevention and response; and (k) transporting and disposing of specialized waste or hazardous materials. Such training must be provided within 90 days after the start of employment or prior to the initial assignment of a worker to a job or task, whichever is earlier.

(b) Additional Driver Training. A registrant must not permit or require any vehicle operator to drive the registrant's vehicles unless, within the past three years, the vehicle operator has completed a defensive driving course approved by the Commission or a state agency that issues driver licenses.

## **CONSUMER AFFAIRS**

### **■ NOTICE**

#### **Notice of Public Hearing and Opportunity to Comment on Proposed Rules**

**What are we proposing?** The Department of Consumer and Worker Protection ("DCWP" or "Department") is proposing to amend rules related to the prevailing wage for building service employees in City-leased or financially-assisted facilities ("Prevailing Wage Law"). Local Law 212 of 2019 amended the Prevailing Wage Law by adding a new protected wage for certain covered projects.

This proposed rule amendment would implement the new law by setting forth the mechanism for protected wage increases due to changes in the cost of living and in the cost of providing benefits.

**When and where is the hearing?** DCWP will hold a public hearing on the proposed rule. The public hearing will take place at 11:00 AM on Monday, August 9, 2021. The public hearing will be accessible by phone and videoconference.

- To participate in the public hearing via phone, please dial 646 558 8656
  - o Meeting Code: 861 7984 4544
- To participate in the public hearing via videoconference, please follow the online link: <https://us02web.zoom.us/j/86179844544>
  - o Meeting Code: 861 7984 4544

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

- **Website.** You can submit comments to DCWP through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to [Rulecomments@dca.nyc.gov](mailto:Rulecomments@dca.nyc.gov).
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by emailing [rulecomments@dca.nyc.gov](mailto:rulecomments@dca.nyc.gov). You can also sign up on the phone or videoconference before the hearing begins at 11:00 AM on Monday, August 9, 2021. You can speak for up to three minutes.

**Is there a deadline to submit comments?** Yes. You must submit any comments to the proposed rule on or before August 9, 2021.

**What if I need assistance to participate in the hearing?** You must tell DCWP's External Affairs division if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You may tell us by telephone at (212) 436-0345 or by email at [Rulecomments@dca.nyc.gov](mailto:Rulecomments@dca.nyc.gov). Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by August 5, 2021.

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

**What authorizes DCWP to make this rule?** Sections 1043 and 2203(f) of the New York City Charter and Section 6-130 of the New York City Administrative Code authorize the Department of Consumer and Worker Protection to make these proposed rules.

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

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

#### **Statement of Basis and Purpose of Proposed Rule**

The Department of Consumer and Worker Protection ("DCWP" or "Department") is proposing to amend rules related to the payment of prevailing wages to building service employees in City-leased or financially-assisted facilities, as required under section 6-130 of the Administrative Code ("Prevailing Wage Law"). Local Law 212 for the year 2019 amended the Prevailing Wage Law, in part, by adding a new "protected wage" for building service employees working in preservation projects receiving discretionary financial assistance from the City or a City economic development entity.

The protected wage is the rate of wages and cost of benefits paid to a building service employee in a preservation project on the date that financial assistance for such project is received from the City, plus an

annual increase to account for any change in the cost of living and in the cost of providing benefits. The proposed rule would implement Section 6-130(d)(9) of the New York City Administrative Code by setting forth the mechanism for yearly increases to the protected wage. The proposed rule would also classify a dwelling unit provided to a building service employee free of charge as a benefit and provide additional guidance on how to assess the value of such dwelling unit for purposes of calculating the protected wage. Lastly, the proposed rule would amend other aspects of the Prevailing Wage Law rules by:

- Removing from section 9-01 defined terms whose meaning is the same as in the Prevailing Wage Law, and moving the defined terms “Covered Developer” and “Building Service Work” from subchapter B of chapter nine into section 9-01 to create a more concise and consolidated definitions section.
- Replacing references to “employees” with “Building Service Employees”, and the term “Covered Employer” with “Responsible Party” throughout.
- Clarifying in section 9-23 that administrative law judges will issue Recommended Decisions subject to the Department’s review in accordance with section 2203(h)(1) of the New York City Charter and section 6-02 of title 6 of the Rules of the City of New York.
- Updating references to the correct sections of the Prevailing Wage Law throughout.

Sections 1043 and 2203(f) of the New York City Charter and Section 6-130 of the New York City Administrative Code authorize the Department of Consumer and Worker Protection to make these proposed rules.

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

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

### **Proposed Rule Amendments**

Section 1. Subchapter A of Chapter 9 of Title 6 of the Rules of the City of New York is amended to read as follows:

#### **§ 9-01 Definitions.**

(a) [For purposes of] As used in this chapter, the following terms [mean] have the following meanings:

**Administrative Law Judge.** The term “Administrative Law Judge” has the meaning provided in section 1-01 of title 48 of the Rules of the City of New York.

**Building Service Contractor.** The term “Building Service Contractor” means any partnership, association, joint venture, limited liability company, corporation or any other form of doing business providing Building Service Work for a Covered Lessor [or], Covered Developer, or Protected Developer, including entities providing such Building Service Work through a subcontractor.

**Building Service Employee.** The term “Building Service Employee” has the same meaning as set forth in the Prevailing Wage Law.]

**Building Service Work.** The term “Building Service Work” has the same meaning as set forth in the Prevailing Wage Law, except that, for the purposes of this chapter, “Building Service Work” also includes work relating to the collection of garbage or refuse, the transportation of office furniture and equipment, and the delivery of fossil fuel.

**Case.** The term “Case” means an enforcement proceeding commenced by the Department before OATH based upon an alleged violation of the Prevailing Wage Law.

**City.** The term “City” means the City of New York [or any City Economic Development Entity].

**City Economic Development Entity.** The term “City Economic Development Entity” has the same meaning as set forth in the Prevailing Wage Law.

**City Development Project.** The term “City Development Project” has the same meaning as set forth in the Prevailing Wage Law.

**Commissioner.** The term “Commissioner” means the Commissioner of the Department or his or her designee.

**Comptroller.** The term “Comptroller” means the Office of the Comptroller of the City of New York.

**Covered Employer.** The term “Covered Employer” means any Covered Lessor or Covered Developer.

**Covered Developer.** The term “Covered Developer” has the same meaning as set forth in the Prevailing Wage Law.

**Covered Lessor.** The term “Covered Lessor” has the same meaning as set forth in the Prevailing Wage Law.]

**Department.** The term “Department” means the New York City Department of Consumer [Affairs] and Worker Protection.

**Financial Assistance.** The term “Financial Assistance” has the same meaning as set forth in the Prevailing Wage Law.

**Lease.** The term “Lease” has the same meaning as set forth in the Prevailing Wage Law.]

**OATH.** The term “OATH” has the meaning provided in section 1-01 of title 48 of the Rules of the City of New York.

**Payroll Records.** The term “Payroll Records” means all time cards, cancelled checks, cash receipts, books, documents, schedules, forms, reports, receipts or other evidence that reflect job assignments, work schedules by days and hours, and the disbursement of funds to an employee by cash, check, or in any other form or manner.

**Person.** The term “Person” means any individual, sole proprietorship, partnership, association, joint venture, limited liability company, corporation or any other form of doing business.]

**Petition.** The term “Petition” has the meaning provided in section 1-01 of title 48 of the Rules of the City of New York.

**Prevailing Wage.** The term “Prevailing Wage” has the same meaning as set forth in the Prevailing Wage Law.]

**Prevailing Wage Law.** The term “Prevailing Wage Law” means [Section] section 6-130 of [Chapter 1 of Title 6 of] the New York City Administrative Code, [entitled “Prevailing Wage for Building Service Employees in City Leased or Financially Assisted Facilities.”] as amended by Local Law 212 for the year 2019.

**Responsible Party.** The term “Responsible Party” means any Covered Lessor, Covered Developer or Protected Developer.

(b) [Other Terms. The terms «Administrative Law Judge,» «OATH,» «Petition,» «Petitioner,» and «Respondent» have the same meanings as set forth in Section 1-01 of Chapter 1 of Title 48 of the Rules of the City of New York.] Any term used in this chapter and defined in the Prevailing Wage Law shall have the same meaning as provided in the Prevailing Wage Law, unless otherwise provided in this section.

#### **§ 9-02 Compliance by Building Service Contractors.**

Every [Covered Employer] Responsible Party must require that all Building Service Contractors pay no less than the [prevailing wage] Prevailing Wage or Protected Wage, as applicable, to all [such Building Service Contractors’ employees] Building Service Employees performing Building Service Work at the premises to which a [lease] Lease pertains, [or] in connection with a City Development Project, or in connection with a Preservation Project, as applicable.

#### **§ 9-03 Employee Notices.**

(a) Within 15 days after the City provides copies of the adjusted employee notices required by the Prevailing Wage Law, [Covered Employers] Responsible Parties must post the notices in a prominent and accessible location and deliver the notices to all Building Service Employees covered by the Prevailing Wage Law at each work location. Prominent and accessible locations for posting of the notice include areas frequented by employees such as break rooms, pantries and employee lounges. [Covered Employers] Responsible Parties must promptly replace any posted notice that is damaged, defaced, illegible or removed for any reason.

(b) The notices must be delivered to [employees] Building Service Employees in a manner that reasonably ensures that such employees receive the notice, including delivery by the [Covered Employer] Responsible Party by hand, electronic mail or certified mail, return receipt requested.

[(c) Covered Employers must post and deliver versions of the notices in English, Spanish and any other languages that are spoken by Building Service Employees at each work location if the City has prepared forms of the notice in those languages and provided them to the Covered Employer. The City may make copies of the notice available to Covered Employers on one or more websites maintained by the City.]

#### **§ 9-04 Records.**

(a) Employee Notices. [Covered Employers] Responsible Parties must maintain written records of their delivery of the employee notices required by the Prevailing Wage Law and by this section. Acceptable records include logs with signed employee acknowledgments, and/or email receipts reflecting delivery of the notices. Failure to maintain these records shall create a rebuttable presumption that the [Covered Employer] Responsible Party did not deliver the required notices to the Building Service Employees.

(b) *Building Service Contracts.* [Covered Employers]Responsible Parties must maintain copies of all agreements with Building Service Contractors.

(c) *Employee Claims.* [Covered Employers]Responsible Parties must maintain all records related to any complaint or any pending, threatened, or resolved legal action or grievance by or from any employee concerning the Prevailing Wage Law.

(d) *Termination or Adverse Employment Action.* [Covered Employers]Responsible Parties must maintain all records related to the discharge, demotion, suspension, reduction of hours, or other adverse employment action against any employee subject to the Prevailing Wage Law. [Failure to maintain these records shall create a rebuttable presumption that any adverse employment action was in retaliation for the applicable employee exercising his or her rights under the Prevailing Wage Law.]

(e) *Obligation to Produce on Demand.* [Covered Employers]Responsible Parties must furnish copies of any of the records specified in this section to the City within 15 days of a request by the City.

(f) *Retention Period.* [Covered Employers]Responsible Parties must retain all records specified in this section for six years after the applicable Building Service Work is performed.

#### § 9-05 Employee Addresses.

[Covered Employers]Responsible Parties must provide the Department with the name and last known address of all employees subject to the Prevailing Wage Law within 15 days of a request by the Department.

#### § 9-06 Annual Increases in the Protected Wage Rate.

The rate of wages and the cost of benefits paid to a Building Service Employee who receives a Protected Wage must each respectively increase, on an annual basis, by no less than one percent. "Paid," as used in this section, means with respect to wages, wages paid to a Building Service Employee, and, with respect to benefits, any combination of in-kind benefits or payments provided to such employee.

#### § 9-07 Provision of Dwelling Unit for Building Service Employees.

The provision of a dwelling unit free of charge to a Building Service Employee who receives a Protected Wage shall be considered a bona fide benefit with a cost of no more than the value of prevailing rentals in the locality for comparable dwelling units.

§ 2. Subchapter B of Chapter 9 of Title 6 of the Rules of the City of New York, relating to the construction of the terms of such Chapter 9, is REPEALED.

§ 3. Subchapter C of Chapter 9 of Title 6 of the Rules of the City of New York is amended to read as follows:

#### Subchapter [C]B: Enforcement

#### § 9-20 Cure Notice.

(a) Prior to commencing a Case, the Department shall deliver a written notice to the applicable [Covered Employer]Responsible Party informing the [Covered Employer]Responsible Party that the Department may commence a Case unless the [Covered Employer]Responsible Party demonstrates, within 30 days and to the reasonable satisfaction of the Department, [within 30 days,] that the [Covered Employer]Responsible Party has cured its violations of the Prevailing Wage Law. The notice shall indicate that the [Covered Employer]Responsible Party may contact the Department if it wishes to settle the alleged violation(s) of the Prevailing Wage Law, and note that any settlement is at the discretion of the Department.

(b) Cure may be in the form of: (1) payment of back wages or the monetary value of health benefits withheld, including interest from the date of the underpayment to the Building Service Employee; (2) payment of civil penalties pursuant to the Prevailing Wage Law; (3) filing or disclosure of any records that were not filed or made available to the public; (4) reinstatement or other appropriate relief for any [employee]Building Service Employee subjected to retaliation or discrimination in violation of the Prevailing Wage Law; or (5) any other relief reasonably calculated to remedy the violation of the Prevailing Wage [Laws] Law. The Department may, in its discretion, extend the time for the [Covered Employer]Responsible Party to cure.

#### § 9-21 Petition.

(a) *Charges in Petition.* The Department shall commence Cases by service and filing of a Petition in accordance with [Section]section 1-23 [of Chapter 1] of [Title]title 48 of the Rules of the City of New York. The Department shall concurrently serve a copy of the Petition on any [employee]Building Service Employee complainants.

(b) *Delivery of Complaint.* Concurrent with service of a Petition, the Department shall deliver copies to the [Respondent]Responsible Party of any [employee]Building Service Employee complaints concerning the [Respondent's]Responsible Party's alleged non-compliance with the Prevailing Wage Law.

#### § 9-22 Settlements.

(a) *General.* The Department may settle a complaint at any time after it is referred to the Department. The Department is authorized to determine the terms of settlement, taking into account (1) the facts of the complaint, (2) the interests of the City in ensuring compliance with the Prevailing Wage Law, (3) the interests of the complainant(s), (4) the [Covered Employer's]Responsible Party's history of compliance with the Prevailing Wage Law, (5) the size of the [Covered Employer]Responsible Party, (6) the good faith of the [Covered Employer]Responsible Party, (7) the [Covered Employer's]Responsible Party's compliance with record-keeping and notice requirements, and (8) any other factors relevant to achieving a fair and reasonable settlement. Prior to settling any complaint, the Department shall provide each complainant with notice of the proposed settlement.

(b) *Filing of Settlement Agreements.* Every agreement settling a Case, complaint or investigation shall be in writing and shall be deemed an "order" for purposes [section] of paragraph 7 of subdivision d of the Prevailing Wage Law.

(c) *Complainants.* The Department may settle a complaint or Case with a [Covered Employer]Responsible Party with or without the consent of the applicable complainant(s). The Department may dismiss a Case in the event the complainant refuses to accept the relief in a proposed settlement, but such dismissal shall not preclude a complainant from commencing a civil action.

(d) *Private Settlements.* A complainant and a [Covered Employer]Responsible Party may resolve a complaint through a private settlement without authorization from the Department, but the settlement shall not preclude (1) the Department from commencing, prosecuting or settling a Case concerning the complaint or other potential violations by the [Covered Employer]Responsible Party of the Prevailing Wage Law, or (2) the City or City Economic Development Entity from enforcing its remedies under any agreement or [lease] Lease with the [Covered Employer]Responsible Party.

#### § 9-23 Order and Determination.

(a) *Decision on the Record.* Notwithstanding any provision to the contrary in [Section]section 1-51.1 [of Chapter 1] of [Title]title 48 of the Rules of the City of New York, Administrative Law Judges shall issue a recommended decision on the record in all Cases. The Department will review this recommended decision and issue a written decision in accordance with section 6-02 of title 6 of the Rules of the City of New York. Provided that no party has commenced a challenge to the Department's final decision pursuant to Article 78 of the Civil Practice Law and Rules of New York, and the time to commence such a challenge shall have expired, the Department's final decision shall constitute an "order" for purposes of this chapter and [section] paragraph 7 of subdivision d of the Prevailing Wage Law.

(b) *Judicial Challenge.* If a party commences a timely challenge to [a]the Department's final decision [on the record], then the final, non-appellable disposition of the appeal, whether by order of a court of competent jurisdiction or settlement, shall constitute an "order" for purposes of this chapter and [section] paragraph 7 of subdivision d of the Prevailing Wage Law.

(c) *Entry of Order.* If an order (including any settlement deemed to be an order for purposes of this chapter) sustains some or all of the charges in the Petition, and provided that (1) the [Person]Responsible Party found violating the Prevailing Wage Law has failed to comply with the payment or other terms of the order, and (2) no proceeding for judicial review is pending and the time for initiation of such proceeding has expired, the Department shall, as soon as is practicable, file a copy of the order with the clerk of the county of residence or place of business of the [Respondent]Responsible Party.

#### § 9-24 Calculation of Back Wages.

[If] For purposes of section 9-23(a), if a [Covered Employer]Responsible Party has failed to maintain original Payroll Records as required by the Prevailing Wage Law, an Administrative Law Judge may [determine] assess the amount of the unpaid wages and benefits based on the Payroll Records and other evidence that are available, making reasonable inferences based upon the customary staffing practices of, and wages and benefits paid by, the [Covered Employer]Responsible Party.

#### § 9-25 Private Right of Action.

The commencement or pendency of a civil action by one or more employees of a [Covered Employer]Responsible Party for violation of the Prevailing Wage Law shall not preclude the Department from commencing, prosecuting or settling a Case against the [Covered Employer]Responsible Party based upon some or all of the same violations.

#### § 9-26 Other Appropriate Relief.

For purposes of [section] paragraph 4 of subdivision d of the Prevailing Wage Law, "other appropriate relief" shall include an order to (i) reinstate an employee or offer the employee a position comparable



to their former position, (ii) reverse any adverse employment action, including demotion, reassignment or reduction in hours, (iii) cease retaliatory practices and institute measures to prevent such conduct in the future, (iv) pay the wages and, if applicable, the monetary equivalent of the benefits that the employee subjected to retaliation or discrimination would have been granted or paid but for the adverse employment actions by the [Covered Employer] Responsible Party, or (v) pay additional amounts to the extent necessary to compensate employees for additional tax liability resulting from a lump sum payment of back wages in a single year.

**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:** Application of Prevailing Wage and Protected Wage Requirements to Building Service Workers at City Development Projects

**REFERENCE NUMBER:** 2021 RG 041

**RULEMAKING AGENCY:** Department of Consumer and Worker Protection

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

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

/s/ STEVEN GOULDEN  
Acting Corporation Counsel

Date: June 23, 2021

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

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

**RULE TITLE:** Application of Prevailing Wage and Protected Wage Requirements to Building Service Workers at City Development Projects

**REFERENCE NUMBER:** DCWP-4

**RULEMAKING AGENCY:** Department of Consumer and Worker Protection

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) 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

June 24, 2021  
Date

Accessibility questions: Carlos Ortiz; cortiz@dca.nyc.gov, by: Thursday, August 5, 2021, 11:00 P.M.



## SPECIAL MATERIALS

### CHANGES IN PERSONNEL

DEPARTMENT OF PROBATION FOR PERIOD ENDING 05/14/21							
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
GRANOFF	MATTHEW	10029	\$85000.0000	INCREASE	YES	01/03/21	781
HOWARD	SHAQUANN	51810	\$52824.0000	APPOINTED	NO	05/02/21	781
JOHNSON	RAHMIKA T	51810	\$53416.0000	APPOINTED	NO	05/02/21	781
KAYUMOVA	LUIZA	51810	\$45934.0000	APPOINTED	NO	05/02/21	781
KING	MORSE H	51810	\$52824.0000	RESIGNED	NO	04/29/21	781
LEE	SHIRLENE U	51810	\$45934.0000	APPOINTED	NO	05/02/21	781
MELENDEZ	NICOLE M	13603	\$6.0000	RESIGNED	YES	08/31/02	781
MORALES	JOHN	51810	\$57262.0000	APPOINTED	NO	05/02/21	781
NELSON	ZAHANN N	51810	\$45934.0000	APPOINTED	NO	05/02/21	781
OAKMAN	TAMKA S	51810	\$52824.0000	APPOINTED	NO	05/02/21	781
OSAGIE	EMMANUEL	51810	\$68100.0000	RETIRED	NO	04/30/21	781
PEREZ	KYARA L	51810	\$45934.0000	APPOINTED	NO	05/02/21	781
PEREZ	LUZ M	51860	\$74545.0000	INCREASE	NO	01/10/21	781
PIERRE-LYS	JONATHAN	51810	\$52824.0000	RESIGNED	NO	04/25/21	781
PORTILLO	MAYRA L	51810	\$45934.0000	APPOINTED	NO	05/02/21	781
RAMOS	VICTOR M	51810	\$45934.0000	APPOINTED	NO	05/02/21	781
SCOTT	LAKISHA E	51810	\$45934.0000	APPOINTED	NO	05/02/21	781
THOMPSON	RAHEIM	56057	\$44083.0000	INCREASE	YES	03/21/21	781
TRAHAN	SHAMIKA E	51810	\$45934.0000	APPOINTED	NO	05/02/21	781
TSOU	YI LUN	51810	\$45934.0000	APPOINTED	NO	05/02/21	781
TYLER	NIKKHAH L	51810	\$45934.0000	APPOINTED	NO	05/02/21	781
UDUBA	RAYMOND O	51860	\$77232.0000	RETIRED	NO	04/29/21	781
VOLMAR	MARC A	51810	\$45934.0000	APPOINTED	NO	05/02/21	781
WASHINGTON	CHANICE J	51810	\$45934.0000	APPOINTED	NO	05/02/21	781
WOODY	ARIEYON C	51810	\$52824.0000	APPOINTED	NO	05/02/21	781

DEPARTMENT OF BUSINESS SERV. FOR PERIOD ENDING 05/14/21							
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
JACOBS	CODY B	56058	\$64877.0000	RESIGNED	YES	05/06/21	801

HOUSING PRESERVATION & DVLPMNT FOR PERIOD ENDING 05/14/21							
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BROOKS	WAYNE M	10078	\$96813.0000	INCREASE	YES	04/25/21	806
BUDNICK	BETH R	95005	\$137493.0000	RESIGNED	YES	02/19/21	806
DE JESUS	WILLIAM P	10078	\$96813.0000	INCREASE	YES	04/25/21	806
GATLIN	MARQUIA P	56057	\$38333.0000	RESIGNED	YES	04/28/21	806
GOTTDIENER	FELIX L	56058	\$62215.0000	RESIGNED	YES	04/30/21	806
HOFFMANN	CARLY E	22507	\$77921.0000	RESIGNED	YES	04/20/21	806
HOPPE	JOSEPH D	22507	\$66950.0000	RESIGNED	YES	04/08/21	806
HOUSEPIAN	HADIYA S	22508	\$105000.0000	INCREASE	YES	03/28/21	806
KHANDAKER	KASHFIA	56057	\$38333.0000	APPOINTED	YES	05/02/21	806
KIGEL	IGOR	10078	\$118329.0000	INCREASE	YES	04/25/21	806
LI	RAYMOND	31167	\$62695.0000	RESIGNED	YES	04/21/21	806
LIGGIERI	JOHN	31670	\$61598.0000	DECEASED	NO	04/26/21	806
LUNDQUIST	JOHN T	22508	\$85847.0000	INCREASE	YES	02/28/21	806
MORGAN	MONICA D	22508	\$105000.0000	INCREASE	YES	02/14/21	806
OJEYEMI	ANTHONY I	34202	\$80340.0000	RESIGNED	YES	05/06/21	806
PELL	SHATARA J	56058	\$83981.0000	RESIGNED	YES	04/30/21	806
PEREYRA	ELIZABET	8300A	\$75000.0000	RESIGNED	NO	04/28/21	806
SHELTON JR	KENNETH G	31167	\$69266.0000	APPOINTED	YES	05/02/21	806
SOUN	SEAN S	12857	\$141532.0000	RESIGNED	YES	01/03/21	806
WOODWARD	KARAH	56058	\$54100.0000	APPOINTED	YES	05/02/21	806
ZARELLA	JOHN F	56058	\$86500.0000	RESIGNED	YES	03/16/21	806

DEPARTMENT OF BUILDINGS FOR PERIOD ENDING 05/14/21							
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ABREU	STEVE	31622	\$52000.0000	APPOINTED	YES	05/02/21	810
ADENIHUN	ADIKAT D	31622	\$61800.0000	RESIGNED	YES	04/28/21	810
ASHAFI	ARMAND	31629	\$70161.0000	INCREASE	NO	04/11/21	810
CAPO	PETER	31629	\$70161.0000	RESIGNED	NO	04/27/21	810
CARABALLO	KAISHA M	31622	\$52000.0000	APPOINTED	YES	05/02/21	810
CHADWA	AKASH P	22405	\$65000.0000	RESIGNED	YES	04/30/21	810
COLLINS JR	ROBERT F	31629	\$61800.0000	RESIGNED	YES	04/29/21	810
DUBOSE	ZINA E	56057	\$47541.0000	RETIRED	YES	05/01/21	810
GOMERO	ALEJANDR K	31169	\$55323.0000	RESIGNED	YES	04/24/21	810

DEPARTMENT OF BUILDINGS FOR PERIOD ENDING 05/14/21							
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
MANJRA	HAMZA I	31622	\$52000.0000	RESIGNED	YES	05/05/21	810
ORTIZ	KENNY	31629	\$63654.0000	TERMINATED	NO	04/27/21	810
PAYNE	ALEXANDE G	31622	\$80400.0000	INCREASE	NO	04/11/21	810
SAINI	AMAR	31622	\$52000.0000	APPOINTED	YES	05/02/21	810

SHAO	LONG SHE	31622	\$52000.0000	APPOINTED	YES	05/02/21	810
SHARMA	USHA S	10251	\$41848.0000	INCREASE	YES	04/11/21	810
VALLON	JUDE R	31622	\$52000.0000	APPOINTED	YES	05/02/21	810
WONG	YIN POK	31622	\$52000.0000	APPOINTED	YES	05/02/21	810

DEPT OF HEALTH/MENTAL HYGIENE  
FOR PERIOD ENDING 05/14/21

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ABUWA	CHARLES F	31215	\$45722.0000	APPOINTED	YES	04/25/21	816
AMAYA-RUIZ	DANNY	52020	\$38811.0000	RESIGNED	YES	05/01/21	816
ARONOFF	JAIME L	30087	\$70353.0000	RESIGNED	YES	04/11/21	816
BAMISHILE	OLADIMEJ B	31215	\$45722.0000	APPOINTED	YES	04/25/21	816
BARANOV	PAVLO	31215	\$45722.0000	APPOINTED	YES	04/25/21	816
BLETTEL	ALEXANDE	95713	\$105275.0000	APPOINTED	YES	04/25/21	816
BUDAI	DONNA E	51110	\$69416.0000	RETIRED	NO	05/01/21	816
BURCH	ASHLEY L	21849	\$70349.0000	RESIGNED	YES	05/06/21	816
BURGESS	RONNELL	90644	\$15.4502	APPOINTED	YES	04/27/21	816
BURKE	JENNA	5100B	\$34.7300	RESIGNED	YES	04/25/21	816
DANIEL	LETHA S	53040	\$84.6200	RESIGNED	YES	04/23/21	816
DASKALAKIS	DEMETRE C	5304A	\$221470.0000	RESIGNED	YES	12/20/20	816
DECAUL	NEKEISHA T	10251	\$42745.0000	RESIGNED	NO	05/06/21	816
DUVOR	RAJINI S	5100B	\$34.7300	RESIGNED	YES	03/07/21	816
EGAN	JOHN E	1002D	\$104360.0000	RETIRED	NO	05/01/21	816
GREGORY	ASHLEY E	52613	\$72623.0000	APPOINTED	YES	04/25/21	816
HAFAEZ	MUHAMMAD	13621	\$98880.0000	APPOINTED	NO	04/11/21	816
HO	SANDRA	21744	\$86830.0000	RESIGNED	YES	04/27/21	816
HUSAIN	CUMAR M	51214	\$82400.0000	RESIGNED	NO	05/07/21	816
JEAN	MARIE A	51110	\$81269.0000	RETIRED	NO	05/01/21	816
JOHNSON	NIRAH L	21744	\$108458.0000	RESIGNED	YES	05/02/21	816
JORDAN	LIZEYKA K	21744	\$79500.0000	APPOINTED	YES	04/25/21	816
KING	QUANDA L	51191	\$54228.0000	DECEASED	NO	04/24/21	816
KIPP	ELIZABET A	51022	\$35.0200	RESIGNED	YES	03/31/21	816
KLEIN	SKAYE	5100B	\$34.7300	RETIRED	YES	04/30/21	816
LEE	DUSTIN R	21513	\$63000.0000	RESIGNED	YES	05/02/21	816
MANYINDO	NOEL R	95442	\$173544.0000	RESIGNED	YES	11/22/20	816
MASDEA	JENNIFER R	21744	\$86830.0000	RESIGNED	YES	04/28/21	816
MASIELLO	STEPHEN C	52613	\$72623.0000	APPOINTED	YES	04/25/21	816
MORRIS	GARY L	56058	\$55000.0000	APPOINTED	YES	04/25/21	816
OSAHAN	JASBIR K	51181	\$78538.0000	RETIRED	NO	04/30/21	816
OSORNO	DAVID	56058	\$78989.0000	RESIGNED	YES	05/05/21	816
PASCO	LIZA	56056	\$19.6200	RESIGNED	YES	04/25/21	816

DEPT OF HEALTH/MENTAL HYGIENE  
FOR PERIOD ENDING 05/14/21

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
POLANCO	SORALDA	06611	\$57.1500	RESIGNED	YES	05/06/21	816
PORTER	SHANAY A	31215	\$45722.0000	APPOINTED	YES	04/25/21	816
PRASHAD	HEMRAJ	31215	\$45722.0000	APPOINTED	YES	04/25/21	816
PULIZZII	ALLISON L	21744	\$91109.0000	RESIGNED	YES	01/29/11	816
RANDALL	TARA	56057	\$32.3800	APPOINTED	YES	05/02/21	816
RICHARDSON	CASSANDR A	56058	\$62215.0000	RESIGNED	YES	04/11/21	816
ROLON	LORENZO	90643	\$38765.0000	RETIRED	YES	04/30/21	816
ROZZA	ASSUNTA S	13379	\$221470.0000	RETIRED	YES	10/30/20	816
SAMY	NIRVA	1002F	\$85567.0000	RETIRED	NO	05/01/21	816
SANDERS KIM	AFUA R	10050	\$128092.0000	RESIGNED	NO	11/26/20	816
SCHULTZ	ALEXANDR M	5100B	\$34.7300	RESIGNED	YES	04/23/21	816
SCHWARTZ	JESSIE R	21744	\$97138.0000	RESIGNED	YES	05/02/21	816
SHORTER	DAWN M	51191	\$45022.0000	RETIRED	NO	05/01/21	816
THOMAS	CALLIANA	56058	\$67192.0000	RESIGNED	YES	03/10/21	816
TYZ	KAREN	51022	\$35.0200	RESIGNED	NO	09/01/20	816
VALERO	KIMBERLY J	5100B	\$34.7300	RESIGNED	YES	04/13/21	816
VERAS	KATHERIN	21849	\$51862.0000	RESIGNED	YES	07/14/20	816
WALKER	BRETT A	31215	\$45722.0000	APPOINTED	YES	04/25/21	816
WHITE	TAKEESHA M	1006C	\$127932.0000	RESIGNED	NO	04/25/21	816
WINSTON	KIMBERLY	53299	\$83430.0000	RESIGNED	YES	04/28/21	816
YAQOOBI	TARIQ	31215	\$45722.0000	APPOINTED	YES	04/25/21	816
YUEN	JESSICA	10209	\$17.3000	RESIGNED	YES	01/31/21	816

ADMIN TRIALS AND HEARINGS  
FOR PERIOD ENDING 05/14/21

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
COOPER	STEVE A	52406	\$18.4800	RESIGNED	YES	05/01/21	820
DIAZ	ROBERTO	56057	\$44083.0000	RESIGNED	YES	04/28/21	820
PILSNER	TOBY J	95005	\$139652.0000	RETIRED	YES	04/01/21	820
ROJAS-TORRES	VICTORIA E	10251	\$32850.0000	APPOINTED	YES	04/25/21	820

DEPT OF ENVIRONMENT PROTECTION  
FOR PERIOD ENDING 05/14/21

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ABDUL-WAHAB	ZAKKIYYA Q	90641	\$16.6300	APPOINTED	YES	04/25/21	826
ALAM	MD. J	90641	\$16.6300	APPOINTED	YES	04/25/21	826
ANDREWS	SHANTEL	90641	\$16.6300	APPOINTED	YES	04/25/21	826
ANGELES	ESPERANZ M	1000B	\$58700.0000	APPOINTED	YES	04/25/21	826
ARIAS	MARIA F	20410	\$65640.0000	INCREASE	YES	02/25/21	826
AUNG	MYA	81310	\$49922.0000	INCREASE	YES	04/18/21	826
AVILES	WENSIS	90641	\$16.6300	APPOINTED	YES	04/25/21	826
BOSE	SHANTE M	90641	\$16.6300	APPOINTED	YES	04/25/21	826
BOYD	JELANI R	90641	\$16.6300	APPOINTED	YES	04/25/21	826
BROWN	DARNELL	90641	\$16.6300	APPOINTED	YES	04/25/21	826
CARDONA	SARAH J	31121	\$69152.0000	APPOINTED	YES	04/25/21	826
CASAI	JOSEPH	91580	\$75365.0000	APPOINTED	YES	04/25/21	826

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
CHAN	HOU CHON	20410	\$57720.0000	INCREASE	YES	02/16/21	826
CHAPMAN	TAMARA	70811	\$64397.0000	RESIGNED	NO	05/02/21	826
COLON	ASHLEI J	90641	\$16.6300	APPOINTED	YES	04/25/21	826
D'ORSA	LAUREN A	21744	\$64140.0000	APPOINTED	YES	05/02/21	826
DELICE	TATIANA S	90641	\$16.6300	APPOINTED	YES	04/25/21	826
DOXEN	VICTORIA	10124	\$61233.0000	RETIRED	NO	04/30/21	826
FIELDS	DILLON S	21915	\$65640.0000	RESIGNED	YES	04/27/21	826
FORDE	SHERNICE M	90641	\$16.6300	APPOINTED	YES	04/25/21	826
GATTO	DANIEL M	90641	\$16.6300	RESIGNED	YES	04/26/21	826
HAMEL	FREDRICK	10124	\$69080.0000	DISMISSED	NO	05/05/21	826
HANNA	JACKIE M	20410	\$65640.0000	INCREASE	YES	02/25/21	826
HARRIS	DEMEATRI G	90641	\$16.6300	APPOINTED	YES	04/25/21	826
HASKINS	TIFFANY M	90641	\$16.6300	APPOINTED	YES	04/25/21	826
HENDERSON	BRIAN R	90641	\$16.6300	APPOINTED	YES	04/25/21	826
JAVAHERI	JASMINA	20215	\$86529.0000	RETIRED	NO	12/31/16	826
JOHNSON	DARREN A	90641	\$16.6300	APPOINTED	YES	04/25/21	826
KAPADIA	ARIF A	34620	\$78488.0000	RETIRED	NO	05/01/21	826
KONG	DAVID	90641	\$16.6300	APPOINTED	YES	04/25/21	826
KONTORINAKIS	ANTONIOS	22427	\$74650.0000	APPOINTED	YES	05/02/21	826
KOT	BORIS	90641	\$16.6300	APPOINTED	YES	04/25/21	826
LEWIS	MICHAEL D	90641	\$16.6300	APPOINTED	YES	04/25/21	826
MARDANI	SHIRIN	21538	\$65877.0000	APPOINTED	YES	04/25/21	826
MCCLARY	ZENA D	90641	\$16.6300	APPOINTED	YES	04/25/21	826
O'CONNOR	KENNETH P	22427	\$122308.0000	RETIRED	YES	04/14/21	826
RADMEHR	RYAN	20617	\$65640.0000	APPOINTED	NO	05/02/21	826
RAHMAN	ANAS	20410	\$57720.0000	INCREASE	YES	02/16/21	826
RANDALL	KATRINA	90641	\$16.6300	APPOINTED	YES	04/25/21	826
RICHETTI	BIANCA M	90641	\$16.6300	APPOINTED	YES	04/25/21	826
RIELLY	KEVIN A	91645	\$501.9200	RESIGNED	YES	04/28/21	826
ROBINSON	EUGENE	90641	\$16.6300	APPOINTED	YES	04/25/21	826
ROCCO	CARMINE T	90739	\$359.8400	RETIRED	NO	04/25/21	826
RUIZ	FLOR K	20617	\$65640.0000	APPOINTED	NO	05/02/21	826
SAFADIT	CHRISTOP K	90641	\$16.6300	APPOINTED	YES	04/25/21	826
SANCHEZ VULGARI	ELVIS B	90641	\$16.6300	APPOINTED	YES	04/25/21	826
SANTOS	ALEX J	20617	\$65640.0000	APPOINTED	NO	05/02/21	826
SINE	JEAN L	90641	\$16.6300	APPOINTED	YES	04/25/21	826
SOTO	JOSE M	20113	\$44769.0000	RESIGNED	NO	04/28/21	826
SPINELLI	JOSEPH S	90641	\$16.6300	APPOINTED	YES	04/25/21	826
TAYLOR	ALEX R	20113	\$38930.0000	RESIGNED	NO	04/29/21	826

DEPT OF ENVIRONMENT PROTECTION  
FOR PERIOD ENDING 05/14/21

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
UMLAND	SEAN A	1008B	\$67677.0000	RESIGNED	NO	04/30/21	826
VALENCIA	ANA	13644	\$94244.0000	INCREASE	NO	04/22/21	826
VECE	GARY S	91308	\$96529.0000	RETIRED	NO	04/01/21	826
VENUTO	ALFREDO M	90641	\$16.6300	APPOINTED	YES	04/25/21	826
WARD	JOHN C	90641	\$16.6300	APPOINTED	YES	04/25/21	826
WHITTEN	MICHAEL	90641	\$16.6300	APPOINTED	YES	04/25/21	826
WILLIAMS	AARON	90641	\$16.6300	APPOINTED	YES	04/25/21	826

DEPARTMENT OF SANITATION  
FOR PERIOD ENDING 05/14/21

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ALICKI JR	ALEXANDE	70112	\$83465.0000	RETIRED	NO	04/28/21	827
AMSTERDAM	ARBEN D	92510	\$347.2000	PROMOTED	NO	05/02/21	827
BO	HOI YAN	40510	\$48755.0000	INCREASE	NO	09/15/19	827
BOLOGNA	MARIO C	70150	\$88991.0000	RESIGNED	NO	04/27/21	827
CASATELLI	STEVEN T	70112	\$83465.0000	RESIGNED	NO	05/02/21	827
CLEGHORN	ANTHONY C	70112	\$83465.0000	RETIRED	NO	04/30/21	827
DUBARTELL	THOMAS J	70112	\$83465.0000	RETIRED	NO	05/02/21	827
FISHER	RAY A	92575	\$117666.0000	INCREASE	YES	12/11/20	827
JONES	MELVINA	9140A	\$15.0000	RESIGNED	YES	04/18/21	827
LING	PHILIP	70112	\$83465.0000	RETIRED	NO	05/02/21	827
MALCOLM	HOPETON C	70112	\$83465.0000	RETIRED	NO	05/02/21	827
MOREL	ARGENIS	71681	\$33372.0000	RESIGNED	NO	04/18/21	827
MUBAREZ	OMAR A	70112	\$83465.0000	RETIRED	NO	05/02/21	827
ORTIZ	JOSE D	9140A	\$15.0000	RESIGNED	YES	04/16/21	827
RUIZ	RICARDO	70112	\$83465.0000	RETIRED	NO	05/02/21	827
RUSSELL	PAUL G	92510	\$347.2000	PROMOTED	NO	05/02/21	827
SACOTTO	LUIS	92510	\$37.2800	RESIGNED	YES	04/11/21	827
SCOTTI	JARRIT J	7019A	\$219161.0000	INCREASE	NO	0	

DEPARTMENT OF TRANSPORTATION  
FOR PERIOD ENDING 05/14/21

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ADAMS	MARK	A 91529	\$51524.0000	APPOINTED	NO	05/02/21	841
ALI	SAFRAZ	J 22316	\$65640.0000	INCREASE	YES	04/11/21	841
ATKINS	JOSEPH	D 91650	\$300.8000	APPOINTED	NO	05/02/21	841
BRANDEFINE	LARRY	92406	\$380.6400	RETIRED	NO	04/26/21	841
BROWNE	JAVID	T 81560	\$80024.0000	INCREASE	YES	04/11/21	841
CSEKENYI	SANDOR	L 91650	\$300.8000	APPOINTED	NO	05/02/21	841
DIRICO	MICHAEL	J 91650	\$300.8000	APPOINTED	NO	05/02/21	841
EDWARDS	SAHAR	M 10001	\$138000.0000	INCREASE	YES	04/25/21	841
FERNANDEZ	CARLOS	M 91650	\$300.8000	APPOINTED	NO	05/02/21	841
FORAN	JOSEPH	P 91650	\$300.8000	APPOINTED	NO	05/02/21	841
FORGIONE	MARGARET	A 10026	\$241332.0000	INCREASE	NO	05/02/21	841
FRIEDMAN	ALICE	A 1002A	\$95000.0000	RESIGNED	NO	05/08/21	841
GANNON	PAULA	J 1002A	\$87011.0000	RETIRED	NO	05/01/21	841
GANNON	PAULA	J 10251	\$37821.0000	RETIRED	NO	05/01/21	841
GAVELA UGARTE	GABRIEL	S 1002C	\$75489.0000	INCREASE	NO	10/06/20	841
GREENE	ALAN	M 90904	\$73638.0000	RETIRED	YES	05/01/21	841
GREENE	ALAN	M 90910	\$59892.0000	RETIRED	NO	05/01/21	841
OLBERDING	CHRISTOP	T 91650	\$300.8000	APPOINTED	NO	05/02/21	841
SIU	PHILLIP	F 20271	\$40091.0000	APPOINTED	YES	04/25/21	841
TOWNSEND	JAYVONE	P 35007	\$33019.0000	RESIGNED	YES	03/11/21	841
YARCZOWER	DOMINICK	A 22316	\$74274.0000	RESIGNED	YES	04/25/21	841
YARCZOWER	DOMINICK	A 20113	\$49438.0000	RESIGNED	NO	04/25/21	841

DEPT OF PARKS & RECREATION  
FOR PERIOD ENDING 05/14/21

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ADAMS	CLIFFORD	92508	\$17.4684	APPOINTED	YES	04/18/21	846
ALAVAREZ-RIOS	FRANK	M 91406	\$15.4500	RESIGNED	YES	05/04/21	846
ALCIDE	SHIRLEY	80633	\$15.4500	RESIGNED	YES	04/15/21	846
ALLEN	MYLES	90641	\$16.6264	APPOINTED	YES	04/20/21	846
ALLMAN	MARLENE	91406	\$18.0100	APPOINTED	YES	04/25/21	846
ALVAREZ	LYDIA	M 80633	\$15.4500	RESIGNED	YES	02/25/21	846
ATKINS	THOMAS	90641	\$16.6264	APPOINTED	YES	04/20/21	846
AVILES	WENSIS	80633	\$15.4500	RESIGNED	YES	04/25/21	846
BACHAN	ROGER	90641	\$16.6264	APPOINTED	YES	04/23/21	846
BAEZ	JOSEPH	90641	\$16.6264	APPOINTED	YES	04/23/21	846
BAILEY	TIFFANY	C 91406	\$15.4500	APPOINTED	YES	04/25/21	846
BAILEY	TROY	V 90641	\$16.6264	APPOINTED	YES	04/18/21	846
BALLEW	BRIANNA	R 90641	\$16.6264	APPOINTED	YES	04/18/21	846
BAZALA	DIANE	M 90641	\$16.6264	APPOINTED	YES	04/20/21	846
BECTION	LATISHA	90641	\$16.6264	APPOINTED	YES	04/19/21	846
BENJAMIN	DAVID	A 71205	\$19.4700	RESIGNED	YES	05/06/21	846
BETAUDIER	TIYE	R 90641	\$16.6264	APPOINTED	YES	04/19/21	846
BLACK	PIA	N 91406	\$15.4500	APPOINTED	YES	04/26/21	846
BLACKMAN	ANDRE	90641	\$16.6264	APPOINTED	YES	05/03/21	846
BLANKS	MONIQUE	90641	\$16.6264	APPOINTED	YES	04/22/21	846
BOONE	SHAQUEEN	W 80633	\$15.4500	RESIGNED	YES	04/05/21	846
BORTHWICK	JOSEPH	J 81111	\$72687.0000	INCREASE	YES	05/01/21	846
BOSE	SHANTE	M 80633	\$15.4500	RESIGNED	YES	04/25/21	846
BOSIER JR	KARRIEM	90641	\$16.6264	APPOINTED	YES	04/23/21	846
BOVTKO	VYACHESL	M 81111	\$72687.0000	INCREASE	YES	05/02/21	846
BOYD	JELANI	R 91406	\$15.4500	RESIGNED	YES	04/25/21	846
BREGULLA	PAIGE	E 06664	\$17.7200	APPOINTED	YES	04/26/21	846
BROWN	NICHOLE	T 90641	\$16.6264	APPOINTED	YES	05/05/21	846
BROWN	RUTH	R 91406	\$15.4500	RESIGNED	YES	04/29/21	846
BROWN	VENUS	10251	\$62215.0000	DISMISSED	NO	01/13/21	846
BRUNSON	SHAKIM	D 90641	\$16.6264	APPOINTED	YES	04/21/21	846
BURNETT	NICHOLAS	D 90641	\$16.6264	APPOINTED	YES	04/18/21	846
CALLE	JIMI	90641	\$16.6264	APPOINTED	YES	04/26/21	846
CAMPBELL	SHANNA	80633	\$15.4500	RESIGNED	YES	04/17/21	846
CARMICHAEL	SHERWYN	81111	\$72687.0000	INCREASE	YES	05/01/21	846
CARSON	DORAEATH	90641	\$16.6264	APPOINTED	YES	04/19/21	846
CHESTNUT JR	DARRYL	N 06070	\$21.6500	APPOINTED	YES	05/03/21	846
CLARK	LEDORA	J 81111	\$72687.0000	INCREASE	YES	05/02/21	846
CLOYD	QUATIA	C 90641	\$16.6264	APPOINTED	YES	04/21/21	846
COFIELD	LATIK	C 90641	\$16.6264	APPOINTED	YES	04/11/21	846
COLEMAN	JASMIQUE	D 80633	\$15.4500	RESIGNED	YES	03/19/21	846
COLON	ASHLEI	J 80633	\$15.4500	RESIGNED	YES	04/25/21	846
CONCEPCION	ISAUL	J 90641	\$14.2000	DECREASE	YES	04/26/21	846
CONEO JR	RODRIGO	60421	\$50635.0000	RESIGNED	YES	05/02/21	846
CRUZ	VICTOR	L 90641	\$16.6264	APPOINTED	YES	04/20/21	846
CUMMINGS	QUEVARDA	S 90641	\$16.6264	APPOINTED	YES	04/18/21	846
CURTIS	ANDREW	P 81310	\$20.7902	APPOINTED	YES	04/19/21	846
DAVIS	ALEXIS	S 90641	\$16.6264	APPOINTED	YES	04/11/21	846
DAVIS	DEANDRA	T 90641	\$16.6264	APPOINTED	YES	04/26/21	846
DAVIS	MALIK	A 60421	\$50635.0000	DISMISSED	NO	04/27/21	846
DE SEDAS REYES	GAUDHI	A 90641	\$16.6264	APPOINTED	YES	04/18/21	846

DEPT OF PARKS & RECREATION  
FOR PERIOD ENDING 05/14/21

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
DEBERRY	ARKIM	90641	\$16.6264	APPOINTED	YES	04/13/21	846
DELICE	TATIANA	S 90641	\$16.6264	INCREASE	YES	04/25/21	846
DEMEDINA	TENISE	B 90641	\$16.6300	APPOINTED	YES	04/19/21	846
DIAZ	JESUS	C 81111	\$72687.0000	INCREASE	YES	05/01/21	846
DICKERSON	KHALESIA	D 90641	\$16.6264	RESIGNED	YES	04/30/21	846
DOWNES	JOHN	F 90641	\$16.6264	APPOINTED	YES	04/23/21	846
EASTMAN	ALEXANDR	A 06664	\$17.7200	APPOINTED	YES	04/30/21	846
EDGE	KENTEL	J 90641	\$16.6264	APPOINTED	YES	04/25/21	846

EINHORN	JESSICA	S 1007C	\$93037.0000	APPOINTED	YES	04/25/21	846
EINHORN	JESSICA	S 81361	\$51737.0000	APPOINTED	NO	04/25/21	846
EXTAVOUR	NEGESTI	S 90641	\$16.6264	INCREASE	YES	04/27/21	846
FAIR JR	LARRY	90641	\$16.6264	APPOINTED	YES	04/18/21	846
FERNANDEZ	ANA	Y 80633	\$15.4500	RESIGNED	YES	04/04/21	846
FETTER	NAKIA	M 91406	\$15.4500	APPOINTED	YES	05/03/21	846
FISHER-WEISS	JOSEF	L 81310	\$20.7902	APPOINTED	YES	04/18/21	846
FORDE	SHERNICE	M 80633	\$15.4500	RESIGNED	YES	04/25/21	846
FORREST	DERVAN	C 90641	\$16.6264	APPOINTED	YES	04/21/21	846
GALARZA	EVERNICE	90641	\$16.6264	APPOINTED	YES	05/03/21	846
GAMORY	NICOLE	T 56057	\$61144.0000	RESIGNED	YES	01/28/21	846
GAMORY	NICOLE	T 10251	\$35043.0000	RESIGNED	NO	01/28/21	846
GARCES	SEGUNDO	A 90641	\$16.6264	APPOINTED	YES	04/19/21	846
GARCIA	BASILIO	U 81111	\$72687.0000	INCREASE	YES	05/01/21	846
GARCIA	LUIS	E 92306	\$289.4400	DECREASE	YES	05/02/21	846
GODLEY	UNIQUA	Y 91406	\$15.4500	RESIGNED	YES	05/06/21	846

## LATE NOTICE

## PARKS AND RECREATION

## REVENUE AND CONCESSIONS

## ■ SOLICITATION

## Construction/Construction Services

THE RECONSTRUCTION OF A COMFORT STATION AT  
HAVEMEYER PLAYGROUND, THE BRONX. - Competitive Sealed  
Bids - X148M1-119M - Due 7-28-21 at 3:30 P.M.

The Reconstruction of a Comfort Station located on Watson Avenue between Havemeyer Avenue and East 177th Street, Borough of The Bronx

This procurement is subject to:

- Participation goals for MBEs and/or WBEs as required by Local Law 1 of 2013
- Project Labor Agreement Requirements

Bid Documents Available Starting on: July 7, 2021

Bid Submission Due Date: July 28, 2021 Time: 3:30 P.M., by Mail or Drop Box at Olmsted Center Annex

Date of Bid Opening: July 30, 2021 Time: 10:30 A.M., via Zoom Conference Call

Conf. Number: +1 (929) 205-6099, 9573076290#, \*118035# or

Zoom video link: <https://us02web.zoom.us/j/9573076290?pwd=cnVXVzN2Q014SjBlaktvVzZlWnlvUT09>

Zoom Meeting ID: 957 307 6290 Zoom Passcode: 118035

Bid Security: Bid Bond or Deposit in the amount of 5% of Bid Amount

Cost Estimate Range: \$3,000,000.00 - \$5,000,000.00

Bid documents are available online for free through NYC Parks' Capital Bid System website, [nyc.gov/parks/capital-bids](https://nyc.gov/parks/capital-bids) To download the bid solicitation documents (including drawings if any), you must have an NYC ID Account and Login. If you are already in PASSPort, then you will use the same username and password to log into the Capital Bid Solicitations website. If you do not currently have an NYC ID account, you will be prompted to register for one through the Capital Bids Solicitation website. Also visit website for updated bid submission and bid opening procedures.

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, NY 11368; Kylie Murphy (718) 760-6686; [kylie.murphy@parks.nyc.gov](mailto:kylie.murphy@parks.nyc.gov)

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