



THE CITY RECORD

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THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BANKING COMMISSION

MEETING

PLEASE TAKE NOTICE THAT THERE WILL BE A Quarterly meeting of the Banking Commission on Friday, March 12, 2010 at 2:00 P.M. in Executive Conference Room, 66 John Street, 12th Floor, Manhattan.

m4-10

BRONX BOROUGH PRESIDENT

PUBLIC HEARING

POSTPONEMENT AND RESCHEDULING OF PUBLIC HEARING

THE PUBLIC HEARING called by the President of the Borough of The Bronx, Honorable Ruben Diaz Jr. for Friday March 5, 2010 at 10:00 A.M. HAS BEEN POSTPONED. The revised date for this hearing is **March 9, 2010 commencing at 2:00 p.m.** in the office of the Borough President, 851 Grand Concourse, Room 206. This hearing will consider the following items:

CD 3-ULURP APPLICATION NO: C 080157 ZMX - IN THE MATTER OF an application submitted by CBC Associates and the South Bronx Overall Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d:

1. Changing from a C803 District to an R7-1 District property bounded by East 176th Street, Boston Road, East 175th Street, and Southern Boulevard; and
2. Establishing within the proposed R7-1 District a C2-4 District bounded by East 176th Street, Boston Road, East 175th Street, and Southern Boulevard;

Borough of The Bronx, Community District 3, as shown on a diagram (for illustrative purposes only) dated January 4, 2010, and subject to the conditions of CEQR Declaration E-243.

CD 6-ULURP APPLICATION NO: C 100083 HAX - IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

1. Pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) The designation of property located at 1087 Tremont Avenue (Block 3141, part of Lot 1), as an Urban Development Action Area; and
 - b) An Urban Development Action Area Project for such area; and

2. Pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD:

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

ANYONE WISHING TO SPEAK MAY REGISTER AT THE HEARING. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS MATTER TO THE BOROUGH PRESIDENT'S OFFICE (718) 590-6124.

f26-m8

QUEENS BOROUGH PRESIDENT

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Borough President of Queens, Helen Marshall, on Thursday, March 11, 2010 at 10:30 A.M., in the Borough Presidents Conference Room located at 120-55 Queens Boulevard, Kew Gardens, New York 11424, on the following items:

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

CD 14 - BSA# 8-10 BZ — IN THE MATTER of an application submitted by Sheldon Lobel, P.C. on behalf of Adel Kassim, pursuant to Section 72-21 of the NYC Zoning Resolution, for a variance to allow continued operation of a supermarket (Use Group 6) in an R6 District located at **58-14 Beach Channel Drive**, Block 16004, Lot 96, Zoning Map 30c, Rockaway, Borough of Queens.

CD 11 - BSA# 9-10 BZ — IN THE MATTER of an application submitted by Eric Palatnik, P.C. on behalf of Ching Kuo Chiang pursuant to Section 72-21 of the NYC Zoning Resolution for an amendment to restore a previously existing variance permitting a restaurant, U.G. 6 in an R1-2 district located at **231-10 Northern Boulevard**, Block 8164, Lot 30, Zoning map 11a, Douglaston, Borough of Queens.

CD 01 - ULURP# 100199 ZMQ — IN THE MATTER of an application submitted by the Department of City Planning pursuant to Sections 19-c and 201 of the NYC Charter for an amendment of the Zoning Map, Section Nos. 6b, 9a, 9b and 9c for an area generally bounded by Vernon Boulevard, Shore Boulevard, 20th Avenue, 41st Street, Steinway Street and Broadway, to be rezoned by eliminating from existing R5, R6, R6A, R7A, R7B and R7X Districts C1-2, C1-3, C1-4, C2-2 and C2-4 Districts, changing from R4, R5, R6 and R6B Districts to R4, R4-1, R4B, R5, R5B, R5D, R6A, R6B, R7A, C4-2A, C4-3 and C4-4A districts, and establishing within existing and proposed R5, R5B, R5D, R6A, R6B, R7A, R7B and R7X Districts, C1-3, C1-4 and C2-3 Districts, in the Borough of Queens.

m5-11

CITY COUNCIL

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT the Council has scheduled the following public hearing on the matter indicated below:

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matter in the 16th

Floor - Hearing Room, 250 Broadway, New York City, New York 10007, commencing at 9:30 A.M. on Tuesday, March 9, 2010:

QDOBA MEXICAN GRILL

MANHATTAN CB - 4 20095377 TCM
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Q Chelsea, LLC, d/b/a Qdoba Mexican Grill, for a revocable consent to establish, maintain and operate an unenclosed sidewalk cafe located at 216 Eighth Avenue, Borough of Manhattan.

m3-9

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

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the 16th Floor - Hearing Room, 250 Broadway, New York City, New York 10007, commencing at 9:30 A.M. on Tuesday, March 9, 2010:

LOWER DENSITY GROWTH MANAGEMENT AREA BRONX CB -10 N 100134 ZRX

Application submitted by the New York City 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, concerning Article II, Chapter 5 (Accessory Off-Street Parking and Loading Regulations) and Article III, Chapter 6 (Accessory Off-Street Parking and Loading Regulations), relating to off-street parking regulations in Community District 10.

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

Article I	
General Provisions	* * *
Chapter 2	
Construction of Language and Definitions	* * *
12-10	
DEFINITIONS	

Words in the text or tables of this Resolution which are #italicized# shall be interpreted in accordance with the provisions set forth in this Section.

* * *
Lower density growth management area
A "lower density growth management area" is any R1, R2, R3, R4A, R4-1 or C3A District in the following designated areas, and any #development# accessed by #private roads# in R1, R2, R3, R4, R5 or C3A Districts within such areas:

The Borough of Staten Island
Community District 10 in the Borough of the Bronx

In the Borough of Staten Island, #lower density growth management areas# shall also include any C1, C2, or C4 District.

In the Borough of the Bronx, in Community District 10, #lower density growth management areas# shall also include any R6, R7, C1 or C2 Districts for the purposes of applying the parking provisions of Article II, Chapter 5, and Article III, Chapter 6.

* * *
Chapter 5
Accessory Off-Street Parking and Loading Regulations

25-24
Modification of Requirements for Small Zoning Lots

R6 R7 R8 R9 R10

In the districts indicated, for small #zoning lots#, the requirements set forth in Section 25-23 (Requirements Where Group Parking Facilities Are Provided) shall be modified in accordance with the provisions of this Section.

25-241
Reduced requirements

R6 R7 R8 R9 R10

In the districts indicated, for #zoning lots# of 10,000 or 15,000 square feet or less, the number of required #accessory# off-street parking spaces is as set forth in the following table:

REDUCED REQUIREMENTS FOR SMALL ZONING LOTS

Table with 3 columns: #Lot Area#, Units#, District. Rows include 10,000 square feet or less, 10,001 to 15,000 square feet.

* Within #lower density growth management areas# in Community District 10, Borough of the Bronx
** In R8B Districts, the parking requirements may not be reduced.

25-26
Waiver of Requirements for Small Number of Spaces

R4B R5B R5D R6 R7 R8 R9 R10

In the districts indicated, the requirements set forth in Section 25-21 (General Provisions) shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in this Section, except that the requirements shall not be waived for #non-profit residences for the elderly#.

However, the following provisions shall apply:

- (a) in R5D Districts, the provisions of this Section, inclusive, shall only apply to #zoning lots# existing both on June 29, 2006 and on the date of application for a building permit; and
(b) in R6 and R7 Districts in #lower density growth management areas# in Community District 10 in the Borough of the Bronx, the provisions of this Section, inclusive, shall only apply to #zoning lots# existing both on (effective date of amendment) and on the date of application for a building permit.

Chapter 6
Accessory Off-Street Parking and Loading Regulations

36-30
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES WHEN PERMITTED IN COMMERCIAL DISTRICTS

36-34
Modification of Requirements for Small Zoning Lots

C1 C2 C4-2 C4-3 C4-4 C4-5 C4-6 C4-7 C5 C6

In the districts indicated for small #zoning lots#, the requirements set forth in Section 36-33 (Requirements Where Group Parking Facilities are Provided), shall be modified in accordance with the provisions set forth in this Section.

36-341
Reduced requirements in C1 or C2 Districts governed by surrounding Residence District bulk regulations

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, for #zoning lots# of 10,000 or 15,000 square feet or less, the number of required #accessory# off-street parking spaces is determined by the #Residence District# within which such #Commercial District# is mapped, in accordance with the following table:

REDUCED REQUIREMENTS FOR SMALL ZONING LOTS

Table with 3 columns: #Lot Area#, Units#, District. Rows include 10,000 square feet or less, 10,001 to 15,000 square feet.

* In C1 or C2 Districts mapped within R7-1 Districts within #lower density growth management areas# in Community District 10, Borough of the Bronx

** In R8B Districts, the parking requirements may not be reduced.

36-361
For new development or enlargements in C1 or C2 Districts governed by surrounding Residence District bulk regulations

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, where such districts are mapped within R6, R7, R8, R9 or R10 Districts, the requirements set forth in Section 36-31 (General Provisions) for new #development# or #enlargements# shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in the following table. The maximum number is determined by the #Residence District# within which the #Commercial District# is mapped.

NUMBER OF SPACES FOR WHICH REQUIREMENTS ARE WAIVED

Table with 2 columns: #Residence District# within which C1 or C2 District is Mapped, Maximum Number of Spaces Waived. Rows include R5D, R6 R7-1 R7B, R7-2 R7A R7D R7X R8 R9 R10.

However, the following provisions shall apply:

- (a) in C1 or C2 Districts mapped within R5D Districts, the provisions of this Section, inclusive, shall only apply to #zoning lots# existing both on June 29, 2006 and on the date of application for a building permit; and
(b) in C1 or C2 Districts mapped within R6 and R7 Districts in #lower density growth management areas# in Community District 10 in the Borough of the Bronx, the provisions of this Section, inclusive, shall only apply to #zoning lots# existing both on (effective date of amendment) and on the date of application for a building permit.

POCO NYC

MANHATTAN CB - 3 20095496 TCM
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Becaf LLC, d/b/a POCO NYC, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 33 Avenue B.

THOR

MANHATTAN CB - 3 20105293 TCM
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of The Downtown LLC, d/b/a Thor, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 107 Rivington Street.

EDWARDS

MANHATTAN CB - 1 20105319 TCM
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 136 West Broadway, Inc., d/b/a Edwards, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 136 West Broadway.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matter in the 16th Floor - Hearing Room, 250 Broadway, New York City, New York 10007, commencing at 11:00 A.M. on Tuesday, March 9, 2010:

PERRY AVENUE HISTORIC DISTRICT BRONX CB - 7 20105275 HKX (N 100193 HKX)

Designation (List No. 424/LP-2339) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of the Perry Avenue Historic District. The district boundaries are: property bounded by a line beginning at the intersection of the northwestern curblin of Perry Avenue with a line extending southeasterly from the northeastern property line of 2987 Perry Avenue, northwesterly along said property line to the northwestern property line of 2987 Perry Avenue, southwesterly along said property line and the property lines of 2985 through 2971 Perry Avenue to the southwestern property line of 2971 Perry Avenue, southeasterly along said property line to the northwestern curblin of Perry Avenue, northeasterly along said curblin to the point of the beginning.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the 16th Floor - Hearing Room, 250 Broadway, New York City, New York 10007, commencing at 1:00 P.M. on Tuesday, March 9, 2010:

Proposals subject to Council review and action pursuant to the Urban Development Action Area Act, Article 16 of the New York General Municipal Law, at the request of the Department of Housing Preservation and Development ("HPD"), which requests that the Council:

- 1. Find that the present status of the listed areas tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirements of Section 693 of the General Municipal Law pursuant to said Section;
3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the projects as Urban Development Action Area Projects pursuant to Section 694 of the General Municipal Law; and
5. Approve an exemption of the project from real property taxes pursuant to Section 577 of the Private Housing Finance Law for Non-ULURP No. 20105415 HAM.

Table with 6 columns: NO., ADDRESS, BLOCK/LOT, BORO, PROGRAM, COMMUNITY BOARD. Rows include 20105415 HAM, 20105416 HAM.

m3-9

CITY PLANNING COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, March 10, 2010, commencing at 10:00 A.M.

BOROUGH OF BROOKLYN No. 1 KNICKERBOCKER COMMONS

CD 4 C 100162 HAK
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
a) the designation of property located at 295 Eldert Street (Block 3413, Lot 1); 801, 799 and 797 Knickerbocker Avenue (Block 3413, Lots 2-4), as an Urban Development Action Area; and
b) an Urban Development Action Area Project for such area; and
2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of a six-story building, tentatively known as Knickerbocker Commons, with approximately 24 residential units and community facility space, to be developed under the New York State Housing Trust Fund Program.

No. 2 18TH AVENUE REZONING

CD 12 C 070520 ZMK
IN THE MATTER OF an application submitted by Jom Tob Gluck pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c, by establishing within an existing R5 District a C1-3 District bounded by 48th Street, 18th Avenue, 49th Street and a line 100 feet northwesterly of 18th Avenue, as shown on a diagram (for illustrative purposes only) dated December 14, 2009.

BOROUGH OF MANHATTAN No. 3 HOUSTON DEE

CD 3 C 100173 HAM
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
a) the designation of property located at 302-304 East 2nd Street (Block 372, Lot 49); as an Urban Development Action Area; and
b) an Urban Development Action Area Project for such area; and
2) pursuant to Section 197-c of the New York City Charter for the disposition of such property, to a developer to be selected by HPD;

to facilitate the development of a 13-story mixed-use building, tentatively known as Houston Dee, with approximately 166 residential units.

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

f25-m10

CIVILIAN COMPLAINT REVIEW BOARD

PUBLIC NOTICE

The Civilian Complaint Review Board's Monthly Public meeting has been scheduled for: Wednesday, March 10, 2010 at 10:00 AM at 40 Rector Street, 2nd Floor, New York, NY 10006.

m5-10

COMMUNITY BOARDS

PUBLIC HEARINGS

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF MANHATTAN

COMMUNITY BOARD NO. 05 - Thursday, March 11, 2010, 6:00 P.M., First Alliance Church, 127 West 26th Street, 2nd Fl., New York, NY

#C 100047ZMM

15 Penn Plaza
IN THE MATTER OF an application submitted by 401 Hotel REIT, LLC and 401 Commercial LP, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, changing from a C6-4.5 district to a C6-6 district property.

m5-11

BOROUGH OF BROOKLYN

Community Board No. 14 - Public Hearing on Capital and Expense Budget for FY 2011 will take place on Monday, March 8, 2010 at 7:15 P.M. at Edward R. Murrow High School, East 17th Street and Avenue L, Brooklyn, New York.

m1-5

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF STATEN ISLAND

COMMUNITY BOARD NO. 01 - Tuesday, March 9, 2010, 8:00 P.M., All Saints Church, 2329 Victory Boulevard, Staten Island, NY

Public Hearing: FY 2011 Capital and Expense Preliminary Response.

m3-9

BOROUGH OF BRONX

Community Board No. 6 - Public Hearing on Capital and Expense Budget for FY 2011 will take place on Wednesday, March 10, 2010 at 6:30 P.M. at Belmont Boulevard Apartments, 780 East 185th Street, Bronx, New York.

m1-5

BOROUGH OF MANHATTAN

Community Board No. 9 - Public Hearing on Capital and Expense Budget for FY 2011 will take place on Tuesday, March 9, 2010 at 6:30 P.M. at Broadway Housing, 583 Riverside Drive at 135th Street.

m3-9

BOROUGH OF BRONX

Community Board No. 3 - Public Hearing on Capital and Expense Budget for FY 2011 will take place on Tuesday, March 9, 2010 at 6:00 P.M. at 1426 Boston Road, (near E. 170th Street and Prospect Avenue).

m3-9

EMPLOYEES' RETIREMENT SYSTEM**MEETING**

Please be advised that the next Regular Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Thursday, March 11, 2010 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor Boardroom, Brooklyn, NY 11201-3751.

m4-10

ENVIRONMENTAL PROTECTION**BUREAU OF WATER SUPPLY****PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held at the Department of Environmental Protection Offices at 59-17 Junction Boulevard, 17th Floor Conference Room, Flushing, New York, on March 25, 2010 commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and Regional Application Center for the Northeast-Cayuga Community College, 199 Franklin Street, Auburn, New York 13021 for CAT-393: LIDAR GIS Terrain and Hydrology Data Development. The Contract term shall be 24 months from the date of the written notice to proceed. The Contract amount shall be \$1,755,834.00 - Location: NYC Watershed Region - PIN# 82610WS00028.

A copy of the Contract may be inspected at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, New York, 11373, on the 17th Floor Bid Room, on business days from March 5, 2010 to March 25, 2010 between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Note: Individuals requesting Sign Language Interpreters should contract Ms. Debra Butlien, Office of the ACCO, 59-17 Junction Boulevard, 17th Floor, Flushing, New York 11373, (718) 595-3423, no later than FIVE(5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

m5

BUREAU OF WATER AND SEWER OPERATIONS**PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held at the Department of Environmental Protection Offices at 59-17 Junction Boulevard, 17th Floor Conference Room, Flushing, New York, on March 25, 2010 commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and Dewberry-Goodkind, Inc., 15 East 26th Street, New York, New York 10010 for DRNG-CITYWIDE: Citywide Analysis of Existing

Drainage Systems/Preparation and Design of Drainage Plans. The Contract term shall be 24 months with an option to renew for one year from the date of the written notice to proceed. The Contract amount shall be \$1,000,000.00 - Location: Citywide - PIN# 82609SE00001.

A copy of the Contract may be inspected at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, New York, 11373, on the 17th Floor Bid Room, on business days from March 5, 2010 to March 25, 2010 between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Note: Individuals requesting Sign Language Interpreters should contract Ms. Debra Butlien, Office of the ACCO, 59-17 Junction Boulevard, 17th Floor, Flushing, New York 11373, (718) 595-3423, no later than FIVE(5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

m5

BUREAU OF WASTEWATER TREATMENT**PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held at the Department of Environmental Protection Offices at 59-17 Junction Boulevard, 17th Floor Conference Room, Flushing, New York, on March 25, 2010 commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and City University of New York, 535 East 80th Street, New York, New York 10021 for 1279-CRB: Characterization and Study of Granular Activated Carbon. The Contract term shall be 1,095 consecutive calendar days from the date of the written notice to proceed. The Contract amount shall be \$1,156,012.00 - Location: 5 Boroughs of New York City - PIN# 826101279CRB.

A copy of the Contract may be inspected at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, New York, 11373, on the 17th Floor Bid Room, on business days from March 5, 2010 to March 25, 2010 between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Note: Individuals requesting Sign Language Interpreters should contract Ms. Debra Butlien, Office of the ACCO, 59-17 Junction Boulevard, 17th Floor, Flushing, New York 11373, (718) 595-3423, no later than FIVE(5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

m5

FRANCHISE AND CONCESSION REVIEW COMMITTEE**MEETING**

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a Public Meeting on Wednesday, March 10, 2010 at 2:30 P.M., at 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan.

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

m1-10

LANDMARKS PRESERVATION COMMISSION**PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **March 16, 2010 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-5885 - Block 847, lot 16-873 Broadway - Ladies' Mile Historic District A Second Empire Commercial style store and loft building designed by Griffith Thomas and built in 1868 and 1888. Application is to install an electrical sidewalk vault.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-5886 - Block 847, lot 7501-888 Broadway - Ladies' Mile Historic District A Commercial Palace style store and warehouse building designed by William Wheeler Smith and built in 1882. Application is to install an electrical sidewalk vault.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 10-6293 - Block 148, lot 777-West Side of 48th Street, East Side of 47th Street, South side of 39th Avenue, Roosevelt Court - Sunnyside Garden Historic District
A Court, divided into eight rows comprised of 74 houses, covering most of the block bounded by 39th Avenue (north), 48th Street (east), Skillman Avenue (south), and 47th Street (west), designed by Clarence Stein, Henry Wright, and Frederick Ackerman, and built in 1927. Application is to establish a master plan governing the installation of sidewalk planters.

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

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-5786 - Block 1137, lot 56-635 Bergen Street, aka 570 Vanderbilt Avenue - Prospect Heights Historic District
A neo-Grec style flats house with ground floor storefront designed by Isaac D. Reynolds and built in 1887. Application is to legalize the installation of a barrier-free access ramp without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4343 - Block 97, lot 7502-130 Beekman Street - South Street Seaport Historic District
A warehouse building built in 1827. Application is to install storefront infill.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-0498 - Block 588, lot 66-316 Bleecker Street, aka 47 Grove Street - Greenwich Village Historic District
An Italianate style building built in 1854. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-5686 - Block 618, lot 40-201 West 13th Street, aka 42-46 7th Avenue - Greenwich Village Historic District
A Gothic style church building designed by Louis E. Jallade and built in 1931. Application is to alter the side entrance to provide barrier free access and to construct an elevator bulkhead.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-1538 - Block 1120, lot 38-12-14 West 68th Street - Upper West Side/Central Park West Historic District
A Queen Anne style house designed by Louis Thouvard and built in 1895, with attached studio building designed by Edwin C. Georgi and built in 1925. Application is to modify an addition to the 1925 studio building which was constructed without Landmarks Preservation Commission permits. Zoned R-8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-5802 - Block 1408, lot 1-783-789 Park Avenue, aka 101 East 73rd Street - Upper East Side Historic District
A modern style apartment building designed by George Pelham, Jr. and built in 1930-1940. Application is to install a ramp.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4479 - Block 1390, lot 163-12 East 76th Street - Upper East Side Historic District
A building constructed in 1881-82 and altered in 1946 by James Casale. Application is to redesign the facade. Zoned R8-B LH-1A.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4760 - Block 1390, lot 17-960 Madison Avenue - Upper East Side Historic District
A neo-Grec style rowhouse designed by James Frame and built in 1877-78 altered in 1916 with a two-story storefront extension. Application is to alter window openings.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-5764 - Block 1493, lot 60-20 East 82nd Street - Metropolitan Museum Historic District
A French Beaux-Arts style townhouse designed by Richard W. Buckley, and built in 1901. Application is to install a gate at the entrance.

m3-16

PUBLIC MEETING

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York that on **Tuesday, March 9, 2010**, there will be a Public Meeting of the Landmarks Preservation Commission in the Public Hearing Chamber at 1 Centre Street, 9th Floor North, Borough of Manhattan, City of New York. For information about the Public Meeting agenda, please contact the Public Information Officer at (212) 669-7817.

m4-8

BOARD OF STANDARDS AND APPEALS**PUBLIC HEARINGS****MARCH 16, 2010, 10:00 A.M.**

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, March 16, 2010, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

1045-67-BZ
APPLICANT - Michael A. Cosentino, for Thomas Abruzzi, owner.
SUBJECT - Application October 30, 2009 - Application filed pursuant to §§72-01 & 72-22 of the zoning resolution to allow the re-instatement of a variance application granted pursuant to §72-21 which permitted in a R2 zoning district, the construction and maintenance of an accessory parking lot to be used for adjoining commercial uses. The approval expired on June 27, 1998. The application seeks waiver of the Rules of Practice for the late filing of the application and an Amendment of the resolution to eliminate the term.
PREMISES AFFECTED - 160-10 Crossbay Boulevard, Crossbay Boulevard between 160th Avenue and 161st Avenue, Block 14030, Lot 6, 20, Borough of Queens.
COMMUNITY BOARD #10Q

31-09-BZ
APPLICANT - NYC Board of Standards and Appeals
OWNER: R & R Auto Repair & Collision
SUBJECT - Dismissal for lack of prosecution of an application for a Special Permit (§11-411, §11-412 & §11-413) for a change of use from a gasoline service station (UG16b) to automotive repair establishment and automotive sales

(UG16b) and the enlargement of the existing one story structure; Re-instatement of the variance which expired on November 12, 1990; Waiver of the Rules of Practice and Procedure. C2-2/R3-2 zoning district.

PREMISES AFFECTED - 117-04 Sutphin Boulevard, southwest corner of Foch Boulevard, Block 1203, Lot 13, Borough of Queens.

COMMUNITY BOARD #12Q

APPEALS CALENDAR

295-09-A & 296-09-A

APPLICANT - Rothkrug Rothkrug & Spector, LLP, for Karen Murphy, Trustee.

SUBJECT - Application October 20, 2009 - Proposed construction of one family home located within the bed of a mapped street (Bache Street) contrary to Section 35 of the General City Law. R3A Zoning District
PREMISES AFFECTED - 81 and 83 Cortlandt Street, south side of Cortlandt Street, bed of Bache street, Block 1039, Lot 25 & 26, Borough of Staten Island.

COMMUNITY BOARD #2SI

MARCH 16, 2010, 1:30 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, March 16, 2010, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

192-09-BZ

APPLICANT - Richard Lobel, for Leon Mann, owner.
SUBJECT - Application June 16, 2009 - Variance (§72-21) to allow for the construction of a department store (UG 10) contrary to use regulations (ZR 22-00, 32-00). R6 and R6/C2-3 zones.

PREMISES AFFECTED - 912 Broadway, northeast corner of the intersection of Broadway and Stockton Street, Block 1584, Lot 11, Borough of Brooklyn.

COMMUNITY BOARD #3BK

11-10-BZ

APPLICANT - Rothkrug Rothkrug & Spector, LLP, for 562 Court Street, LLC, owner; Brooklyn Kick Boxing Inc., lessee.
SUBJECT - Application January 26, 2009 - Variance (§73-36) to legalize the operation of an existing physical culture establishment on the first floor in a five-story mixed-use building and to permit the extension of that use to include use of a portion of the vacant cellar. C2-3 (R6) zoning district.

PREMISES AFFECTED - 562 Court Street (aka 21 Garnet Street) southwest corner Court Street and Garnet Street, Block 382, Lot 37, Borough of Brooklyn.

COMMUNITY BOARD #6BK

13-09-BZ

APPLICANT - Moshe M. Friedman, P.E., for 5621 21st Avenue LLC, for Congregation Tehilos Yitzchok, owner.
SUBJECT - Application January 26, 2009 - Variance (§72-21) to permit a synagogue contrary to bulk regulations ZR 24-34, 24-35, 24-11. R5 District.

PREMISES AFFECTED - 5611 21st Avenue, east side 95'-8" north of intersection of 21st Avenue and 57th Street, Block 5495, Lot 430, Borough of Brooklyn.

COMMUNITY BOARD #12BK

Jeff Mulligan, Executive Director

m4-5

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AUCTION

PUBLIC AUCTION SALE NUMBER 10001-T

NOTICE IS HEREBY GIVEN of a bi-weekly public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, March 17, 2010 (SALE NUMBER 10001-T). This auction is held every other Wednesday unless otherwise notified. Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

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

A listing of vehicles to be offered for sale in the next auction can be viewed on our web site, on the Friday prior to the sale date at:
<http://www.nyc.gov/autoauction> OR
<http://www.nyc.gov/autoauctions>
Terms and Conditions of Sale can also be viewed at this site.

For further information, please call (718) 417-2155 or (718) 625-1313.

m4-17

■ SALE BY SEALED BID

SALE OF: 5 LOTS OF MISCELLANEOUS EQUIPMENT, USED.

S.P.#: 10017

DUE: March 16, 2010

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

blueprints; other information; and for opening and reading of bids at date and time specified above.

DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.

For sales proposal contact Gladys Genoves-McCauley (718) 417-2156.

m3-16

SALE OF: 1 SURVEY BOAT AND 1 SKIMMER VESSEL, USED.

S.P.#: 10016

DUE: March 18, 2010

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

DCAS, Division of Municipal Supply Services, 18th Floor, Bid Room, Municipal Building, New York, NY 10007.

For sales proposal contact Gladys Genoves-McCauley (718) 417-2156.

m5-18

POLICE

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

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

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

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

INQUIRIES

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

FOR MOTOR VEHICLES

(All Boroughs):

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

FOR ALL OTHER PROPERTY

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

j1-d31

PROCUREMENT

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

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ VENDOR LISTS

Goods

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

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

Application for inclusion on the above enumerated Acceptable Brand Lists for foods shall be made in writing and addressed

to: Purchase Director, Food Unit, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-4207.

fy17-j4

EQUIPMENT FOR DEPARTMENT OF SANITATION –

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

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

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

fy17-j4

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

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

fy17-j4

DESIGN & CONSTRUCTION

■ SOLICITATIONS

Construction/Construction Services

MED-599, RESIDENT ENGINEERING INSPECTION SERVICES FOR TRUCK WATER MAINS IN WEST 48TH STREET FROM 10TH AVENUE TO BROADWAY TO CONNECT SHAFT 25B (TUNNEL #3), MANHATTAN – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 8502010WM0008P – DUE 03-31-10 AT 4:00 P.M. – MED-599, Resident Engineering Inspection Services - All qualified and interested firms are advised to download the Request for Proposal at <http://ddcfp.nyc.gov/rfpweb/> from March 5, 2010 or contact the person listed for this RFP. The contract resulting from this Request for Proposal will be subjected to Local Law 129 of 2005, Minority Owned and Women Owned Business Enterprises (M/WBE) program. The submission date is indicated above.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Design and Construction
30-30 Thomson Avenue, 4th Floor, Long Island City, NY 11101. Carlo Di Fava (718) 391-1541.

m5

HEALTH AND HOSPITALS CORPORATION

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

j1-d31

■ SOLICITATIONS

Goods & Services

RIG AND LIFT TO 3RD FLOOR MER – Competitive Sealed Bids – PIN# 22210047 – DUE 03-17-10 AT 3:00 P.M. – (1) filtrine chiller and (1) tinknocker machine bender and NYCDOT Permits included.
Mandatory site visit to be held on both March 8th and 9th at 10:00 A.M. at Lincoln Hospital Center located at 234 East 149th Street, Bronx, New York 10451, on the 2nd Floor in Room 2A2 in the Purchasing Department.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above.
Lincoln Medical and Mental Health Center
234 East 149th Street, Bronx, N.Y. 10451.
Junior Cooper (718) 579-5096, junior.cooper@nychhc.org

m5

TOP CON RETINAL CAMERA TRC NW8 – Competitive Sealed Bids – PIN# 6210003 – DUE 03-16-10 AT 3:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above.
Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451. Daisy Aquino (718) 579-6371, daisy.aquino@nychhc.org

m5

RADIOLOGY CT SCANNER SUPPLIES – Competitive Sealed Bids – PIN# 22210048 – DUE 03-16-10 AT 3:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above.
Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451. Erik Bryan (718) 579-5532, erik.bryan@nychhc.org

m5

BOILER CLEANING SERVICE – Competitive Sealed Bids – PIN# 22210049 – DUE 03-17-10 – A site visit is scheduled for both March 8, 2010 and March 11, 2010 at 11:00 A.M. at Lincoln Hospital Center located at 234 East 149th Street, Room 2A2, in the Purchasing Department, 2nd Floor.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Lincoln Hospital Center, 234 East 149th Street, Room 2A2 Bronx, NY 10451. Edwin Iyasare (718) 579-5867
edwin.iyasare@nychhc.org

m5

HEALTH AND MENTAL HYGIENE

SOLICITATIONS

Services (Other Than Human Services)

MOVING COORDINATOR – Request for Proposals – PIN# 11HS004300R0X00 – DUE 04-02-10 AT 5:00 P.M. – DOHMH's goals and objectives for this RFP are to secure a qualified vendor to develop a detailed move plan, oversee and coordinate DOHMH staff and others in preparing for the move, oversee the execution of the move, and perform post-move activities, to ensure that all activities relating to the move are completed in a timely and efficient manner, with the least disruption to the daily work activities of staff RFP will be available for pick up starting on March 5, 2010 at the address listed above, between the hours of 9:00 A.M. to 4:00 P.M. on week days only, any questions regarding this RFP must be sent in writing to the above officer. A pre-proposal conference will be held on March 17, 2010 at 10:00 A.M. at 125 Worth Street, Room 315, New York, NY 10013. Attendance by proposers is optional but recommended by the Agency.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Health and Mental Hygiene, 125 Worth Street, Room 342, CN-29A, New York, NY 10013. Dorothy Thompson (212) 442-2816, dthomps1@health.nyc.gov

m5

AGENCY CHIEF CONTRACTING OFFICER

AWARDS

Human/Client Service

GERIATRIC MENTAL HEALTH INITIATIVE – BP/City Council Discretionary – PIN# 10AZ042201R0X00 – AMT: \$115,000.00 – TO: Ohel Children's Home and Family Services, 4510 16th Avenue, Brooklyn, NY 11204.

● **FAMILY SUPPORT NETWORK** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 09AO024205R0X00 – AMT: \$593,484.00 – TO: Jewish Board of Family and Children's Services, 120 West 57th Street, New York, NY 10019.

● **GERIATRIC MENTAL HEALTH INITIATIVE** – BP/City Council Discretionary – PIN# 10AZ041001R0X00 – AMT: \$100,000.00 – TO: Catholic Charities Neighborhood Services, Inc., 191 Joralemon Street, Brooklyn, NY 11201.

● **CLUSTERED SUPPORTIVE HOUSING** – Required/Authorized Source – Available only from a single source - PIN# 10AZ066601R0X00 – AMT: \$434,800.00 – TO: Center for Urban Community Services, Inc., 198 East 121st Street, New York, NY 10035.

m5

HOMELESS SERVICES

OFFICE OF CONTRACTS AND PROCUREMENT

SOLICITATIONS

Human/Client Service

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Homeless Services, 33 Beaver Street 13th Floor, New York, NY 10004.
Marta Zmoira (212) 361-0888, mzmaira@dhs.nyc.gov

j6-20

JUVENILE JUSTICE

SOLICITATIONS

Human/Client Service

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Juvenile Justice, 110 William Street 14th Floor, New York, NY 10038.
Chuma Uwechia (212) 442-7716, cuwechia@djj.

jy1-d16

PARKS AND RECREATION

CAPITAL PROJECTS DIVISION

INTENT TO AWARD

Construction Related Services

CONSTRUCTION OF A PERMANENT PLATFORM IN DAMROSCH PARK – Sole Source – Available only from a single source - PIN# 8462010M231C01 – DUE 03-11-10 AT 4:30 P.M. – The Department of Parks and Recreation, Capital Projects Division, intends to enter into Sole Source negotiations with Lincoln Center for the Performing Arts, Inc. for the Construction of a permanent Platform over the Parking Garage Ramp, located at West 62nd Street, between Amsterdam and Columbus Avenues, in Damrosch Park, Manhattan.

Any firms that would like to express their interest in providing services for similar projects in the future may do so. All expressions of interest must be in writing to the address listed here and received by March 11, 2010. You may join the City Bidders list by filling out "NYC-FMS Vendor Enrollment Application" available on-line at NYC.gov/selltonyc" and in hard copy by calling the Vendor Enrollment Center at (212) 857-1680.

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, Room 61 Flushing Meadows-Corona Park, Flushing, NY 11368.
Grace Fields-Mitchell (718) 760-6687.

m2-8

REVENUE AND CONCESSIONS

SOLICITATIONS

Services (Other Than Human Services)

RENOVATION, OPERATION, AND MAINTENANCE OF THE FRIEDSAM MEMORIAL CAROUSEL – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M10-37-C-CL – DUE 04-02-10 AT 3:00 P.M. – In Central Park, Manhattan.

Parks will hold an on-site proposer meeting and site tour on Thursday, March 4, 2010 at 11:00 A.M. at the proposed concession site, which is located at 65th Street, mid-park, just west of the Center Drive. We will be meeting in front of the existing structure.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021.
Joel Metlen (212) 360-1397, joel.metlen@parks.nyc.gov

f22-m5

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

SOLICITATIONS

Construction / Construction Services

EXTERIOR MASONRY, ROOFS, FLOOD ELIMINATION, PAVED AREA BLACKTOPS – Competitive Sealed Bids – PIN# SCA10-12950D-1 – DUE 03-25-10 AT 11:30 A.M. – IS 52 (Bronx). Project Range: \$10,000,000.00 to \$10,530,000.00. Limited List: Bids will only be accepted from the following Construction Managers/Prime General Contractors: Abax Incorporated, Admiral Construction LLC, Del Savio Masonry Corp., Kafka Construction, Inc., Kel-Tech Construction, Inc., Minelli Construction, Navillus Tile, Inc., New York Stone Co., Inc.; Nicholson and Galloway, Inc., S.M. and B Construction Co., Inc., Trio Asbestos Removal Corp., Vardaris Tech, Inc., Western Waterproofing Co., Inc., Whitestone Construction.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Kevantae Idlett (718) 472-8360.

m4-10

AUDITORIUM AND CAFETERIA - MULTI PURPOSE UPGRADE – Competitive Sealed Bids – PIN# SCA10-13133D-1 – DUE 03-19-10 AT 10:30 A.M. – Project Range: \$1,280,000.00 to \$1,350,000.00. NYC School Construction Authority, Plans Room Window, Room #1046, 30-30 Thomson Avenue, 1st Floor, Long Island City, New York 11101. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

m1-5

BOILER SYSTEM/OIL TANK/CLIMATE CONTROL – Competitive Sealed Bids – PIN# SCA10-12760D-1 – DUE 03-23-10 AT 11:30 A.M. – I.S. 113 (Bronx). Project Range: \$3,770,000.00 to \$3,973,000.00. Pre-bid meeting date: March 12, 2010 at 1:00 P.M. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority.

NYC School Construction Authority, Plans Room Window, Room #1046, 30-30 Thomson Avenue, 1st Floor, Long Island City, New York 11101.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Anthony Largie (718) 752-5842.

m2-8

LOW VOLTAGE ELECTRICAL SYSTEM – Competitive Sealed Bids – PIN# SCA10-13147D-1 – DUE 03-22-10 AT 11:00 A.M. – PS 43 (Bronx). Project Range: \$990,000.00 to \$1,045,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order only. Make checks payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Rookmin Singh (718) 752-5843.

m1-5

Human/Client Service

PROFESSIONAL STAFFING SERVICES FOR ERC – Request for Proposals – PIN# 10-00015R – DUE 03-23-10 AT 2:00 P.M. – The New York City School Construction Authority (the "SCA") request qualified vendors to submit proposals for staff augmentation and consulting services in the following Environmental and Regulatory Compliance areas:

- Safety Unit
- Building Code Compliance
- Construction Inspection Division (CID)

Only qualified staff approved by the SCA, may work under the agreement. Staff must have the appropriate certifications.

The SCA will accept proposals from the following firms:

Consulting for Architects, Inc.
Haks Engineers, Architects and Land Surveyors, P.C.
Lehigh G.I.T., Inc.
Montco, Inc.
Aerotek
Ben Thompson Associates
Metro Tech Consulting Services Engineering and Architecture, P.C.
Greyhawk North America, L.L.C.
Future Tech Consultants of New York, Inc.
Team Support Services, Inc.
Tectonic Engineering and Survey Consultants, P.C.
RitaSue Siegel Resources, L.L.C.
Brinkerhoff Environmental Services, Inc.

If your firm would like to receive a copy of the RFP, please e-mail the listed contact for this RFP. In the email you must include the following information:

- the length of time your firm has been in existence and performing the services required under this RFP.
- A description of your firm's experience including - prior projects, firms you've partnered with, and the value of the portion your firm worked on.
- The full contact information of the person to whom the RFP should be sent, inclusive of phone number and fax number. Please ensure that an actual street address must be provided as RFPs are not sent to P.O. Boxes.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue 1st Floor, Long Island City, New York 11101.
Donald Mezick (718) 752-5479.

m2-8

CONTRACT SERVICES

SOLICITATIONS

Construction / Construction Services

LOW VOLTAGE ELECTRICAL SYSTEM – Competitive Sealed Bids – PIN# SCA10-13106D-1 – DUE 03-22-10 AT 11:30 A.M. – PS 147 (Brooklyn). Project Range: \$1,250,000.00 - \$1,320,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Lily Persaud (718) 752-5852.

m3-9

PROCUREMENT

SOLICITATIONS

Construction / Construction Services

WATER PENETRATION / ROOFS / PARAPETS / EXTERIOR MASONRY / SITEWORK – Competitive Sealed Bids – PIN# SCA10-12908D-1 – DUE 03-19-10 AT 11:00 A.M. – PS 279 (Bronx). Project Range: \$2,930,000.00 - \$3,085,000.00. Pre-bid meeting 3/8/10 at 10:00 A.M. at 2100 Walton Avenue, Bronx, NY 10453. Meet at the Custodian office. Bidders are strongly urged to attend. Non-refundable bid document charge: \$100.00, certified check or money order

only. Payable to New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Iris Vega (718) 472-8292 ivega@nycsca.org

m4-10

SMALL BUSINESS SERVICES

PROCUREMENT

■ SOLICITATIONS

Services (Other Than Human Services)

CITY-WIDE ECONOMIC DEVELOPMENT SERVICES IN THE BROOKLYN NAVY YARD – Sole Source – Available only from a single source - PIN# 801SBS100103 – DUE 03-15-10 AT 3:00 P.M. – The New York City Department of Small Business Services intends to enter into sole source negotiations to purchase the above services from the Brooklyn Navy Yard Development Corporation, with experience and in-house expertise in a wide variety of economic development services. Any firm that believes it is qualified and has the in-house expertise to provide such services or would like to provide such services in the future is invited to do so. Please indicate your interest by letter to: Department of Small Business Services, 110 William Street, 7th Floor, New York, New York 10038. Daryl Williams, Agency Chief Contracting Officer, (212) 618-8731 procurementhelpdesk@sbs.nyc.gov

m2-8

TRANSPORTATION

DIVISION OF FRANCHISES, CONCESSIONS AND CONSENTS

■ SOLICITATIONS

Services (Other Than Human Services)

UNSUBSIDIZED BUS SERVICE, BROOKLYN – Request for Proposals – PIN# 84110MBAD499 – DUE 04-09-10 AT 2:00 P.M. – DOT's Office of Franchises, Concessions and Consents is soliciting proposals for a non-exclusive franchise for an unsubsidized bus line providing common carrier service to passengers along designated routes for local service to operate between Williamsburg and Borough Park, Brooklyn. The initial term of the Franchise Contract will be ten (10) years, followed by an optional renewal period of ten (10) years and a second optional renewal period of five (5) years. The renewals shall be exercised at the sole option of the Department of Transportation.

The RFP is available at <http://www.nyc.gov/html/dot/html/about/rfpintro.shtml>

Hard copies may be obtained through Thursday, April 8, 2010. There will be a pre-proposal conference on Friday, March 5, 2010 at 12:30 P.M. at 55 Water St., NY, NY. Please contact the Authorized Department Contact for the room number. Attendees are asked to RSVP. Attendance by proposers is optional but strongly recommended.

All inquiries should refer to the Solicitation Number, should be submitted in writing and will be answered in writing.

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

Department of Transportation, ACCO, Contract Management Unit, 55 Water Street, 9th Floor, Ground Floor, New York, NY 10041. Owiso Makuku (212) 839-6550, franchises@dot.nyc.gov, fax: (212) 839-4834.

f22-m5

AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

“These Hearings may be cablecast on NYC TV Channel 74 on Sundays, from 5:00 p.m. to 7:00 p.m. For more information, visit: www.nyc.gov/tv” NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor’s Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.

HEALTH AND MENTAL HYGIENE

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 18, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Health and Mental Hygiene and the Contractor listed below, for the purpose of providing services related to economic development in NYC communities under a program entitled Healthy Eating and Active Living By Design. The contract term shall be from April 1, 2010 to March 31, 2014.

Contractor/Address

NYC Department of Small Business Services
110 William Street, New York, NY 10038

PIN# 10CR075501R0X00

Amount \$318,680

The proposed contractor is with another government, public authority or public benefit corporation, pursuant to Section 1-02 (f) (1) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, NY 10013, from March 5, 2010 to March 18, 2010, excluding Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 P.M.

Anyone who wishes to speak at this Public Hearing should request to do so in writing. The written request must be received by the Department within 5 business days after the publication of this notice. Written requests to speak should be sent to Huguette Beauport, 93 Worth Street, Room 812, New York, NY 10013, or to hbeauport@health.nyc.gov. If DOHMH does not receive any written requests to speak within the prescribed time, DOHMH reserves the right not to conduct the Public Hearing.

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PARKS AND RECREATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 18, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the City of New York Parks and Recreation and Prospect Park Alliance, 95 Prospect Park West, Brooklyn, NY 11215, to provide Design Services for the Reconstruction of the Wellhouse located South of Lookout Hill and North of the Peninsula on Wellhouse Drive in Prospect Park, Borough of Brooklyn. The contract amount shall be \$156,971.11. The contract term shall be 365 Consecutive Calendar Days from date of written notice to proceed. PIN#: 8462009B073D01.

The proposed contractor has been selected as a Sole Source Procurement, pursuant to Section 3-05 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the City of New York Parks and Recreation, Consultant Procurement Unit, Room 59, Olmsted Center, Flushing Meadows-Corona Park, Queens, New York 11368, from March 5, 2010 to March 18, 2010, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written requests should be sent to Grace Fields-Mitchell, Supervisor for Consultant Contracts, Department of Parks & Recreation, Olmsted Center, Room 61, Flushing Meadows-Corona Park, Flushing, New York 11368. (Grace.fields-mitchell@parks.nyc.gov) If The Department of Parks & Recreation receives no written requests to speak within the prescribed time, Parks & Recreation reserves the right not to conduct the public hearing.

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POLICE

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 18, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Police Department of the City of New York and Envision Pharmaceutical Services, Inc., an Ohio Corporation, 2181 E. Aurora Road, Twinsburg, Ohio 44087, for the Provision of Pharmacy Benefits Management Services. The contract amount shall be \$1,274,138 over the term of this Contract. The contract term shall be for 1,826 Consecutive Calendar Days (5 years), from January 1, 2010 to December 31, 2014 with two two-year renewal options from January 1, 2015 to December 31, 2016, and from January 1, 2017 to December 31, 2018. PIN#: 056090000664.

The proposed contractor has been selected by means of the Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Police Department, Contract Administration Unit, 51 Chambers Street, Room 310, New York, New York 10007, on business days, excluding Holidays, from March 5, 2010 to March 18, 2010, from 9:30 A.M. to 4:30 P.M. Please contact the Contract Administration Unit at (646) 610-5753 to arrange a visitation.

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SANITATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 18, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Sanitation, Bureau of Engineering and Turner

Construction Company, 375 Hudson Street, New York, NY 10014, to provide Construction Management Services for the Construction of Manhattan 1, 2 and 5 Garages. The contract shall be for an amount not to exceed \$13,853,120. The contract term shall be 1,590 Consecutive Calendar Days from the Notice To Proceed. PIN#: 82708RR00073.

The proposed contractor has been selected by means of the Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Sanitation's Contract Division, 51 Chambers Street, 8th Floor, Room 806, New York, NY 10007, Monday to Friday, from March 5, 2010 to March 18, 2010, excluding Holidays, from 10:00 A.M. to 4:00 P.M.

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SMALL BUSINESS SERVICES

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 18, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Small Business Services (SBS) and the Fund for the City of New York, 121 Avenue of the Americas, New York, NY 10013, to provide services to operate programs to retain and create industrial and manufacturing businesses. The contract shall be in an amount not to exceed \$145,000. The contract term shall be from July 1, 2009 to June 30, 2010. PIN#: 801SBS100110.

The proposed contractor is being funded through City Council Discretionary Funds Appropriation, pursuant to Section 1-02 (e) of the Procurement Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, from March 5, 2010 to March 18, 2010, excluding Weekends and Holidays, from 9:00 A.M. to 5:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written requests to speak should be sent to Mr. Daryl Williams, ACCO, Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, or email to: dwilliams@sbs.nyc.gov. If SBS receives no written requests to speak within the prescribed time, SBS reserves the right not to conduct the public hearing.

IN THE MATTER of a proposed contract between the Department of Small Business Services (SBS) and the NYC Industrial & Technology Assistance Corporation, 253 Broadway, Room 302, New York, NY 10007, to provide services to operate programs to retain and create industrial and manufacturing businesses. The contract shall be in an amount not to exceed \$300,000. The contract term shall be from July 1, 2009 to June 30, 2010. PIN#: 801SBS100111.

The proposed contractor is being funded through City Council Discretionary Funds Appropriation, pursuant to Section 1-02 (e) of the Procurement Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, from March 5, 2010 to March 18, 2010, excluding Weekends and Holidays, from 9:00 A.M. to 5:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written requests to speak should be sent to Mr. Daryl Williams, ACCO, Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, or email to: dwilliams@sbs.nyc.gov. If SBS receives no written requests to speak within the prescribed time, SBS reserves the right not to conduct the public hearing.

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AGENCY RULES

ENVIRONMENTAL CONTROL BOARD

■ NOTICE

Notice of Promulgation of Rule

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board (ECB) by Section 1049-a(c)(3) of the New York City Charter, and by 1049-a of the New York City Charter, and in accordance with Section 1043(b) of the Charter, that the Environmental Control Board hereby promulgates the following rule. The rule was published in The City Record on December 28, 2009 and a Public Hearing was held on January 28, 2010.

Section 1. The Table of Contents of Title 48 Chapter 3,

Enforcement Procedures Before the Environmental Control Board is amended to read as follows:

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

SUBCHAPTER E - MISCELLANEOUS

§3-81 Default by Respondent.
 §3-82 [Stays of Default.] Request for a New Hearing after a Failure to Appear (Vacating a Default)
 (§3-83 Late Request for Stay of Default.) Reserved
 §3-84 Stipulation in Lieu of Hearing.

Section 2. Section 3-82 of Title 48 Chapter 3, Enforcement Procedures Before the Environmental Control Board is amended to read as follows:

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

§ 3-82 [Stays of Default] Request for a New Hearing after a Failure to Appear (Vacating a Default)

[Except as otherwise provided by rule or statute, a request by respondent for a stay of a default order and a hearing must be made by application to the executive director within 30 days of mailing of the default order. When a timely request is made for a stay of a first default, the executive director shall grant the request. A timely request for a stay of a second or subsequent default made for the same notice of violation may be denied by the executive director absent a showing of a meritorious defense.]

(a) A request by a respondent for a new hearing after the respondent did not appear must be made by application to the executive director or his or her designee. The request must be on a form prescribed by the executive director. The request must contain a current mailing address for the named respondent; it must explain how and when the respondent learned of the violation and it must be sworn or certified to under the penalties of perjury. If the request is not made by the named respondent, the request must explain the relationship between the respondent and the person making the request.

(b) A request for a new hearing, as described in subdivision (a) of this section, that is received within 45 days of the hearing date upon which the respondent did not appear, shall be granted unless such request is found to be made in bad faith. Such findings shall be made at the discretion of the executive director and shall include, but not be limited to, requesting only to admit the charge(s), repeatedly filing the same request or filing the same request in more than one borough at the same time.

(c) A request for a new hearing that is received more than 45 days from the date upon which the respondent did not appear must contain, in addition to the information stated in subdivision (a) of this section, appropriate supporting documentation. Such request may be granted and a hearing conducted only if the respondent establishes that a new hearing was requested within one year of the time the respondent learned of the existence of the violation, and that there is a reasonable basis to believe that the respondent

(1) did not receive the notice of the violation because the respondent was

(A) not properly served with the violation under article three of the civil practice law and rules, article three of the business corporation law, section 1049-a of the New York City Charter or any other provision relating to service of violations returnable to the Environmental Control Board contained in the New York City Administrative Code or the Rules of the City of New York; or

(B) cited generically, for example, as "Owner" or "Agent," on all copies of the notice of violation sought to be served on the respondent; or

(2) was an improper party when the notice of violation was issued. An improper party is a named respondent who is

(A) an individual who was deceased or legally incompetent on the hearing date upon which the respondent did not appear; or

(B) for a premises related violation, not the owner, agent, lessee, tenant, occupant or person in charge of or in control of the place of occurrence on the date of the offense.

A decision to grant the request for a new hearing under this section shall not be considered a final decision on the issue of whether respondent was properly served or was a proper party on the date of offense.

(d) If a request for a new hearing is granted, the Environmental Control Board shall send a notice to the respondent at the respondent's address stated on the request for a new hearing. If the respondent is deceased or legally incompetent, a notice shall be sent to respondent's representative. Notice shall also be sent to the Petitioner.

(e) No more than one request for a new hearing under this section may be granted with respect to any one notice of violation unless the notice of the new hearing date was not mailed pursuant to subdivision (d) of this section. If the respondent is unable to appear on the hearing date scheduled after a request for a new hearing is granted, respondent may request that the hearing be rescheduled one final time.
(f) Review of a denial of a request for a new hearing after a failure to appear may be sought pursuant to Article 78 of the New York Civil Practice Law and Rules.

Section 3. Section 3-83 of Title 48 Chapter 3, Enforcement

Procedures Before the Environmental Control Board is amended by deleting the entry for section 3-83, Late Request for Stay of Default as follows:

Deleted material is in [brackets].

[§3-83 Late Request for Stay of Default.

(a) A request by a respondent for stay of default and a new hearing made more than 30 days after service of the default order shall be granted where, within 90 days from mailing of the default order, respondent alleges a credible explanation and excuse for the default together with an allegation of a meritorious defense to the violation charged.

(b) The executive director may designate categories of alleged defenses which in the interest of justice shall be grounds for a late stay of default and a hearing without regard to the requirements set out in paragraph (a) above.]

Statement of Basis and Purpose of Final Rule

The Environmental Control Board (ECB) held a Public Hearing on January 28, 2010 to amend Sections 3-82 and 3-83 of Title 48 of Chapter 3, Enforcement Procedures Before the Environmental Control Board, Subchapter E-Miscellaneous of the Rules of the City of New York. There were four individuals present at the hearing and three of them testified. ECB also received two written comments on this rule. The Board carefully considered the testimony presented at the Public Hearing held on January 28, 2010. The Board also considered the two written comments submitted to ECB on this rule. As a result of the testimony presented at the January 28, 2010 Public Hearing and the two comments received, the Board has adopted this new rule as set forth above.

ECB has amended its rules to clarify its procedure and apply more objective standards in evaluation of requests for hearings after a respondent has failed to appear.

ECB receives numerous requests to re-open cases after a respondent has missed a hearing. Many of these requests are filed simultaneously in different borough offices. ECB also receives the same requests repeatedly even though these requests have been previously denied. In addition, because ECB often receives requests that contain insufficient information, ECB uses agency resources trying to get supplemental information that should have been supplied by the respondent with the original request.

The purpose of the rule is to discourage frivolous requests and encourage meritorious requests. Respondents will be required to file their request on a form provided by ECB. This form will be available in all borough offices and on line. The request must be accompanied by documentary evidence. The type of evidence required is listed on the form. The request must be made by the respondent or an authorized representative. Only one request to vacate the default on each case will be allowed.

Requests made within 45 days will be granted unless they are made in bad faith (including multiple or unsubstantiated requests). Once the 45 day period has passed, requests will only be granted based on narrow set of standards, set forth in the rule above. These standards have been designed to be easily understandable by both ECB staff and the public. Requests must be made within one year of when the respondent first learned of the violation. Respondent must supply documentation to the satisfaction of ECB to prove when respondent first learned of the violation.

Respondent will be required to provide a current mailing address along with the request. If the request is granted, both sides will receive notice of the new hearing date.

There will be only one opportunity to reopen, and the denial of the request will be a final agency decision.

Notice of Promulgation of Rule

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board (ECB) by Section 1049(c)(3) of the New York City Charter, and by 1049-a of the New York City Charter, in accordance with Section 1043(b) of the Charter, that the Environmental Control Board hereby promulgates the following rule. The rule was published in The City Record on December 28, 2009 and a Public Hearing was held on January 28, 2010.

Section 1. The Health Code and Miscellaneous Food Vendor Violations Penalty Schedule found in Section 3-110 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended by deleting the entries for sections 81.07(a), 81.21(a), 81.37(k), 81.27, 81.07(i), 81.09(i), 81.13(b), 89.03(b), and NYC Health Code 131.11, as follows:

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

SECTION/RULE	DESCRIPTION	PENALTY	DEFAULT
[NYC Health Code 81.07(a)]	[Food not free of or protected against contamination]	[300]	[600]
[NYC Health Code 81.21(a)]	[Plumbing inadequate]	[200]	[400]
[NYC Health Code 81.37(k)]	[Garbage and trash improperly stored]	[200]	[400]
[NYC Health Code 81.27]	[Smoking, use of tobacco, or spitting]	[200]	[400]
[NYC Health Code 81.07(i)]	[Food from unapproved source]	[300]	[600]

[NYC Health Code 81.09(i)]	[Appropriately scaled metal stem thermometer to evaluate food temps., not provided]	[300]	[600]
[NYC Health Code 81.13(b)]	[Food worker not wearing hair restraint]	[200]	[400]
[NYC Health Code 89.03(b)]	[Unlicensed Vendors on private property]	[1,000]	[2,000]
[NYC Health Code 131.11]	[Waste receptacles]	[200]	[400]

Section 2. The Health Code and Miscellaneous Food Vendor Violations Penalty Schedule found in Section 3-110 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended by amending the entries for sections 81.09, 81.13(a), 81.15(a), 81.07(l), and by renumbering and amending the entry for NYC Health Code 151.03(a) and by renumbering the entry for NYC Health Code 11.66 to read as follows:

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

SECTION/RULE	DESCRIPTION	PENALTY	DEFAULT
NYC Health Code 81.09	Potentially hazardous foods at improper temperatures	[300] <u>385</u>	[600] <u>770</u>
NYC Health Code 81.13(a)	Food worker with communicable disease	[300] <u>385</u>	[600] <u>770</u>
NYC Health Code 81.15(a)	Failure to have required Food Protection Certificate	[500] <u>550</u>	[1000] <u>1100</u>
NYC Health Code 81.07(l)	Foods prepared or served with bare-hand contact	[300] <u>385</u>	[600] <u>770</u>
NYC Health Code [151.03(a)] <u>151.02(a)</u>	Rat [Infestation] or other pest infestation	200	400
NYC Health Code [11.66] <u>11.29</u>	Owning or harboring a dog or cat which has not been immunized against rabies	500	1,000

Section 3. The Health Code and Miscellaneous Food Vendor Violations Penalty Schedule found in Section 3-110 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended by renumbering and amending the entry for section 89.03(a) and by adding new entries thereafter to read as follows:

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

SECTION/RULE	DESCRIPTION	PENALTY	DEFAULT
NYC Health Code [89.03(a)] <u>89.05(a)</u>	Operating a mobile food vending unit without a permit on <u>restricted or private [property] space</u>	1,000	2,000
<u>NYC Health Code 89.05 (a) (2)</u>	<u>Failure to provide proof that mobile food vending unit is supplied and serviced at a permitted commissary or other approved facility</u>	200	400
NYC Health Code <u>89.05(c)</u>	<u>Material alteration of a mobile food vending unit after decal and permit issuance</u>	550	1100
NYC Health Code <u>89.05(d)</u>	<u>Failure to equip ice cream truck with warning beepers and signage arms.</u>	550	100
NYC Health Code <u>89.07(a)</u>	<u>Operating a mobile food vending unit without a license</u>	1000	2000
NYC Health Code <u>89.07(d)</u>	<u>Operating a mobile food vending unit without displaying a badge or without a license, permit paper or inspection report</u>	1000	2000
NYC Health Code <u>89.13(j)</u>	<u>Operating a mobile food vending unit in area not authorized by private or restricted area permit</u>	1000	2000
NYC Health Code <u>89.13(a)</u>	<u>Failure to permit inspection or present unit</u>	1000	2000
NYC Health Code <u>89.13(b)</u>	<u>Failure to provide commissary or approved facility information.</u>	550	1100
NYC Health Code <u>89.13 (c)</u>	<u>Failure to possess or make available for inspection documentation of food source</u>	275	550
NYC Health Code <u>89.13(d)</u>	<u>Vending unauthorized food</u>	550	1100
NYC Health Code <u>89.13(e)</u>	<u>Operating with a suspended, expired or revoked permit or license</u>	1000	2000
NYC Health Code <u>89.13(f)</u>	<u>Failure to surrender permit or license</u>	1000	2000
NYC Health Code <u>89.13(g)</u>	<u>Allowing unlicensed person to vend</u>	1000	2000
NYC Health Code <u>89.13(h)</u>	<u>Failure to notify the Department of change in application information</u>	1000	2000
NYC Health Code <u>89.13(i)</u>	<u>Vending from damaged, repaired unit that was not re-inspected</u>	200	400
NYC Health Code <u>89.13(i)</u>	<u>Unauthorized transfer of decal</u>	1000	2000
NYC Health Code <u>89.15</u>	<u>Transfer of food to unlicensed vendor</u>	550	1100
NYC Health Code	<u>Unauthorized transfer of</u>	1000	2000

89.17(a)	permit or license		
NYC Health Code 89.19(a)	Vending food from unapproved source	550	1100
NYC Health Code 89.19(b)	Failure to provide/use thermometers as required	440	880
NYC Health Code 89.19(c)	Failure to provide/use hot and cold storage facilities	385	770
NYC Health Code 89.19(d)	Failure to use approved ice, or maintain or protect ice	385	770
NYC Health Code 89.19(e)	Failure to properly store food on ice	385	770
NYC Health Code 89.19(f)(1)	Processing or preparing raw meat on mobile food vending unit	385	770
NYC Health Code 89.19(f)(2)	Preparing, storing, holding or selling aquatic animal	385	770
NYC Health Code 89.19(f)(3)	Failure to provide adequate refrigeration for processed fruits and vegetables	550	1100
NYC Health Code 89.19(g)	Failure to protect displayed food from contamination	385	770
NYC Health Code 89.19(h)	Failure to properly dispense condiments	275	550
NYC Health Code 89.19(i)	Failure to maintain personal hygiene	275	550
NYC Health Code 89.19(j)	Food not protected against contamination	385	770
NYC Health Code 89.19(k)	Toxic materials prohibited or not properly stored	385	770
NYC Health Code 89.19(l)	Failure to clean unit at commissary or approved facility	600	1200
NYC Health Code 89.21(a)	Failure to supply/obtain potable water	550	1100
NYC Health Code 89.21(b)	Failure to properly construct water storage tank	550	1100
NYC Health Code 89.23(a)	Failure to properly design or equip mobile food vending unit	550	1100
NYC Health Code 89.23(b)	Vending from any place other than a mobile food vending unit	385	770
NYC Health Code 89.23(c)	Failure to provide or improperly using single service items	200	400
NYC Health Code 89.23(d)	Failure to design unit to allow for proper cleaning	385	770
NYC Health Code 89.23(e)	Failure to provide unobstructed work space	200	400
NYC Health Code 89.23(f)	Failure to provide hand washing facilities	550	1100
NYC Health Code 89.25(a)	Improper garbage collection and/or disposal	385	770
NYC Health Code 89.25(b)	Improper storage/disposal of sewage and/or liquid waste	385	770
NYC Health Code 89.25(c)	Failure to properly remove and/or clean debris and consumer litter	385	770
NYC Health Code 89.29(e)	Removal or covering of cessation signs or seals	1000	2000

Statement of Basis and Purpose of Final Rule

The Environmental Control Board (ECB) held a Public Hearing on January 28, 2010 on various amendments to the Health Code and Miscellaneous Food Vendor Violations Penalty Schedule found in Section 3-110 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York. There were four individuals present at the hearing. Neither written comments nor oral testimony were presented on the proposed rule at the January 28, 2010 Public Hearing.

Consistent with §3.12 of the Health Code, ECB has amended its Health Code and Miscellaneous Food Vendor Violations Penalty Schedule found in Section 3-110 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York. As part of a comprehensive review of the Health Code to assess the efficacy of the articles in protecting public health, the Board of Health repealed and reenacted Article 89 (Mobile Food Vending), reorganizing and deleting some of its provisions, and adding new ones, to better reflect practice and the regulatory environment, assuring that the revised provisions provide adequate legal tools to effectively address the health and safety needs of the public and to harmonize such provisions with related provisions of Title 17 of the New York City Administrative Code ("Administrative Code"), the Department's rules in Chapter 6 of Title 24 of the Rules of the City of New York and the State Sanitary Code (10 NYCRR). Article 89 became effective January 1, 2010.

As part of the revision, particular attention has been placed on food preparation and protection and maintenance of mobile food vending units, as well as on attempting to clarify enforcement procedures. Article 89 has not been substantively modified since it was adopted in 1978 and many of its provisions were obsolete. The most significant amendments to Article 89 that have resulted in the change to ECB's Health Code and Miscellaneous Food Vendor Violations Penalty Schedule penalty schedule are:

- §89.13 (Duties of licensees and permittees): This section includes many of the provisions of current § 89.07, but adds subsections to regulate specific duties of the licensee and permittee, to include the duty of a vendors to surrender their license and/or permit or to bring to the Department and have inspected a mobile food vending unit that has been materially altered or damaged.
- §89.17: The prohibition against transfer of a license or permit is new, and clarifies that a license or permit may not be transferred from one person to another. Decals are only affixed to carts that have passed a preoperational Department inspection and are considered fit for food vending. Licenses are issued only to persons who have passed a food protection course.
- §89.19 (Food protection and safety) updates and adds requirements similar to those in Article 81 for food protection related to food sources, use of thermometers, and hot and cold holding facilities, including ice. The section also prohibits butchering meat and service of fish products, requires refrigeration for processed fruits and vegetables, establishes vendor hygiene standards and requires that units be serviced and cleaned at least daily.
- §89.25 (Garbage, refuse and liquid wastes) has been updated and incorporates provisions requested by the City's Department of Sanitation to clarify the responsibility of mobile food vendors for maintaining cleanliness of street areas surrounding their vending units. It also specifically authorizes various City agencies to enforce this provision, by issuing orders and writing notices of violation.

Pursuant to Section 3.12(a) the minimum penalty under the Health Code is two hundred dollars. Section 3.12(b) provides a minimum penalty of one thousand dollars for a person, corporation or entity engaging in an activity without a required license, permit or registration. Further section 3.12 (c) provides that when a person duly served with notice of violation of a provision of the Health Code fails to appear for a hearing and is found in default, the recommended penalty for such violation shall be doubled but not above the applicable maximum of two thousand dollars.

The new penalty schedule is consistent with the monetary penalty schedule for health violations cited at other food service establishments (FSE), under DOHMH jurisdiction; however, garbage and liquid waste disposal violations are greater than those at FSEs. The practice of discarding trash in City provided trash cans, and disposing of liquids on public streets appears to be a common practice among vendors. Illegal dumping creates food and harborage conditions for vermin. Controlling and preventing illegal disposal of garbage and liquid waste from mobile food vending units will aid in the Department's determination to reduce rodent population in the City.

Notice of Promulgation of Rule

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board by section 1049-(c)(3) of the New York City Charter, and by Section 1049-a of the New York City Charter, and in accordance with section 1043(b) of the Charter, that the Environmental Control Board hereby promulgates the following rule. The rule was published in The City Record on January 19, 2010 and a Public Hearing was held on February 18, 2010.

Section 1. The Parks Rules Penalty Schedule found in Section 3-116 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended by adding a new entry immediately following the entry in that penalty schedule for 56 RCNY1-03(c)(1), 3-19, "Failure to comply with directives of officer/park employee," to read as follows:

New matter is underlined.

SECTION/RULE	DESCRIPTION	PENALTY	DEFAULT
56 RCNY 1-03(c)(1), 3-19	Failure of pedicab operator/driver to comply with directives of officer/park employee	250	1,000

Section 2. The Parks Rules Penalty Schedule found in Section 3-116 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended by adding a new entry immediately following the entry in that penalty schedule for 56 RCNY1-03(c)(2), "Failure to comply with directions/prohibitions on signs," to read as follows:

New matter is underlined.

SECTION/RULE	DESCRIPTION	PENALTY	DEFAULT
56 RCNY1-03(c)(2)	Failure of a pedicab operator/driver to comply with directions/prohibitions on signs	50	200

Section 3. The Parks Rules Penalty Schedule found in Section 3-116 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended by adding a new entry immediately following the entry in that penalty schedule for 56 RCNY1-03(c)(4), "Storing/leaving unattended personal belongings," to read as follows:

New matter is underlined.

SECTION/RULE	DESCRIPTION	PENALTY	DEFAULT
56 RCNY1-04(c)(4)	Storing/leaving unattended pedicab	50	200

Section 4. The Parks Rules Penalty Schedule found in Section 3-116 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended by adding a new entry immediately following the entry in that penalty schedule for

56 RCNY1-05(i), "Failure to comply with bicycle riding restrictions," to read as follows:

New matter is underlined.

SECTION/RULE	DESCRIPTION	PENALTY	DEFAULT
56 RCNY1-05(i)	Failure to comply with pedicab restrictions	50	200

Statement of Basis and Purpose of Final Rule

The Environmental Control Board held a Public Hearing on February 18, 2010 on various amendments to its Parks Rules Penalty Schedule found in Section 3-116 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York (RCNY). Neither written comments nor oral testimony were presented.

The Board has added four new charges to the Parks Rules Penalty Schedule found in Section 3-116 of Subchapter G of Chapter 3 of Title 48 of the RCNY. Penalties relating to bicycles in ECB's Parks Penalty Schedule apply also to pedicabs. However, in order to improve awareness among operators and drivers of pedicabs as well as among the public as to such restrictions, charges bearing descriptions specifically relating to pedicabs are being proposed. These new charges will help to promote safety, preserve aesthetic values and provide a balanced interaction with other Parks' users while still permitting pedicab drivers to continue to ply their trade.

In section 1, the Board has added a new entry for failure of a pedicab operator or driver to comply with a directive of a parks officer or employee.

In section 2, the Board has added a new entry for failure of a pedicab operator or driver to comply with directions/prohibitions on signs.

In section 3, the Board has added a new entry for storing or leaving a pedicab unattended.

In section 4, the Board has added a new entry for failure to comply with pedicab restrictions.

The New York City Department of Parks has amended 56 RCNY 1-05(i) to include restrictions specific to pedicabs. The restrictions include operating an unregistered pedicab, riding in prohibited or undesignated areas, operating a pedicab in a reckless manner, failing to yield the right-of-way, displaying commercial advertising when the pedicab is on a park road during a time when private motor vehicles are not allowed to operate on such park road, and soliciting, picking up or releasing passengers in non-designated areas.

The penalties for the new charges are the same as the penalties for the charges that apply to bicyclists under those sections already contained in the penalty schedule.

Notice of Promulgation of Rule

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board (ECB) by Section 1049-a(c)(3) of the New York City Charter, and by 1049-a of the New York City Charter and in accordance with Section 1043(b) of the Charter, that the Environmental Control Board hereby promulgates the following rule. The rule was published in The City Record on January 19, 2010 and a Public Hearing was held on February 18, 2010.

New material is underlined.

Section 1. Buildings Penalty Schedule II, found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended by adding one new entry immediately following the entry in such Penalty Schedule for 28-110.1, Class 1, "Failure to conduct workers' site-specific safety orientation program per site safety plan." to read as follows:

Aggravated	Default - Maximum Penalty
Aggravated	\$10,000
Aggravated	\$10,000
Aggravated	\$10,000
Aggravated	\$5,000
Default	\$5,000
Mitigated	Yes
Standard	\$200
Situation	No
Cure	No
Violation Description	Failure of permit holder to provide inspection access to and/or expose ongoing construction or work on an active and permitted worksite
Classification	Class 2
Section of Law	28-110.1

Section 2. Buildings Penalty Schedule II, found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended by adding three new entries immediately following the entry in such Penalty Schedule for BC 3303.4.6 & 27-1018 B183, Class 1, "Unsafe storage of Combustible material and equipment," to read as follows:

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated Penalty	Aggravated - Default - Maximum Penalty
BC3303.7.3	Class 1	Smoking at construction/demolition site	No	No	\$2,400	No	\$12,000	\$12,000	\$25,000
BC3303.7.3	Class 2	Smoking at construction/demolition site	No	No	\$1,200	No	\$6,000	\$6,000	\$10,000
BC 3303.7.3	Class 2	Failure to Post No Smoking signs at construction/demolition sites per Fire Code	Yes	No	\$800	Yes	\$4,000	\$4,000	\$10,000

Statement of Basis and Purpose of Final Rule

The Environmental Control Board held a Public Hearing on February 18, 2010 on various amendments to ECB's Buildings Penalty Schedule II, found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York. Neither written comments nor oral testimony were presented.

The Environmental Control Board (ECB) has added four new charges to ECB's Buildings Penalty Schedule II, found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York.

In Section 1, the Board has added a charge for failure of a permit holder to provide inspection access and/or exposure to ongoing construction or work on an active and permitted worksite. Under Article 216 entitled, Inspection and Sign Off of Completed Work, a permit holder is responsible to provide inspectors from the Department of Buildings with access and exposure to the work being performed at a construction site for inspection purposes. However, inspectors are often denied access to ongoing work at construction sites during random visits designed to ensure that work is being performed in accordance with the code and within the scope of the permit.

The intent of this infraction is to create a disincentive to a permit holder's denial of access to inspections of ongoing work based on an active permit. The violation will be issued to the permit holder only. No cure is available for this charge because adding a cure opportunity defeats the intent of the charge by allowing an additional penalty-free period for potential wrongdoing by respondents.

In Section 2, ECB has added three new charges to Buildings Penalty Schedule II to allow for adequate and effective enforcement of Local Law 36 of 2009 which took effect on August 28, 2009. The law amended BC Section 3303 of the New York City Building Code by adding section BC 3303.7.3. This section prohibits smoking at all construction and demolition sites and requires the posting of signs in accordance with the provisions of the New York City Fire Code.

Construction and demolition sites are dangerous places where flammables and combustible materials and substances are often stored and used. Over the years, smoking has been identified as the cause of many construction fires, one of which resulted in the death of two firefighters in 2007 at 130 Liberty Plaza, New York, NY.

The issuance of a class 1 or a class 2 violation will depend in large part on the severity of the condition(s) witnessed by the inspection officer. Such violations shall be issued to the general contractor, subcontractor or permit holder in charge and control of the construction or demolition site. The penalties for the four new charges are as follows: The Standard Default and Aggravated II penalties are both 5 times the Standard penalty; the Aggravated I penalty is 2 1/2 times the Standard penalty; the Aggravated I default penalty is 10 times the Standard penalty; and the Aggravated II Default penalty is the statutory maximum.

HEALTH AND MENTAL HYGIENE

NOTICE

The following resolution was adopted by the Board of Health on April 18, 2000. This resolution was utilized by the Department of Health and Mental Hygiene every year since 2000. The Department suspends its use on October 31st of each year because the threat of mosquito breeding during cold weather subsides. From March 15, 2010 through October 31, 2010, the Resolution will again be in full force and effect. The Department intends to again fully exercise the authority granted by the Board of Health Resolution, including the

immediate abatement of standing water conditions, to prevent the breeding and proliferation of mosquitoes during the 2010 mosquito season. Therefore, in order to ensure proper public notification, the Department of Health and Mental Hygiene is republishing the Resolution in accordance with §17-148 of the Administrative Code of the City of New York.

Resolution of the Board of Health of the Department of Health and Mental Hygiene of the City of New York

At a meeting of the Board of Health of the Department of Health and Mental Hygiene held April 18, 2000, the following resolution was adopted:

Whereas, the Board of Health has taken and filed among its records reports that in areas throughout the City of New York there are sunken lots, property below grade, or other places which are insufficiently drained and where water may accumulate and stagnant water may collect; and

Whereas, upon these and other properties, there are household and other items including, but not limited to, tires, flower pots, household or other containers such as, trash, garbage and recycling containers without drainage holes, roof gutters clogged with leaves or other debris, swimming and wading pools, bird baths, swimming pool covers, outdoor plumbing fixtures and hose bibs dripping water to the ground and other materials, appurtenances and fixtures which allow the accumulation of water; and

Whereas, such accumulations of water create conditions conducive to insect life in general, and to the breeding and nurturing of mosquitoes in particular; and

Whereas, certain mosquitoes have been found to harbor viral diseases, including West Nile Virus/encephalitis, which are transmissible to and may be fatal to humans; and

Whereas, mosquitoes breed rapidly, and the potential presence of West Nile Virus is immediately dangerous to life and health; and

Whereas, the Board of Health regards the aforesaid reports as sufficient proof to authorize the declaration that any accumulations of water in which mosquitoes may breed are in a condition and in effect immediately dangerous to human life and health and constitute a public nuisance; and

Whereas, immediate abatement of such nuisances is necessary to prevent the breeding and proliferation of infectious mosquitoes; and

Whereas, personal service or service pursuant to subdivisions (a) or (b) of §17-148 of the Administrative Code of the City of New York of orders requiring the abatement of such nuisances and conditions in effect dangerous to life and health upon each of the persons who, pursuant to the provisions of Title 17 of the Administrative Code of the City of New York, has a duty or liability to abate such nuisances and conditions, would result in a delay prejudicial to the public health, welfare, and safety; now, therefore, be it

Resolved, that the Board of Health hereby declares that such places having an accumulation of water capable of breeding mosquitoes are in a condition and in effect immediately

dangerous to life and health and constitute a public nuisance; and be it further

Resolved, that the Board of Health hereby declares that such nuisances are widespread throughout the City; and be it further

Resolved, that all persons who, pursuant to the provisions of Title 17 of the Administrative Code of the City of New York and such other chapters, titles, sections, laws or rules as are applicable thereto, have the duty or liability to abate such nuisances and conditions in effect dangerous to life and health, are hereby ordered to forthwith abate such nuisances and conditions in effect dangerous to life and health by eliminating such accumulations of water and the conditions conducive to further accumulation, or by otherwise eliminating the capacity of accumulated water to support mosquito breeding; and be it further

Resolved, that in the event that such persons or any of them shall fail to comply with this order within five days after service thereof pursuant to §17-148 of the Administrative Code of the City of New York, the Department of Health and Mental Hygiene is hereby authorized and directed to take all necessary steps to forthwith secure the abatement of said nuisances and conditions in effect dangerous to life and health.

Resolved further, that this resolution shall take effect immediately.

(As adopted by the Board of Health on April 18, 2000)

A TRUE COPY
Rena S. Bryant
Secretary to the Board of Health

m3-5

MAYOR'S OFFICE OF CONTRACT SERVICES

NOTICE

Section 4-06 of the Procurement Policy Rules requires City agencies to process contract payments efficiently and expeditiously so as to assure timely contract payments to those suppliers doing business with the City.

The Rule further requires that when payments are made after the Required Payment Date ("RPD"), interest, unless otherwise specified in the Rules, must be paid to the supplier.

The Comptroller and the Office of Management & Budget (OMB) have jointly set the new Prompt Payment Interest Rate. The new Prompt Payment Interest Rate is 3.25% effective on payments for the six month period January 1, 2010 - June 30, 2010.

Questions on this notice should be directed to:

Jahmeliah Nathan, Chief of Staff
Mayor's Office of Contract Services
253 Broadway, 9th Floor
New York, NY 10007 Tel: (212) 788-8525

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SPECIAL MATERIALS

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

NOTICE

**OFFICIAL FUEL PRICE SCHEDULE NO. 6425a
FUEL OIL AND KEROSENE**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 3/1/2010
2887105	2.0	#1DULS	MANH	SPRAGUE ENERGY Corp	+0303 GAL. 2.5383 GAL.
2887105	3.0	#1DULS	BRONX	SPRAGUE ENERGY Corp	+0303 GAL. 2.5383 GAL.
2887105	4.0	#1DULS	BROOKLYN	SPRAGUE ENERGY Corp	+0303 GAL. 2.5733 GAL.
2887105	5.0	#1DULS	QUEENS	SPRAGUE ENERGY Corp	+0303 GAL. 2.5733 GAL.
2887105	6.0	#1DULS	S.I.	SPRAGUE ENERGY Corp	+0303 GAL. 2.6383 GAL.
2887105	7.0	#1DULS	P/U	SPRAGUE ENERGY Corp	+0303 GAL. 2.4501 GAL.
2887086	3.0	#1DULSB20	CITY WIDE BY TW	SPRAGUE ENERGY Corp	+0398 GAL. 2.5083 GAL.
2887086	7.0	#1DULSB20	P/U	SPRAGUE ENERGY Corp	+0398 GAL. 2.4386 GAL.
2887086	1.0	#1DULSB5	CITY WIDE BY TW	SPRAGUE ENERGY Corp	+0327 GAL. 2.4694 GAL.
2887086	5.0	#1DULSB5	P/U	SPRAGUE ENERGY Corp	+0327 GAL. 2.3874 GAL.
3087064	1.0	#1DULSB50	CITY WIDE BY TW	METRO FUEL OIL Corp.	+0542 GAL. 3.0897 GAL.
2887052	1.0	#2	MANH RAPID	PETROLEUM	+0305 GAL. 2.1035 GAL.
2887052	4.0	#2	BRONX RAPID	PETROLEUM	+0305 GAL. 2.1033 GAL.
2887052	7.0	#2	BROOKLYN	RAPID PETROLEUM	+0305 GAL. 2.0929 GAL.
2887052	13.0	#2	S.I. RAPID	PETROLEUM	+0305 GAL. 2.1364 GAL.
2887053	10.0	#2	QUEENSMETRO	FUEL OIL Corp.	+0305 GAL. 2.1262 GAL.
2887169	1.0	#2B5	CITY WIDE BY TW	METRO FUEL OIL Corp.	+0329 GAL. 2.5080 GAL.
2887105	8.0	#2DHS	BARGE M.T.F. 111	SPRAGUE ENERGY Corp	+0305 GAL. 2.3790 GAL.
2887106	9.0	#2DHS	BARGE WI	METRO FUEL OIL Corp.	+0305 GAL. 2.2904 GAL.
2887301	1.0	#2DLS	BARGE ST. GEORGE	METRO FUEL OIL Corp.	+0340 GAL. 2.4012 GAL.
2887301	3.0	#2DLS	P/U	METRO FUEL OIL Corp.	+0340 GAL. 2.2640 GAL.
2887302	4.0	#2DLS	CITY WIDE BY TW	SPRAGUE ENERGY Corp.	+0340 GAL. 2.3857 GAL.
2887105	1.0	#2DULS	CITY WIDE BY TW	SPRAGUE ENERGY Corp	+0399 GAL. 2.2652 GAL.
2887105	1.1	#2DULS	P/U	SPRAGUE ENERGY Corp.	+0399 GAL. 2.2302 GAL.
2887301	2.0	#2DULS	BARGE ST. GEORGE	METRO FUEL OIL Corp.	+0399 GAL. 2.3449 GAL.
2887086	4.0	#2DULSB20	CITY WIDE BY TW	SPRAGUE ENERGY Corp	+0475 GAL. 2.3785 GAL.
2887087	8.0	#2DULSB20	P/U	METRO FUEL OIL Corp.	+0475 GAL. 2.7293 GAL.
2887086	2.0	#2DULSB5	CITY WIDE BY TW	SPRAGUE ENERGY Corp	+0418 GAL. 2.3178 GAL.
2887105	10.0	#2DULSB5	BARGE ST. GEORGE	SPRAGUE ENERGY Corp	+0418 GAL. 2.8531 GAL.
2887159	6.0	#2DULSB5	P/U	METRO FUEL OIL Corp.	+0418 GAL. 2.3655 GAL.
3087065	2.0	#2DULSB50	CITY WIDE BY TW	SPRAGUE ENERGY Corp.	+0589 GAL. 2.9148 GAL.
2887274	7.0	#2DULSDISP	DISPENSED	SPRAGUE ENERGY Corp.	+0399 GAL. 2.5921 GAL.
2887052	2.0	#4	MANH	RAPID PETROLEUM	+0099 GAL. 1.9726 GAL.
2887052	5.0	#4	BRONX	RAPID PETROLEUM	+0099 GAL. 1.9760 GAL.
2887052	8.0	#4	BROOKLYN	RAPID PETROLEUM	+0099 GAL. 1.9868 GAL.
2887052	14.0	#4	S.I.	RAPID PETROLEUM	+0099 GAL. 2.0198 GAL.
2887053	11.0	#4	QUEENS	METRO FUEL OIL Corp.	+0099 GAL. 1.9916 GAL.
2887052	3.0	#6	MANH	RAPID PETROLEUM	-0038 GAL. 1.9009 GAL.
2887052	6.0	#6	BRONX	RAPID PETROLEUM	-0038 GAL. 1.9009 GAL.
2887052	9.0	#6	BROOKLYN	RAPID PETROLEUM	-0038 GAL. 1.9159 GAL.
2887052	15.0	#6	S.I.	RAPID PETROLEUM	-0038 GAL. 1.9519 GAL.
2887054	12.0	#6	QUEENS	CASTLE OIL CORPORATION	-0038 GAL. 1.9200 GAL.
2787347	1.0	JETA	FLOYD BENNETT	SPRAGUE ENERGY Corp	+0398 GAL. 2.8357 GAL.

OFFICIAL FUEL PRICE SCHEDULE NO. 6426 FUEL OIL, PRIME AND START

Table with columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE EFF. 3/1/2010. Rows include items 1.0, 79.0, 157.0, 235.0, 236.0.

OFFICIAL FUEL PRICE SCHEDULE NO. 6427 FUEL OIL AND REPAIRS

Table with columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE EFF. 3/1/2010. Rows include items 1.0, 79.0, 157.0, 234.0.

OFFICIAL FUEL PRICE SCHEDULE NO. 6428 GASOLINE

Table with columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE EFF. 3/1/2010. Rows include items 1.0, 7.0, 6.0, 1.0, 1.0, 2.0, 3.0, 4.0, 5.0.

undertaken pursuant to the remediation plans. Supporting Statement:

The above determination is based on an environmental assessment which finds that:

- 1. A Phase I Environmental Site Assessment (ESA) dated January 14, 2009, was prepared for the project site (Block 3884, Lot 2). The Phase I ESA was reviewed by DEP's Office of Environmental Planning and Assessment. Pursuant to a letter dated October 27, 2009. Phase II testing was recommended by DEP due to the potential presence of hazardous materials on the site as a result of past and present adjacent land uses. As such, the restrictive declaration requires that detailed Phase II testing would occur and is binding upon the property's successors and assigns. The restrictive declaration, executed January 19th, 2010 and recorded January 21, 2010, establish an agreement to test and identify any potential hazardous materials impacts pursuant to the approved sampling protocol and, if any such impact is found, submit a hazardous material remediation plan, including a health and safety plan, to DEP for approval. If necessary, remediation measures would be undertaken pursuant to the remediation plan. The restrictive declaration also restrict the manner in which the property may be developed or redeveloped, by requiring the sampling protocol and remediation measures to serve as a condition precedent to any change of use in any such development or redevelopment of the property.

Pursuant to a letter from the DEP dated February 18, 2010, the DCP is in receipt of a signed copy of a DEP-approved restrictive declaration with proof of recording for the site. Consequently, no significant adverse impacts related to hazardous materials will occur.

It is fully agreed and understood that if the foregoing conditions, modification, and alterations are not fully incorporated into the proposed action, this Conditional Negative Declaration shall become null and void. In such event, the applicant shall be required to prepare a Draft Environmental Impact Statement before proceeding further with said proposal.

This Conditional Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

m1-5

CITY PLANNING

NOTICE

CONDITIONAL NEGATIVE DECLARATION

Project Identification: CEQR No. 09DCP063Q, ULURP No. 090356ZSQ, SEQRA Classification: Unlisted. Lead Agency: City Planning Commission, 22 Reade Street, New York, NY 10007. Contact: Robert Dobruskin (212) 720-3423

Name, Description, and Location of Proposal:

72-25 Woodhaven Boulevard

The proposed action involves a Special Permit pursuant to Section 74-922 of the Zoning Resolution (ZR). The proposed action would facilitate a proposal by the applicant, Woodhaven Realty LLC, to develop a commercial establishment over 10,000 square feet located at 72-25 Woodhaven Boulevard (Block 3884, Lot 2) in Community District 6, Queens.

The site is in an M1-1 zoning district at the southeastern intersection of Woodhaven Boulevard and Metropolitan Avenue and is currently occupied by a 55,000 square foot vacant bowling alley with a 49 space accessory parking lot. The proposed action would facilitate the conversion of the

bowling alley to a Use Group 10A retail establishment. Retail establishments over 10,000 square feet in area are not allowed as-of-right within M1-1 districts. Absent the proposed action, the site would be redeveloped as a bowling alley, which for purpose of the reasonable worst case development screening, is assumed to be a furniture store. The analysis year is 2010.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated February 19, 2010 prepared in connection with the ULURP Application (090356ZSQ). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment, once it is modified as follows:

- 1. The applicant agrees via a restrictive declaration to prepare hazardous materials sampling protocols, including a health and safety plans, which would be submitted to the Department of Environmental Protection (DEP) for approval. The applicant agrees to test and identify any potential hazardous material impact pursuant to the approved sampling protocols and, if any such impact is found, submit hazardous material remediation plans including health and safety plans to DEP for approval. If necessary, remediation measures would be

CULTURAL AFFAIRS

NOTICE

Invitation to Apply

The Office of the Mayor is seeking proposals from eligible City agencies, other public entities and nonprofit tax-exempt 501(c)(3) organizations providing services in the City of New York, for projects eligible for funding through the National Endowment for the Arts Mayor's Institute on City Design 25th Anniversary Initiative. Deadline for submissions is March 8, 2010. For more information and to download application materials, please go to www.nyc.gov.

m4-8

CHANGES IN PERSONNEL

COMMUNITY COLLEGE (BRONX) FOR PERIOD ENDING 02/05/10

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Community College (Bronx).

COMMUNITY COLLEGE (QUEENSBORO) FOR PERIOD ENDING 02/05/10

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Community College (Queensboro).

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

Table with 4 columns: Name, Date, Amount, Status. Lists various individuals and their associated information.

LATE NOTICES

ENVIRONMENTAL PROTECTION

PUBLIC HEARING

THESE PUBLIC HEARINGS HAVE BEEN CANCELLED

NOTICE IS HERE GIVEN that a Public Hearing will be held at the Department of Environmental Protection Offices at 59-17 Junction Boulevard, 17th Floor Conference Room, Flushing, New York, on March 4, 2010 commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed Renewal contract between the Department of Environmental Protection and Putnam County Department of Health, 1 Geneva Road, Brewster, New York 10509 for CRO-465: Delegation for Putnam County Department of Health. The Contract term shall be 5 years from the date of the written notice to proceed. The Contract amount shall be \$976,328.00 - Location: Putnam County - PIN#: 82610WS00032.

A copy of the Contract may be inspected at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, New York, 11373, on the 17th Floor Bid Room, on business days from February 19, 2010 to March 4, 2010 between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

IN THE MATTER OF a proposed Renewal contract between the Department of Environmental Protection and Ulster County Department of Health, 300 Flatbush Avenue, Kingston, New York 12401 for CAT-317: Delagation for Ulster County Department of Health. The Contract term shall be 5 years from the date of the written notice to proceed. The Contract amount shall be \$158,808.00 - Location: Ulster County - PIN# 82610WS00033.

A copy of the Contract may be inspected at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, New York, 11373, on the 17th Floor Bid Room, on business days from February 19, 2010 to March 4, 2010 between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DEP does not receive, by February 25, 2010, from any individual a written request to speak at this hearing, then DEP need not conduct this hearing. Written notice should be sent to Ms. Debra Butlien, NYCDEP, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373 or via email to dbutlien@dep.nyc.gov.

Note: Individuals requesting Sign Language Interpreters should contract Ms. Debra Butlien, Office of the ACCO, 59-17 Junction Boulevard, 17th Floor, Flushing, New York 11373, (718) 595-3423, no later than FIVE(5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

HOUSING AUTHORITY

MEETING

Please be advised that the New York City Housing Authority has scheduled a Special Board Meeting for Wednesday, March 10, 2010 at 10:00 AM to be held in the Board Room on the 12th floor at 250 Broadway, New York, NY.

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

SOLICITATIONS

Construction Related Services

STAFFING/CONSULTING SERVICES – Competitive Sealed Bids – PIN# SCA10-00043R – DUE 03-26-10 AT 2:00 P.M. – In connection with building and renovating schools and school facilities throughout the various boroughs. Proposals are currently being accepted by the following firms:

AECOM USA, Inc., Aerotek, Ben Thompson Associates, Consulting for Architects, Inc., Epic Management, Inc., Fluor Enterprise, Future Tech Consultants of New York, Gilbane Building Company, Greylhawk North America, LLC, HAKS Engineers and Land Surveyors, PC, Heery International, Inc., Hill International, Inc., Jacobs Engineering, Kreisler Borg Florman General Construction, Inc., Lehigh GIT, Inc., Liro Program and Construction Management, PC, Louis Berger Group, Metro Tech Consulting, Montco, Inc., Parsons, PB Americas, Savin Engineers, Skanska USA Building, Inc., STV, Inc., Team Support Services, Inc., Tectonic Engineering and Survey Consultants, Tishman Construction Corporation, Triton Construction, Turner Construction Company, URS Corporation - New York, Washington Group International.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above. School Construction Authority, 30-30 Thomson Avenue First Floor, Long Island City, NY 11101. Patricia Geraghty (718) 752-5885.

AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

“These Hearings may be cablecast on NYC TV Channel 74 on Sundays, from 5:00 p.m. to 7:00 p.m. For more information, visit: www.nyc.gov/tv” NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor’s Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.

CHIEF MEDICAL EXAMINER

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 18, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Health and Mental Hygiene, Office of Chief Medical Examiner (OCME) and Applied Biosystems, 850 Lincoln Centre Drive, Foster City, CA 94404, to provide off- and on-site scheduled maintenance and on-call repair services for thermal cyclers, inclusive of parts, labor and travel. The contract amount shall be \$677,387.70. The contract term shall be from May 1, 2010 to June 30, 2015 with one one-year option to renew from July 1, 2015 to June 30, 2016. PIN#: 81609ME0027.

The proposed contractor has been selected as a Sole Source Procurement, pursuant to Section 3-05 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Office of Chief Medical Examiner, 421 East 26th Street, 10th Floor, Contracts Division, New York, NY 10016, from March 5, 2010 to March 18, 2010, Monday to Friday, excluding Holidays, from 10:00 A.M. to 3:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written request should be sent to Barbara Markowitz, Agency Chief Contracting Officer at the Office of Chief Medical Examiner, 421 East 26th Street, 10th Floor, Contracts/Purchasing Division, New York, NY 10016. If OCME receives no written request to speak within the prescribed time, OCME reserves the right not to conduct the public hearing.

HEALTH AND MENTAL HYGIENE

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 18, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Health and Mental Hygiene and the Contractor listed below, to promote or provide public health programs and family planning services in the Borough of The Bronx. The contract term shall be from July 1, 2009 to June 30, 2010.

Contractor/Address

Touro College
27-33 West 23rd Street, New York, NY 10010

PIN# 10SH084501R0X00 Amount \$117,187.50

The proposed contractor is being funded through City Council/Discretionary Funds Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, NY 10013, from March 5, 2010 to March 18, 2010, excluding Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 P.M.

Anyone who wishes to speak at this Public Hearing should request to do so in writing. The written request must be received by the Department within 5 business days after the publication of this notice. Written requests to speak should be sent to Huguette Beauport, 93 Worth Street, Room 812, New York, NY 10013, or to hbeaupor@health.nyc.gov. If DOHMH does not receive any written requests to speak within the prescribed time, DOHMH reserves the right not to conduct the Public Hearing.

HOMELESS SERVICES

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 18, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Homeless Services and The Floating Hospital Foundation, Inc., 41-40 27th Street, Long Island City, New York 11101, to provide medical services at Prevention Assistance and Temporary Housing (PATH) located at 356 Powers Avenue, Bronx, New York 10454. The contract amount shall be \$1,458,286. The contract term shall be from July 1, 2010 to June 30, 2011. PIN#: 071-11S-03-1447.

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

A draft copy of the proposed contract is available for public inspection at the Department of Homeless Services, 33 Beaver Street, NY, NY 10004, from March 5, 2010 to March 18, 2010, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 5:00 P.M.

JUVENILE JUSTICE

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 18, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the New York City Department of Juvenile Justice and Hope Care Medical Counseling Service, PC, P.O. Box 220284, Great Neck, NY 11022, for the provision of mental health services for youth in detention. The contract amount shall not exceed \$3,542,145. The contract term shall be from April 1, 2010 to March 31, 2013 with one three-year option to renew from April 1, 2013 to March 31, 2016. PIN#: 13010DJJMH1.

The proposed contractor has been selected by means of Negotiated Acquisition, pursuant to Section 3-04 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Department of Juvenile Justice, 110 William Street, 14th floor, New York, NY 10038, on business days, from March 5, 2010 to March 18, 2010, excluding Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 P.M.

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 18, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Homeless Services and Interfaith Medical Center, Inc., 1545 Atlantic Avenue, Brooklyn, New York 11213, to provide Medical and Psychiatric Screening and Assessment Services at the Bedford – Atlantic Men's Shelter located at 1322 Bedford Avenue, Brooklyn, New York 11216. The contract amount shall be \$690,592. The contract term shall be from January 1, 2010 to December 31, 2010. PIN #: 071-10S-03-1439.

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

A draft copy of the proposed contract is available for public inspection at the Department of Homeless Services, 33 Beaver Street, NY, NY 10004, from March 5, 2010 to March 18, 2009, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 5:00 P.M.

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SMALL BUSINESS SERVICES

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 18, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Small Business Services and the Contractor listed below, to provide economic development programs in the Borough of Brooklyn. The contract term shall be from July 1, 2009 to June 30, 2010.

Contractor/Address

Business Outreach Center Network, Inc.
85 South Oxford Street, Brooklyn, NY 11217

Amount \$120,000 **PIN#** 801-SBS100086

The proposed contractor is being funded through City Council Discretionary Funds Appropriation, pursuant to Section 1-02 (e) of the Procurement Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, from March 5, 2010 to March 18, 2010, excluding Weekends and Holidays, from 9:00 A.M. to 5:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written requests to speak should be sent to Mr. Daryl Williams, ACCO, Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, or email to: dwilliams@sbs.nyc.gov. If DSBS receives no written requests to speak within the prescribed time, DSBS reserves the right not to conduct a public hearing.

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ENVIRONMENTAL PROTECTION

NOTICE

Notice of Opportunity to Comment on Proposed Amendments to Chapter 1 of Title 15 of the Rules of the City of New York Governing the Asbestos Control Program

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN The Department of Environmental Protection by section 1043 of the New York City Charter and section 24-146.1 of the Administrative Code of the City of New York that the Department of Environmental Protection is proposing to amend the rules governing and restricting concurrent demolition and asbestos abatement.

PLEASE BE ADVISED THAT WRITTEN COMMENTS regarding the proposed amendments may be sent on or before April 7th 2010 to the New York City Department of Environmental Protection, Bureau of Legal Affairs, 59-17 Junction Boulevard, 19th floor, Flushing, New York 11373 Attention: Erin Gray.

PLEASE BE FURTHER ADVISED THAT ORAL COMMENTS regarding the proposed amendments may be delivered at a public hearing to be held on April 7th, 2010 at 10AM at the 9th Floor Conference Room, 59-17 Junction Boulevard. If you have any questions about the location of the hearing, please contact Belinda Pantina at (718) 595-6552.

Persons who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are asked to notify Belinda Pantina at the phone number above by two weeks prior to the hearing.

PLEASE BE FURTHER ADVISED THAT COPIES OF ALL WRITTEN COMMENTS and a summary of the oral comments delivered at the public hearing will be available for inspection within a reasonable time after receipt between the hours of 9:00 A.M. and 5:00 P.M. at the Department of Environmental Protection, Office of Legal Affairs, 59-17 Junction Boulevard, 19th floor, Flushing New York 11373.

The proposed Rule was not listed in the Department's FY 2010 Regulatory Agenda.

Please note that new text is underlined and deleted material is [bracketed].

Statement of Basis and Purpose

LL 77 of 2009 requires the DEP to publish a rule outlining the criteria in which the DEP may grant a variance from the requirement that all asbestos containing material (ACM) must be removed prior to the commencement of work. This rule sets forth that criterion and the activities that require an asbestos abatement permit to be issued pursuant to section 24-146.3 of the Administrative Code for any asbestos abatement work performed pursuant to such variance. This rule shall not apply to full demolitions or removal of one or more stories when performed as emergency work pursuant to article 215 of Chapter 2 of Title 28 of the Administrative Code. To further protect the public, this rule strictly limits concurrent asbestos abatement and demolition work unless a site-specific variance has been issued by DEP, in consultation with FDNY and DOB to ensure the safety of the activity.

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

Section one. Section 1-03 of Title 15 of the Rules of the City of New York is amended to read as follows:

§1-03 Variances.

(f) Any variance from the prohibition on concurrent abatement and full demolition or story removal set forth in section 1-126 shall only be approved after notification and consultation with FDNY and DOB.

(ffg) Any violation of the terms of any variance issued under this section shall be considered a violation of the lettered subdivision modified by the variance.

Section two. Section 1-26 of Title 15 of the Rules of the City of New York is amended to read as follows:

§ 1-26 Asbestos Abatement Permit (a) *Permit required.* An asbestos abatement permit authorizing the performance of construction work shall be required for asbestos projects involving one or more of the following activities:

- (1) Obstruction of an exit door leading to an exit stair or the exterior of the building;
- (2) Obstruction of an exterior fire escape or access to that fire escape;
- (3) Obstruction of a fire-rated corridor leading to an exit door;
- (4) Removal of handrails in an exit stair or ramp within the work area;
- (5) Removal or dismantling of any fire alarm system component including any fire alarm-initiating device (e.g., smoke detectors, manual pull station) within the work area;
- (6) Removal or dismantling of any exit sign, including directional signs, or any component of the exit lighting system, including photoluminescent exit path markings within the work area;
- (7) Removal or dismantling of any part of a sprinkler system including piping or sprinkler heads within the work area;
- (8) Removal or dismantling of any part of a standpipe system including fire pumps or valves within the work area;
- (9) Any abatement activity to be performed within a building concurrently with the full demolition of such building or concurrently with the removal of one or more stories of such building.

(9)10 Removal of any non-load bearing / non-fire-resistance rated wall (greater than 45 square feet or 50 per cent of a given wall) within the work area;

(10)11 Any plumbing work other than the repair or replacement of plumbing fixtures within the work area;

(11)12 Removal of any fire-resistance rated portions of a wall, ceiling, floor, door, corridor, partition, or structural element enclosure including spray-on fire-resistance rated materials within the work area;

(12)13 Removal of any fire damper, smoke damper, fire stopping material, fire blocking, or draft stopping within fire-resistance rated assemblies or within concealed spaces;

(13)14 Any abatement [work] activity that requires immediate construction work that would otherwise require a permit from the Department of Buildings.

(b) Work Place Safety Plan.

(1) Plan required. For projects requiring an asbestos abatement permit due to one or more of the activities listed in (a)(1-8)9 and (a)(1-3)4, the building owner or its authorized representative shall submit, together with the asbestos project notification, a work place safety plan (WSP) and any other applicable construction documents, which shall be prepared by a registered design professional, and a permit fee as specified in subsection (g).

(2) Plan not required. For projects requiring an asbestos abatement permit due to one or more of the activities listed in (a)(9)10-12)13, the building owner or its authorized representative shall submit, together with the asbestos project notification, all applicable asbestos abatement permit construction documents, and a permit fee as specified in subsection (g).

(i) If the WSP is being submitted pursuant to subsection (a)9, it shall also set forth the sequencing of the proposed work. The

WSP shall not be approved unless it provides for a buffer of four floors or an adequate buffer as determined by the commissioner between the abatement and the demolition or floor removal work.

(3) Plan requirements. The WSP shall include, but not be limited to, the following items, depending on the size and scope of the asbestos project:

- (i) Floor plans showing the locations of all asbestos project work areas in the building.
- (ii) Floor plans indicating the locations of any components of the fire alarm system which have been deactivated, and setting forth mitigation measures to be implemented for the duration of the project.
- (iii) Floor plans indicating the locations of obstructed or removed exit signage and lighting and setting forth mitigation measures to be implemented for the duration of the project.
- (iv) Floor plans indicating the locations of any obstructed means of egress or required exit and setting forth mitigation measures to be implemented for the duration of the project.
- (v) Floor plans or riser diagrams indicating the locations of any disengaged or removed components of the fire protection system and setting forth mitigation measures to be undertaken for the duration of the project.
- (vi) A written description of all measures taken to mitigate compromised fire protection systems or means of egress, including but not limited to surveillance by a fire watch and an action plan setting forth procedures to be taken for the safety of building occupants in the event of an emergency.
- (vii) If the asbestos project is being performed in a building where any dwelling unit is to be occupied for the duration of the permit, the WSP shall include a tenant protection plan as required by chapter 1 of Title 28 of the Administrative Code.
- (viii) A list of all non asbestos contractors who will perform work on the project.]

(4)3 Approval. The documents submitted pursuant to subsection (b) will be reviewed by DEP's asbestos technical review unit (A-TRU) and by any other relevant city agencies. Upon approval by A-TRU, DEP will issue an asbestos abatement permit to the building owner or its authorized representative.

Section three. Section 1-126 of Title 15 of the Rules of the City of New York is amended to read as follows:

§1-126 ACM Procedures: Order of Work. [If ACM throughout the structure is not removed prior to start of the demolition work approved by the New York City Buildings Department Demolition Permit, the following Order of Work (schedule) shall be followed for abatement activities conducted in connection with a demolition.

Only after the ACM has been completely removed from the top three floors of the structure to be demolished may the topmost floor be demolished subject to the following limitations:

(a) None of the demolition activities shall compromise in any way ACM abatement being done on lower floors.

(b) None of the chutes or other procedures used to remove the demolition debris shall be routed through areas which are in the process of having ACM removed, or have been prepared for abatement of ACM.

(c) Demolition workers shall proceed through uncontaminated areas when approaching and leaving the areas where demolition is being performed. If the demolition workers must pass through the work area, passage-ways with appropriate air locks, through the area where ACM is being abated shall be provided to allow the demolition workers to approach and leave the area where demolition is being conducted.

(d) As ACM is removed from succeeding floors, additional floors may be demolished as long as ACM abatement is always maintained at least two floors below the level at which demolition is being conducted, until all the ACM has been removed.

(e) Removal of ACM from levels below street level may be done simultaneously with ACM removal from upper floors. However, when below street level abatement is conducted, ACM shall always be removed from the lowest floor first before ACM is removed from higher

(f) The street level floor shall be the last floor from which ACM is removed.]

No ACM removal shall be performed in a building concurrently with the full demolition of such building or with the removal of one or more stories of such building, except as otherwise provided in these rules pursuant to Sections 1-03 and 1-26. This subsection shall not apply to emergency work being performed pursuant to article 215 of chapter 2 of title 28 of the administrative code.

§ This rule shall become effective June 6th, 2010.

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