



THE CITY RECORD

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THE CITY RECORD **MICHAEL R. BLOOMBERG, Mayor**

EDNA WELLS HANDY, Commissioner, Department of Citywide Administrative Services.
ELI BLACHMAN, Editor of The City Record.

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

CITY COUNCIL

■ PUBLIC HEARINGS

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

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 9:30 A.M. on Monday, August 15, 2011:

GRILLADE
MANHATTAN CB - 2 **20115580 TCM**
 Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Grillade, LLC, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 28 Seventh South.

BAR TABAC
BROOKLYN CB - 2 **20115653 TCK**
 Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Moulinas, LLC, d/b/a Bar Tabac, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 128 Smith Street.

LODGE
BROOKLYN CB - 1 **20115678 TCK**
 Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Urban Rustic, LLC, d/b/a Lodge, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 318 Grand Street.

WEST 116TH/117TH STREETS REZONING
MANHATTAN CB - 10 **C 110243 ZMM**
 Application submitted by West 116 Residential, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6b:

- Eliminating from within an existing R7-2 District a C1-4 District bounded by West 117th Street, Fifth Avenue, West 116th Street, a line 450 feet easterly of Lenox Avenue-Malcolm X. Boulevard, a line midway between West 116th Street and West 117th Street, and a line 100 feet westerly of Fifth Avenue; and
- Changing from an R7-2 District to a C4-5X District property bounded by West 117th Street Fifth Avenue, West 116th Street, and a line 450 feet easterly of Lenox Avenue-Malcolm X. Boulevard;

as shown on a diagram (for illustrative purposes only) dated May 9, 2011 and subject to the conditions of CEQR Declaration E-278.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 11:00 A.M. on Monday, August 15, 2011.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matter in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 1:00 P.M. on Monday, August 15, 2011:

NOEL POINTER APARTMENTS
BROOKLYN CB - 3 **20125028 HAK**
 Application submitted by the New York City Department of Housing Preservation and Development for Council approval, pursuant to Article 16 of the General Municipal Law and Section 577 of the Private Housing Finance Law, for a modifications to a previously approved Urban Development Action Area Project located at 788-796 Lafayette Avenue and 123 Van Buren Street in Council District no 36. **a9-15**

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, August 24, 2011 at 10:00 A.M.

BOROUGH OF THE BRONX
No. 1
WILLIAMSBRIDGE/BAYCHESTER REZONING
CD 12 **C 110384 ZMX**
IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 1d, 2a, and 2b:

- eliminating from within an existing R4 District a C1-2 District bounded by:
 - a line midway between East 234th Street and East 233rd Street, Bussing Avenue, East 233rd Street, and Barnes Avenue;
 - a line 100 feet northeasterly of East 233rd Street, Digney Avenue, East 233rd Street, Paulding Avenue, a line midway between East 233rd Street and East 232nd Street, Bronxwood Avenue, East 233rd Street, and Bronxwood Avenue;
 - East 228th Street, Bronxwood Avenue, East 226th Street, a line 150 feet southeasterly of Bronxwood Avenue, East 224th Street, a line 100 feet southeasterly of Bronxwood Avenue, a line 100 feet

- southwesterly of East 224th Street, Bronxwood Avenue, East 224th Street, and a line 150 feet northwesterly of Bronxwood Avenue; and
 - a line 100 feet northeast of East Gun Hill Road, Laconia Avenue, East Gun Hill Road, and Bronxwood Avenue;
- eliminating from within an existing R5 District a C1-2 District bounded by:
 - a line midway between East 234th Street and East 233rd Street, Byron Avenue, East 233rd Street, a line 100 feet northwesterly of Barnes Avenue, a line midway between East 233rd Street and East 232nd Street, a line 150 feet southeasterly of White Plains Road, East 230th Street, a line 150 feet northwesterly of White Plains Road, East 233rd Street, and a line 150 feet southeasterly of White Plains Road;
 - East 226th Street, the southwesterly and northwesterly boundary line of a playground and its northeasterly prolongation, a line 150 feet southeasterly of White Plains Road, East 224th Street, and a line 150 feet northwesterly of White Plains Road;
 - East 227th Street, Laconia Avenue, East 225th Street, a line 250 feet southeasterly of Laconia Avenue, East 224th Street, and a line 150 feet northwesterly of Laconia Avenue;
 - East Gun Hill Road, Lurting Avenue, a line 100 feet southwesterly of East Gun Hill Road, and Bronxwood Avenue; and
 - a line 100 feet northeasterly of East Gun Hill Road, a line 100 feet northwesterly of Boston Road, East Gun Hill Road, and Laconia Avenue;
 - eliminating from within an existing R6 District a C1-2 District bounded by:
 - East 220th Street, a line 150 feet southeasterly of White Plains Road, East 218th Street and its northwesterly centerline prolongation, a line midway between Willett Avenue and White Plains Road, East 219th Street, and a line 150 feet northwesterly of White Plains Road;
 - a line midway between East 212th Street and East 211th Street, a line 150 feet southeasterly of White Plains Road, East Gun Hill Road, and White Plains Road; and
 - Tilden Street, Barnes Avenue, a line 100 feet northeasterly of East Gun Hill Road, Bronxwood Avenue, and East Gun Hill Road;
 - eliminating from within an existing R5 District a C2-2 District bounded by:
 - East 233rd Street, Bronxwood Avenue, a line midway between East 233rd Street and East 232nd Street, and Bussing Avenue;
 - East 230th Street, a line 150 feet southeasterly of White Plains Road, East 226th Street, and a line midway between Lowerre Place and White Plains Road; and
 - East 224th Street, a line 150 feet

- southeasterly of White Plains Road, East 222nd Street, and a line 100 feet northwesterly of White Plains Road; and
5. eliminating from within an existing R6 District a C2-2 District bounded by:
 - a. East 224th Street, a line 100 feet northwesterly of White Plains Road, East 222nd Street, a line 150 feet southeasterly of White Plains Road, East 220th Street, and a line 150 feet northwesterly of White Plains Road; and
 - b. East 218th Street and its northwesterly centerline prolongation, a line 150 feet southeasterly of White Plains Road, a line midway between East 212th Street and East 211th Street, White Plains Road, East Gun Hill Road, Willett Avenue, a line 400 feet southwesterly of East 213th Street, a line 100 feet southeasterly of Willett Avenue, East 213th Street, a line 100 feet northwesterly of White Plains Road, and a line midway between White Plains Road and Willett Avenue;
 6. changing from an R5 District to an R4 District property bounded by:
 - a. a line midway between East 233rd Street and East 232nd Street, a line 100 feet northwesterly of Bronxwood Avenue, a line midway between East 229th Street and East 228th Street, a line 400 feet southeasterly of Barnes Avenue, East 227th Street, Barnes Avenue, a line midway between East 227th Street and East 226th Street, a line 400 feet northwesterly of Barnes Avenue, East 227th Street, a line 500 feet northwesterly of Barnes Avenue, a line midway between East 228th Street and East 227th Street, a line 400 feet northwesterly of Barnes Avenue, a line midway between East 229th Street and East 228th Street, a line 500 feet northwesterly of Barnes Avenue, East 229th Street, a line 200 feet southeasterly of Barnes Avenue, a line midway between East 230th Street and East 229th Street, a line 500 feet southeasterly of Barnes Avenue, East 230th Street, a line 150 feet southeasterly of White Plains Road, East 231st Street, Barnes Avenue, and Bussing Avenue; and excluding property bounded by East 231st Street, a line 250 feet southeasterly of Barnes Avenue, a line midway between East 230th Street and East 231st Street, and Barnes Avenue;
 - b. a line midway between East 226th Street and East 227th Street, a line 150 feet northwesterly of Bronxwood Avenue, East 224th Street, Bronxwood Avenue, East 223rd Street, a line 500 feet northwesterly of Bronxwood Avenue, East 224th Street, a line 100 feet northwesterly of Barnes Avenue, a line midway between East 223rd Street and East 224th Street, a line 150 feet southeasterly of White Plains Road, a line midway between East 224th Street and East 225th Street, a line 500 feet northwesterly of Bronxwood Avenue, East 225th Street, a line 200 feet southeasterly of Barnes Avenue, a line midway between East 226th Street and East 225th Street, Barnes Avenue, East 225th Street, a line 100 feet northwesterly of Barnes Avenue, East 226th Street, and a line 400 feet southeasterly of Barnes Avenue;
 - c. East 227th Street, a line 100 feet northwesterly of Laconia Avenue, East 224th Street; and a line 150 feet northwesterly of Laconia Avenue;
 - d. a line midway between East 225th Street and East 224th Street, a line 340 feet northwesterly of Needham Avenue, East 224th Street, a line 225 feet northwesterly of Needham Avenue, a line midway between East 224th Street and East 223rd Street, a line 100 feet northwesterly of Needham Avenue, East 223rd Street, a line 100 feet northwesterly of Boston Road, a line midway between East 223rd Street and East 222nd Street, Needham Avenue, East 222nd Street, Eastchester Road, a line midway between East 224th Street and East 223rd Street, and a line 675 feet northwesterly of Schieffelin Place; and
 - e. a line 100 feet southeasterly of Boston Road, a line midway between Gunther Avenue and Tiemann Avenue, a line 70 feet northwesterly of Tillotson Avenue, Gunther Avenue, Tillotson Avenue, a line midway between Wickham Avenue and Gunther Avenue, Givan Avenue, Eastchester Road, a line 100 feet northwesterly of Burke Avenue, a line midway between Corsa Avenue and Fenton Avenue, Givan Avenue, Fenton Avenue, a line 440 feet northwesterly of Givan Avenue, Eastchester Road, a line 70 feet southeasterly of Tillotson Avenue,
 7. changing from an R4 District to an R4A District property bounded by:
 - a. a line 100 feet southeasterly of Boston Road, Edson Avenue, the northwesterly boundary line of the MTA New York City Transit right-of-way, the northeasterly prolongation of a line 85 feet northwesterly of Tillotson Avenue, Grace Avenue, a line 210 feet northwesterly of Tillotson Avenue, a line midway between Grace Avenue and Ely Avenue and its southeasterly prolongation, the northwesterly boundary line of the MTA New York City Transit right-of-way, East 222nd Street, a line midway between Ely Avenue and Bruner Avenue, the southwesterly prolongation of a line 170 feet northwesterly of Tillotson Avenue, Ely Avenue, a line 350 feet southeasterly of Boston Road, and a line midway between Grace Avenue and Ely Avenue;
 - b. the southeasterly boundary line of the MTA New York City Transit right-of-way, De Reimer Avenue and its northwesterly centerline prolongation, Tillotson Avenue, a line 100 feet southwesterly of Boller Avenue, a line 250 feet northwesterly of Tillotson Avenue, Boller Avenue, a line 400 feet northwesterly of Tillotson Avenue, a line midway between Boller Avenue and Hunter Avenue, a line perpendicular to the northeasterly street line of Boller Avenue distant 160 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Tillotson Avenue and the northeasterly street line of Boller Avenue, Boller Avenue, a line perpendicular to the southwesterly street line of Boller Avenue distant 180 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Tillotson Avenue and the southwesterly street line of Boller Avenue, Palmer Avenue, a line 250 feet southeasterly of Tillotson Avenue, a line midway between Palmer Avenue and De Reimer Avenue, a line 325 feet southeasterly of Tillotson Avenue, De Reimer Avenue, a line 150 feet southeasterly of Tillotson Avenue, a line midway between De Reimer Avenue and Baychester Avenue, a line 100 feet southeasterly of Tillotson Avenue, Baychester Avenue, Tillotson Avenue, and a line midway between De Reimer Avenue and Baychester Avenue and its northwesterly prolongation;
 8. changing from an R5 District to an R4A District property bounded by Burke Avenue, Edson Avenue, Hammersley Avenue, and Grace Avenue;
 9. changing from an R4 District to an R5 District property bounded by East 228th Street, a line 100 feet northwesterly of Bronxwood Avenue, a line midway between East 226th Street and East 227th Street; and a line 150 feet northwesterly of Bronxwood Avenue;
 10. changing from an R6 District to an R5 District property bounded by East 222nd Street, a line 100 feet northwesterly of Bronxwood Avenue, East 213th Street, Barnes Avenue, East 215th Street, a line 125 feet southeasterly of Holland Avenue, a line midway between East 215th Street and East 214th Street, Holland Avenue, East 215th Street, a line 350 feet southeasterly of White Plains Road, East 217th Street, a line 230 feet southeasterly of White Plains Road, a line midway between East 218th Street and East 217th Street, and a line 100 feet southeasterly of White Plains Road;
 11. changing from a C8-1 District to an R5 District property bounded by a line 100 feet southwesterly of East Gun Hill Road, a line midway between Lurting Avenue and Laconia Avenue, a line 100 feet northwesterly of Boston Road, a line 100 feet northerly of Burke Avenue, and Lurting Avenue;
 12. changing from an R5 District to an R5A District property bounded by East 226th Street, a line 100 feet northwesterly of White Plains Road, East 225th Street; and a line 150 feet northwesterly of White Plains Road;
 13. changing from a R6 District to an R5A District property bounded by:
 - a. a line midway between East 232nd Street and East 231st Street, a line 180 feet northwesterly of White Plains Road, a line midway between East 231st Street and East 230th Street, a line 150 feet northwesterly of White Plains Road, East 230th Street, Lowerre Place, East 229th Street, a line 100 feet northwesterly of White Plains Road, East 226th Street, a line 150 feet northwesterly of White Plains Road, East 225th Street, Carpenter Avenue, East 227th Street, a
 14. changing from an R7-1 District to an R5A District property bounded by East 228th Street, Carpenter Avenue, East 226th Street, Bronx Boulevard, a line 280 feet northeasterly of East 226th Street, and a line midway between Bronx Boulevard and Carpenter Avenue;
 15. changing from an R4 District to an R5D District property bounded by:
 - a. a line midway between East 234th Street and East 233rd Street, Bronxwood Avenue, East 233rd Street, and Barnes Avenue;
 - b. East 233rd Street, Paulding Avenue, a line midway between East 233rd Street and East 232nd Street, a line 100 feet southeasterly of Bronxwood Avenue, a line 130 feet northeasterly of East Gun Hill Road, Bronxwood Avenue, East 224th Street, a line 100 feet northwesterly of Bronxwood Avenue, East 228th Street, and Bronxwood Avenue;
 - c. East 233rd Street, Laconia Avenue, East 227th Street, and a line 100 feet northwesterly of Laconia Avenue; and
 - d. East 224th Street, Laconia Avenue, a line 130 feet northeasterly of East Gun Hill Road, and a line 100 feet northwesterly of Laconia Avenue;
 16. changing from an R5 District to an R5D District property bounded by:
 - a. East 233rd Street, Bronxwood Avenue, East 228th Street, a line 100 feet northwesterly of Bronxwood Avenue, a line midway between East 233rd Street and East 232nd Street, and Barnes Avenue;
 - b. East 223rd Street, Bronxwood Avenue, East 222nd Street, and a line 100 feet northwesterly of Bronxwood Avenue;
 - c. East 233rd Street, a line 100 feet southeasterly of Laconia Avenue, East 231st Street, Grenada Place, and Laconia Avenue; and
 - d. East 227th Street, Laconia Avenue, East 225th Street, a line 100 feet southeasterly of Laconia Avenue, East 224th Street, a line 675 feet northwesterly of Schieffelin Avenue, a line midway between East 224th Street and East 223rd Street, Eastchester Road, a line perpendicular to the southwesterly street line of Eastchester Road distant 200 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of Eastchester Road and the southeasterly street line of Laconia Avenue, a line 100 feet southeasterly of Laconia Avenue, a line 130 feet northeasterly of East Gun Hill Road, Laconia Avenue, East 224th Street, and a line 100 feet northwesterly of Laconia Avenue;
 17. changing from an R6 District to an R5D District property bounded by East 222nd Street, Bronxwood Avenue, East 213th Street, and a line 100 feet northwesterly of Bronxwood Avenue;
 18. changing from an R5 District to an R6 District property bounded by East 233rd Street, a line 100 feet southeasterly of White Plains Road, East 231st Street, a line 150 feet southeasterly of White Plains Road, East 229th Street, a line 100 feet southeasterly of White Plains Road, East 225th Street, a line 150 feet southeasterly of White Plains Road, East 223rd Street, a line 100 feet southeasterly of White Plains Road, East 222nd Street, a line 100 feet northwesterly of White Plains

- Road, East 230th Street, and a line 150 feet northwesterly of White Plains Road;
19. changing from an R4 District to an R6A District property bounded by a line 130 feet northeasterly of East Gun Hill Road, Laconia Avenue, East Gun Hill Road, and Bronxwood Avenue;
 20. changing from an R5 District to an R6A District property bounded by:
 - a. a line midway between East 233rd Street and East 234th Street, Barnes Avenue, East 232nd Street, a line 140 feet northwesterly of Barnes Avenue, a line midway between East 233rd Street and East 232nd Street, a line 100 feet southeasterly of White Plains Road, East 233rd Street, and a line 150 feet southeasterly of White Plains Road; and excluding property bounded by a line 100 feet northeasterly of East 233rd Street, a line 70 feet southeasterly of Bryon Avenue, East 233rd Street, and Byron Avenue;
 - b. East 225th Street, a line 100 feet northwesterly of White Plains Road, East 224th Street, and a line 150 feet northwesterly of White Plains Road;
 - c. East Gun Hill Road, Lurting Avenue, a line 100 feet southwesterly of East Gun Hill Road, and Bronxwood Avenue; and
 - d. a line 130 feet northeasterly of East Gun Hill Road, a line 100 feet northwesterly of Boston Road, East Gun Hill Road, and Laconia Avenue;
 21. changing from an R6 District to an R6A District property bounded by:
 - a. East 233rd Street, a line 150 feet northwesterly of White Plains Road, a line midway between East 232nd Street and East 231st Street, a line 300 feet southeasterly of Carpenter Avenue, East 231st Street, a line 350 feet southeasterly of Carpenter Avenue, a line midway between East 231st Street and East 230th Street, a line 180 feet southeasterly of Carpenter Avenue, East 230th Street, a line 100 feet southeasterly of Carpenter Avenue, a line midway between East 230th Street and East 229th Street, a line 280 feet southeasterly of Carpenter Avenue, East 229th Street, a line 100 feet southeasterly of Carpenter Avenue, a line midway between East 229th Street and East 228th Street, a line 200 feet southeasterly of Carpenter Avenue, East 228th Street, a line 100 feet southeasterly of Carpenter Avenue, East 227th Street, and Carpenter Avenue;
 - b. East 225th Street, a line 150 feet northwesterly of White Plains Road, East 224th Street, a line 100 feet northwesterly of White Plains Road, East 222nd Street, a line 100 feet southeasterly of Carpenter Avenue and its southwesterly prolongation, a line 125 feet southwesterly of East 219th Street, a line midway between Olinville Avenue and Bronx Boulevard, a line 100 feet southwesterly of East 213th Street, Olinville Avenue, a line 100 feet northeasterly of East 213th Street, a line midway between Olinville Avenue and Willet Avenue, a line 350 feet southwesterly of East 213th Street, Willet Avenue, East 213th Street, a line 100 feet southeasterly of Willet Avenue, a line 100 feet northwesterly of White Plains Road, a line 400 feet southwesterly of East 213th Street, Willet Avenue, East Gun Hill Road, Olinville Avenue, East 211th Street, Bronx Boulevard, and Carpenter Avenue; and
 - c. East 215th Street, Barnes Avenue, East 213th Street, Bronxwood Avenue, East Gun Hill Road, Holland Avenue, a line 100 feet southwesterly of East 213th Street, Carlisle Place, East 213th Street, a line 100 feet southeasterly of Holland Avenue, East 214th Street, a line 275 feet southeasterly of Holland Avenue, a line midway between East 215th Street and East 214th Street, and a line 125 feet southeasterly of Holland Avenue;
 22. changing from an C8-1 District to an R6A District property bounded by East Gun Hill Road, Yates Avenue, a line 100 feet southwesterly of East Gun Hill Road, and Lurting Avenue;
 23. changing from an R6 District to an R7A District property bounded by East 218th Street and its northwesterly centerline prolongation, a line 100 feet southeasterly of White Plains Road, a line midway between East 218th Street and East 217th Street, a line 230 feet southeasterly of White Plains Road, East 217th Street, a line 350 feet southeasterly of White Plains Road, East 215th Street, Holland Avenue, a line midway between East 215th Street and East 214th Street, a line 275 feet southeasterly of Holland Avenue, East 214th Street, a line 100

- feet southeasterly of Holland Avenue, East 213th Street, Carlisle Place, a line 100 feet southwesterly of East 213th Street, Holland Avenue, East Gun Hill Road, Willett Avenue, a line 400 feet southwesterly of East 213th Street, a line 100 feet northwesterly of White Plains Road, a line 100 feet southeasterly of Willett Avenue, East 213th Street, a line 100 feet northwesterly of White Plains Road, and a line 150 feet northwesterly of White Plains Road and its southwesterly prolongation (at East 217th Street);
24. establishing within an existing R4 District a C1-4 District bounded by a line 100 feet northeasterly of East 233rd Street, Digney Avenue, East 233rd Street and Bronxwood Avenue;
 25. establishing within a proposed R5D District a C1-4 District bounded by:
 - a. a line midway between East 234th Street and East 233rd Street, Bussing Avenue, East 233rd Street, and Barnes Avenue;
 - b. East 233rd Street, Paulding Avenue, a line midway between East 233rd Street and East 232nd Street, and Bronxwood Avenue;
 - c. East 228th Street, Bronxwood Avenue, East 226th Street, a line 100 feet southeasterly of Bronxwood Avenue, a line 100 feet southwesterly of East 224th Street, Bronxwood Avenue, East 224th Street, and a line 100 feet northwesterly of Bronxwood Avenue;
 - d. East 231st Street, Laconia Avenue, East 230th Street, and a line 100 feet northwesterly of Laconia Avenue; and
 - e. East 228th Street, Laconia Avenue, East 225th Street, a line 100 feet southeasterly of Laconia Avenue, East 224th Street, and a line 100 feet northwesterly of Laconia Avenue;
 26. establishing within existing and proposed R6 Districts a C1-4 District bounded by:
 - a. East 233rd Street, a line 100 feet southeasterly of White Plains Road, East 231st Street, a line 150 feet southeasterly of White Plains Road, East 230th Street, and a line 100 feet northwesterly of White Plains Road;
 - b. East 226th Street, a line 100 feet southeasterly of White Plains Road, East 225th Street, a line 150 feet southeasterly of White Plains Road, East 224th Street, and a line 100 feet northwesterly of White Plains Road; and
 - c. East 220th Street, a line 100 feet southeasterly of White Plains Road, East 218th Street and its northwesterly centerline prolongation, a line 150 feet northwesterly of White Plains Road, East 219th Street, and a line 100 feet northwesterly of White Plains Road;
 27. establishing within a proposed R6A District a C1-4 District bounded by Tilden Street, Barnes Avenue, a line 100 feet northeasterly of East Gun Hill Road, Bronxwood Avenue, a line 130 feet northeasterly of Gun Hill Road, a line 100 feet northwesterly of Boston Road, East Gun Hill Road, Yates Avenue, a line 100 feet southwesterly of East Gun Hill Road, Bronxwood Avenue, and East Gun Hill Road;
 28. establishing within a proposed R7A District a C1-4 District bounded by a line midway between East 212th Street and East 211th Street, a line 100 feet southeasterly of White Plains Road, East Gun Hill Road, and White Plains Road;
 29. establishing within a proposed R5D District a C2-4 District bounded by East 233rd Street, Bronxwood Avenue, a line midway between East 233rd Street and East 232nd Street, and Bussing Avenue;
 30. establishing within existing and proposed R6 Districts a C2-4 District bounded by:
 - a. East 230th Street, a line 150 feet southeasterly of White Plains Road, East 229th Street, a line 100 feet southeasterly of White Plains Road, East 226th Street, and a line 100 feet northwesterly of White Plains Road; and
 - b. East 224th Street, a line 150 feet southeasterly of White Plains Road, East 223rd Street, a line 100 feet southeasterly of White Plains Road, East 220th Street, and a line 100 feet northwesterly of White Plains Road;
 31. establishing within a proposed R6A District a C2-4 District bounded by a line midway between East 233rd Street and East 234th Street, Byron Avenue, East 233rd Street, a line 70 feet southeasterly of Byron Avenue, a line midway between East 233rd Street and East 234th Street, Barnes Avenue, a line midway between East 233rd Street and East 232nd Street, a line 100 feet southeasterly of White

- Plains Road, East 233rd Street; and a line 150 feet southeasterly of White Plains Road; and
32. establishing within a proposed R7A District a C2-4 District bounded by 218th Street and its northwesterly centerline prolongation, a line 100 feet southeasterly of White Plains Road, a line midway between East 212th Street and East 211th Street, White Plains Road, East Gun Hill Road, Willet Avenue, a line 400 feet southwesterly of East 213th Street, a line 100 feet northwesterly of White Plains Road, a line 100 feet southeasterly of Willet Avenue, East 213th Street, a line 100 feet northwesterly of White Plains Road, and a line 150 feet northwesterly of White Plains Road and its southwesterly prolongation (at East 217th Street;
- as shown in a diagram (for illustrative purposes only) dated June 20, 2011, and subject to the conditions of CEQR Declaration E-279.

Resolution for adoption scheduling August 24, 2011 for a public hearing.

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

☛ a11-24

HOUSING AUTHORITY

■ MEETING

SPECIAL NOTICE

Please be advised that the New York City Housing Authority has cancelled its Board Meeting scheduled for Wednesday, August 17, 2011 at 10:00 A.M. in the Board Room on the 12th Floor at 250 Broadway, N.Y., N.Y.

☛ a11-17

BOARD OF STANDARDS AND APPEALS

■ PUBLIC HEARINGS

AUGUST 23, 2011, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, August 23, 2011, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

1045-64-BZ
APPLICANT – Hal Dorfman, R.A., for Kips Bay Tower Associates, owners.
SUBJECT – Application June 10, 2011 – Extension of Term permitting the use of no more than 120 unused and surplus tenant parking spaces, within an accessory garage, for transient parking granted by the Board pursuant to §60(1)(b) of the Multiple Dwelling Law (MDL) which expired on June 21, 2011. R8 zoning district.
PREMISES AFFECTED – 300-330 East 33rd Street, northwest corner of East 33rd Street and First Avenue, Block 936, Lot 7501, Borough of Manhattan.
COMMUNITY BOARD #6M

86-92-BZ
APPLICANT – Randy M. Gulkis, DDS, owner.
SUBJECT – Application April 29, 2011 – Extension of Term of a previously granted Variance (§72-21) for the continued operation of a UG6B dental office which expired on June 11, 2011. R3X zoning district.
PREMISES AFFECTED – 15 First Street, a triangle formed by First Street to the east, Richmond to west and Rose Street to the south, Block 4190, Lot 1, Borough of Staten Island.
COMMUNITY BOARD #2SI

201-02-BZ
APPLICANT – Eric Palatnik, P.C., for Papa Page, LLC, owner
SUBJECT – Application July 20, 2011 – Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the construction of a new automotive service station with accessory convenience store which expired on May 22, 2011 and a waiver of the rules. C1-1/R3X (SRD) zoning district.
PREMISES AFFECTED – 6778 Hylan Boulevard, between Page Avenue and Culotta, Block 7734, Lot 13 & 20, Borough of Staten Island.
COMMUNITY BOARD #3SI

APPEALS CALENDAR

15-11-A
APPLICANT – Slater & Beckerman, LLP., for 1239 Operating Corporation, owner.
SUBJECT – Application February 10, 2011 – An appeal challenging the Department of Building’s interpretation that a non - illuminated advertising sign and sign structure is not a legal non- conforming advertising sign pursuant to ZR §52-00. C6 zoning district.
PREMISES AFFECTED – 860 Sixth Avenue, through lot on the north side of West 30th Street, between Broadway and Avenue of the Americas, Block 832, Lot 1. Borough of Manhattan.
COMMUNITY BOARD #5M

40-11-A
APPLICANT – Bryan Cave LLP, Margery Perlmutter, Esq., for CPW Retail, LLC c/o American Continental Properties, LLC, owner.
SUBJECT – Application April 8, 2011 – Appeal challenging a determination by the Department of Building that the non conforming commercial use of a Condominium retail space was discontinued pursuant to §52-61. C1-1, C-2 & C-3 Zoning

district.

PREMISES AFFECTED – 25 Central Park West, West 62nd and West 63rd Streets, Block 1115, Lot 7501(2) Borough of Manhattan.

COMMUNITY BOARD #7M

AUGUST 23, 2011, 1:30 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, August 23, 2011, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

235-10-BZ

APPLICANT – Paul J. Proulux, Esq., c/o Cozen O'Connor, for Avenue K Corporation, owner; TD Bank c/o Facilities Department, lessees.

SUBJECT – Application December 30, 2010 – Variance (§72-21) to allow a commercial use in a residential zone, contrary to ZR 22-00. R3-2 zoning district.

PREMISES AFFECTED – 2363 Ralph Avenue, corner of Ralph Avenue and Avenue K, Block 8339, Lot 1, Borough of Brooklyn.

COMMUNITY BOARD #18BK

17-11-BZ

APPLICANT – Sheldon Lobel, P.C., for Mr. David Mizrachi, owners.

SUBJECT – Application February 23, 2011 – Special Permit (§73-622) for the enlargement of an existing two family residence, to be converted to a single family residence, contrary to floor area, lot coverage and open space §23-141(b) and less than the required rear yard §23-47. R4/OP zoning district.

PREMISES AFFECTED – 2255 East 2nd Street, East side of East 2nd Street, approximately 145 feet south of Gravesend Neck Road. Block 7154, Lots 71 & 72, Borough of Brooklyn.

COMMUNITY BOARD #15BK

18-11-BZ

APPLICANT – Law Office of Fredrick A. Becker, for ZTI Corporation, owner.

SUBJECT – Application February 24, 2011 – Special Permit (§73-622) for the enlargement of an existing single family residence contrary to floor area and open space §23-141; side yards §23-461 and less than the required rear yard §23-47. R-2 zoning district.

PREMISES AFFECTED – 1025 East 22nd Street, between Avenue I and Avenue J, Block 7586, Lot 26, Borough of Brooklyn.

COMMUNITY BOARD #14BK

64-11-BZ

APPLICANT – Rampulla Associates Architects, for 3232 49th Realty, LLC, owner; K & G Fitness Group, LLC, lessee.

SUBJECT – Application May 12, 2011 – Special Permit (§73-36) to allow the operation of a physical cultural establishment (*Retro Fitness*) in a C8-1 zoning district.

PREMISES AFFECTED – 32-28 49th Street, between Northern Boulevard and New Town Road, Block 734, Lot 47, Borough of Queens.

COMMUNITY BOARD #1Q

72-11-BZ

APPLICANT – Walter T. Gorman, P.E., for Tannor and Rothafel Partnership, owners; Lukoil (*Getty Service Station*), lessees.

SUBJECT – Application May 24, 2011 – Re-Instatement (§11-411) of a previously approved variance permitting the operation of an automotive service station (UG 16B) which expired on October 8, 1994. R3-2 zoning district.

PREMISES AFFECTED – 101-06 Astoria Boulevard, southeast corner of 101st Street, Block 1688, Lot 30, Borough of Queens.

COMMUNITY BOARD #3Q

Jeff Mulligan, Executive Director

a10-11

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

SALE BY AUCTION

PUBLIC AUCTION SALE NUMBER 12001-C

NOTICE IS HEREBY GIVEN of a 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, August 17, 2011 (SALE NUMBER 12001-C). 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 website, on the Friday prior to the sale date at:
http://www.nyc.gov/autoauction or
http://www.nyc.gov/autoauctions

PLEASE NOTE: THE SALE FOR AUGUST 3, 2011 HAS BEEN CANCELLED.

Terms and Conditions of Sale can also be viewed at this site. For further information, please call (718) 417-2155 or (718) 625-1313.

aj28-a17

SALE BY SEALED BID

SALE OF: 6 LOTS OF MISCELLANEOUS EQUIPMENT AND SUPPLIES, USED/UNUSED.

S.P.#: 11028

DUE: August 18, 2011

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

DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.
For sales proposals contact Gladys Genoves-McCauley (718) 417-2156.

a5-18

SALE OF: 10 USED HOPPER BARGES.

S.P.#: 12002

DUE: August 16, 2011

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

DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.
For sales proposal contact Gladys Genoves-McCauley (718) 417-2156.

a3-16

POLICE

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

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

Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.
Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

INQUIRIES

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

FOR MOTOR VEHICLES

(All Boroughs):

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

FOR ALL OTHER PROPERTY

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

j1-d31

PROCUREMENT

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

ADMINISTRATION FOR CHILDREN’S SERVICES

SOLICITATIONS

Human / Client Services

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

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

j1-n14

AGING

AWARDS

Human / Client Services

SENIOR SERVICES – BP/City Council Discretionary – Fund for the Advancement of Social Services
225 East 79th Street, Suite 13B, New York, NY 10021
PIN#: 12511DISC3XQ - \$25,000

Gravesend Athletic Association
169 Bay 44th Street, Brooklyn, NY 11214
PIN#: 12511DISC2VG - \$30,000

Sephardic Home for the Aged, Inc.
2266 Cropsey Avenue, Brooklyn, NY 11214
PIN#: 125DISC2T7 - \$13,000

Visiting Neighbors, Inc.
611 Broadway, Ste. 510, New York, NY 10012
PIN#: 12511DISC388 - \$42,650

a11

CHIEF MEDICAL EXAMINER

OFFICE OF CHIEF MEDICAL EXAMINER

AWARDS

Services (Other Than Human Services)

SERVICE, MAINTENANCE AND SUPPORT OF VERIPIC SOFTWARE – Sole Source – Available only from a single source - PIN# 81611S0009 – AMT: \$32,328.00 – TO: Kwan Software Engineering, Inc. d/b/a VeriPic, Inc., 2360 Walsh Ave., Santa Clara, CA 95051.

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CITYWIDE ADMINISTRATIVE SERVICES

CONTRACTS

INTENT TO AWARD

Goods

PURCHASE OF OFFICIALLY LICENSED NYC GOODS, GENERIC ITEMS AND PROPRIETARY SOUVENIRS – Sole Source – Available only from a single source - PIN# 85612S0002 – DUE 08-15-11 AT 11:00 A.M. – The Department of Citywide Administrative Services intends to enter into sole source negotiations to Purchase Officially Licensed NYC Goods, Generic items and Proprietary Souvenirs with Daron Worldwide Trading, Inc., 24 Stewart Place, Unit 4, Fairfield, NJ 07004. Any firm which believes that it can also provide these goods is invited to do so by letter or e-mail, which must be received no later than 11:00 A.M. on Monday, August 15, 2011 to the attention of Robert Aboulafia, Deputy Agency Contracting Officer, DCAS Office of Contracts, 18th Floor North, One Centre Street, NYC, NY 10007 or email: raboulafia@dcas.nyc.gov

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Citywide Administrative Services,
1 Centre Street, 18th Floor North, New York, NY 10007.
Robert Aboulafia (212) 669-3538; Fax: (212) 669-3570;
raboulafia@dcas.nyc.gov

a8-12

MUNICIPAL SUPPLY SERVICES

SOLICITATIONS

Goods

ANALYZER, QUAATRO SYSTEM DEP BRAND SPECIFIC RE-AD – Competitive Sealed Bids – PIN# 8571100729 – DUE 08-26-11 AT 10:30 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Citywide Administrative Services,
1 Centre Street, 18th Floor, New York, NY 10007.
Anna Wong (212) 669-8610; Fax: (212) 669-7603;
dcasdmssbids@dcas.nyc.gov

a11

MANIKIN, SIMULATOR FOR EMS BRAND SPECIFIC (HAL) – Competitive Sealed Bids – PIN# 8571100673 – DUE 08-26-11 AT 10:30 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Citywide Administrative Services,
1 Centre Street, 18th Floor, New York, NY 10007.
Anna Wong (212) 669-8610; Fax: (212) 669-7603;
dcasdmssbids@dcas.nyc.gov

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AWARDS

Goods

NYS CONTR: IT-OPERATIONS: DELL AGGREGATED PURCHASE – Intergovernmental Purchase – PIN# 8571200026 – AMT: \$261,510.00 – TO: Dell Marketing LP, One Dell Way, MS 8707, Round Rock, TX 78682. NYS Contract #PT65340.
● **NYS CONTR: COMPREHENSIVE TELECOMM. EQUIP. AND SOLUTIONS –** Intergovernmental Purchase – PIN# 85811RQ00558 – AMT: \$170,822.90 – TO: Bluewater Communications Group LLC, 110 Parkway Drive South, Suite A, Hauppauge, NY 11788. NYS Contract #PT64525.

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

a11

VENDOR LISTS

Goods

EQUIPMENT FOR DEPARTMENT OF SANITATION – In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:
 A. Collection Truck Bodies
 B. Collection Truck Cab Chassis
 C. Major Component Parts (Engine, Transmission, etc.)

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

j5-d31

DESIGN & CONSTRUCTION

AWARDS

Construction / Construction Services

GEDRC001, DESIGN REQUIREMENT CONTRACT FOR TRUNK MAIN CORROSION CONTROL/CATHODIC PROTECTION, CITYWIDE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 8502011WM0002P – AMT: \$3,000,000.00 – TO: CorrTech Inc., 24 South Street, Unit B1.

a11

FINANCE

CONTRACTS

INTENT TO AWARD

Services (Other Than Human Services)

JP MORGAN CHASE BANK PVO LOCKBOX SERVICES – Negotiated Acquisition – Available only from a single source - PIN# 83607X0001CNVN001 – DUE 08-17-11 AT 3:30 P.M. – JP Morgan Chase Bank parking violation and red light violation lockbox services. Negotiated Acquisition Extension pursuant to PPB Section 3-04(b)(2)(iii).

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Department of Finance, 1 Centre Street, Room 1040, Rm. 727, NY, NY 10007. Robert Schaffer (212) 669-4477; Fax: (212) 669-8283; schafferr@finance.nyc.gov

a10-16

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

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

SOLICITATIONS

Human / Client Services

NEW YORK/NY III SUPPORTED HOUSING CONGREGATE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 81608PO076300R0X00-R – DUE 09-18-12 AT 4:00 P.M. – The Department is issuing a RFP to establish 3,000 units of citywide supportive housing in newly constructed or rehabilitated single-site buildings for various homeless populations pursuant to the New York III Supported Housing agreement. The subject RFP will be open-ended and proposals will be accepted on an on-going basis. The RFP is available on-line at <http://www.nyc.gov/html/doh/html/acco/acco-rfp-nynyncongregate-20070117-form.shtml>. A pre-proposal conference was held on March 6, 2007 at 2:00 P.M. at 125 Worth Street, 2nd Floor Auditorium, New York, N.Y. Any questions regarding this RFP must be sent in writing in advance to Contracting Officer at the above address or e-mailed to the above address. All proposals must be hand delivered at the Agency Chief Contracting Officer, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132, no later than September 18, 2012.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Health and Mental Hygiene, ACCO, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132. Huguette Beauport (347) 396-6633; hbeauport@health.nyc.gov

a6-s17

AWARDS

Human / Client Services

BLENDED CASE MANAGEMENT – Required Method (including Preferred Source) – PIN# 12AZ022601R0X00 – AMT: \$5,659,347.00 – TO: Puerto Rican Family Institute, Inc., 145 West 15th Street, New York, NY 10011.

a11

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT SERVICES

SOLICITATIONS

Construction / Construction Services

ACCESSIBILITY – Competitive Sealed Bids – PIN# SCA12-12570D-1 – DUE 08-30-11 AT 11:00 A.M. – JHS 80/PS 280 (Bronx). Non-refundable fee (\$100.00). Project Range: \$2,550,000.00 to \$2,690,000.00.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 School Construction Authority, 30-30 Thomson Avenue, First Floor, Long Island City, NY 11101. Ricardo Forde (718) 752-5288; Fax: (718) 472-0477; rforde@nycsca.org

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AGENCY RULES

CONSUMER AFFAIRS

NOTICE

NOTICE OF ADOPTION

Notice of Adoption of Rules and Amendments to Rules regarding the licensing of Process Servers.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the Department of Consumer Affairs by Section 20-104(b) of Chapter 1, Title 20 of the Administrative Code of the City of New York and in accordance with the requirements of Section 1043 of the New York City Charter that the Department promulgates and adopts rules and amendments to existing rules regarding the licensing of process servers. These rules and amendments were proposed and published on May 12, 2011. The required public hearing was held on June 13, 2011. This rule will take effect in thirty days. Material being deleted is shown below in brackets and material being added is underlined.

Statement of Basis and Purpose

Section 20-104 (a) of the New York City Administrative Code confers on the Commissioner jurisdiction and control over all licenses issued under Chapter 2 of such Code, which includes process servers who are required to be licensed according to Subchapter 23 of Chapter 2 of Title 20 of the Code. Section 20-104 (b) grants the Commissioner the power to set forth rules necessary to carry out his or her powers and duties, to require licensees to keep such records as he or she may determine are necessary or useful to carrying out the purpose of Chapter 2 governing licensing laws and all other laws conferring such powers upon him or her, and to protect the health, safety, convenience and welfare of the general public with respect to licensed activities.

Those powers include the authority to:

- set forth rules prescribing how licensees maintain records that they are by law required to keep;
- require that licensees, their employees and agents, conduct their activities consistent with the requirements of the laws applicable to the service of process in the City of New York and with standards of honesty and integrity; and
- require the licensees to notify the Department and the public when they fail to carry out their duties in a competent and lawful manner.

This new rule, section 2-233b of subchapter W of chapter 2 of title 6 of the Rules of the City of New York, implements section 20-410 of the Administrative Code which was added by Local Law 7 of 2010. Section 20-410 requires licensed process servers to carry and operate a device to establish electronically and record the time, date and location of service or attempted service, (at the time process is served or attempted). In hearings on the provision held by a committee of the City Council, witnesses presented evidence of the widespread prevalence in New York City of “sewer service,” an illegal practice in which process servers falsely claim to serve summonses and other process on parties to legal proceedings. The false service of legal papers is particularly common in consumer debt collection cases, where it deprives consumers of the opportunity to defend themselves against creditors’ claims that are frequently incorrect or even entirely false. As a result, consumers are subjected to wage garnishments or other damaging efforts to collect debts that are not legally justifiable.

By requiring process servers to carry a device that will record the location and time of service of process, section 20-410 provides a modern, technological tool to detect and deter “sewer service.” Such confirmation data will also help those process servers falsely charged with “sewer service” to defend themselves by providing independent corroboration of their location when they served the disputed process.

According to the rule, a licensed process server must carry and operate a mobile device using Global Positioning System (GPS) technology that makes an electronic record of the

location where process is served or attempted to be served, including the date and time. If a GPS signal is unavailable, the mobile device must use triangulated cellular tower signals to establish the date and time when the record is made. The device must transmit a completed record automatically to an independent third party contractor. The process server’s contract with the independent third party must provide that the contractor will store the electronic records for seven years without allowing the process server access to delete or alter the original record. The third party must agree contractually with the process server to make the electronic records available to the Department upon request with specified information and in specified formats, including interactive electronic street maps. The rule provides that, in place of securing his or her own contract, a licensed process server may use services that a process serving agency has contracted from an independent third party.

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

RULE

Subchapter W of Chapter 2 of Title 6 of the Rules of the City of New York is amended by adding a new section 2-233b to read as follows:

§ 2-233b Electronic Record of Service

(a) General Requirements. A process server licensed pursuant to this subchapter must comply with the requirement of section 20-410 of the Code to carry at all times during the commission of his or her licensed activities, and operate at the time process is served or attempted, a device to establish electronically and record the time, date, and location of service or attempted service as follows:

(1) Equipment.

- (i) The process server must obtain a mobile device, such as a telephone or personal digital assistant, that utilizes the software necessary to make an electronic record of the location where, and the time and date when, the record is made as determined by Global Positioning System (“GPS”) technology or Assisted-Global Positioning System (“A-GPS”) technology, and labels the record with the network date and time maintained by the mobile device, the DCA license number of the process server, the DCA license number of the process serving agency that has distributed the process for service, the name of the plaintiff or petitioner, the name of the defendant or respondent, the docket number (if any), the name of the person to whom process is delivered and a unique file identifier of the process being served.
- (ii) The mobile device must be equipped with the software necessary to make an electronic record of the location where and time and date when the record is made, as determined by triangulated cell tower signals, in the event that at the time of the effected or attempted service of process a GPS signal is not available.
- (iii) The mobile device software must automatically add that location, time and date information to the electronic record as soon as a GPS or cellular signal reaches the device if neither a GPS nor a cellular signal is present at the time the process server causes the electronic record to be made.

(ii) Each electronic record must be labeled with:

- (i) On every occasion that a process server attempts or effects service of process, the process server must ensure that the mobile device makes an electronic record of the GPS location, time and date of the attempted or effected service immediately after attempting or effecting service. In the event that no GPS signal is available at the time of attempted or effected service of process, the location, time and date will be determined by triangulated cell tower signals.

(2) Operation of Equipment.

- (i) On every occasion that a process server attempts or effects service of process, the process server must ensure that the mobile device makes an electronic record of the GPS location, time and date of the attempted or effected service immediately after attempting or effecting service. In the event that no GPS signal is available at the time of attempted or effected service of process, the location, time and date will be determined by triangulated cell tower signals.

(ii) Each electronic record must be labeled with:

- a) the GPS or cellular network date and military time maintained by the mobile device;
- b) the DCA license number of the process server;
- c) the DCA license number of the process serving agency that distributed the process for service;
- d) the name of the plaintiff or petitioner;
- e) the name of the defendant or respondent;
- f) the docket number, if any;
- g) the name of the person to whom process is delivered; and
- h) a unique file identifier of the process being served.

(3) Contract for Services. The process server must enter into a contract with an independent third party (“the Contractor”) pursuant to which the Contractor will provide services and perform functions described in paragraph (4) of this subdivision that enable the process server to meet the data storage and retrieval requirements set forth in such paragraph, provided, however, that if the process server performs process serving activities distributed to him or her by a licensed process serving agency, the process server may utilize the device and facilities for the electronic record of service that the process serving agency obtains under a contract with a Contractor.

(4) Data Storage and Retrieval. The electronic record must be automatically transmitted electronically from the mobile device to the Contractor as soon as a GPS or cellular signal is available and location, date and time are entered into the electronic record. The Contractor must store the electronic record according to the following terms:

- (i) the original digital file must be maintained by the Contractor unaltered for a period of not less than seven years;

(ii) neither the process server nor the process serving agency will be permitted to alter the original data, but may obtain copies of the original data file;

(iii) the Contractor must maintain the records in a manner that will permit retrieval by the DCA license number of the process server, the DCA license number of the process serving agency that has distributed the process for service, the name of the plaintiff or petitioner, the name of the defendant or respondent, the docket number (if any), the name of the person to whom process is delivered and a unique file identifier of the process being served;

(iv) the Contractor must maintain the records in a manner that will ensure that their integrity is adequate for admissibility in a judicial proceeding under the rules of evidence applicable in the state of New York;

(v) the Contractor must produce upon request by the Department, and to any other party according to an appropriate order or subpoena, a copy of the electronic records, or any reasonably described part involved, certified to be true and accurate;

(vi) the Contractor must provide to the Department upon request a street map in hard copy format and access to an interactive electronic street map that display the locations where the digital records were recorded with a date and time provided by GPS or cellular date and time;

(vii) the Contractor must provide to the Department upon request, and to any other party according to an appropriate order or subpoena, such software as may be necessary to display the electronic records in an MS Excel spreadsheet, 2003 version or later, with the following fields and in the following data formats:

- a) Plaintiff or petitioner, which must be specified by the last name of the first plaintiff, or, if not a natural person, the name of the entity, except that the field may contain the name of every plaintiff or petitioner in the case, provided that the entire record is searchable by a wildcard search of the name of any plaintiff or petitioner;
- b) Defendant or respondent, which must be specified by the last name of the first defendant, or, if not a natural person, the name of the entity, except that the field may contain the name of every defendant or respondent in the case, provided that the entire record is searchable by a wildcard search of the name of any defendant or respondent;
- c) the full docket number, which must be entered with all information necessary to identify the case, such as XXXXXX/XX, unless the case is a Civil Local matter, in which case, it will include the prefix of CV, CC, LT, MI, NC, RE, SC, or TS;
- d) the date that service was effected or attempted according to the device, which must be entered as MM/DD/YYYY;
- e) the time that service was effected or attempted according to the device, which must be entered in military time;
- f) the date that service was effected or attempted according to GPS or cellular signals, which must be entered as MM/DD/YYYY;
- g) the time that service was effected or attempted according to GPS or cellular signals, which must be entered as military time;
- h) the address where service was effected or attempted, which must consist of four fields in the following order: building number, street name, city, and zip code, which must be five digits. All address information must be CASS (Coding Accuracy Support System) processed to insure its accuracy with software graded to be CASS Certified by the National Customer Support Center of the United States Postal Service;
- i) the name of the intended recipient of the process, which must be entered in two data fields such that the first data field is the last name of the intended recipient, or, if not a natural person, the name of the entity, and the second data field is the first name of the intended recipient if a natural person.
- j) the name of the person to whom process was delivered, which must be entered in two data fields such that the first data field is the last name of the person, and the second data field is the first name of the person.

(b) Provision of Equipment and Services by Process Serving Agency. A process serving agency licensed according to this subchapter may provide to licensed process servers the device and services required by subparagraph (a) according to a contract with an independent third party. For purposes of this Rule, a third party will not be considered independent if any officer or owner of ten percent or more of the shares of the licensed process serving agency has any interest, direct or indirect, in the third party.

(c) Report to Department.

(1) Within sixty days after the effective date of this Rule a licensed process server must submit to the Department in a form approved the Commissioner a certification that he or she has secured the contract required by this Rule and identifying the name, address and account number of the Contractor(s) providing the required device and services. After sixty days after the effective date of this Rule, no process server license will be issued or renewed unless the applicant submits such a certificate.

(2) A licensed process server must submit to the Department an amended certification within two days of entering into a

contract with a different Contractor.

(3) In place of submitting the certificates required by the preceding provisions, the licensed process server may submit a certification in a form approved by the Commissioner affirmed by an owner or officer of a licensed process serving agency that the device and services the process server is required to obtain are provided by the agency under a contract with an independent third party.

(d) Compliance with all laws. Compliance with the requirements of this Rule does not relieve a licensed process server of the obligation to make or maintain records required by any other federal, state, or local law, rule or regulation.

• a11

TAXI AND LIMOUSINE COMMISSION

NOTICE

Notice of Promulgation of Rules

Notice is hereby given in accordance with section 1043(b) of the New York City Charter ("Charter") that the Taxi and Limousine Commission ("TLC") promulgates amendments to its rules governing the procedures for consideration of license applications, and specify grounds for denial of drivers' license applications.

These rules are promulgated pursuant to sections 1043 and 2303 of the Charter and section 19-503 of the Administrative Code of the City of New York. The rule was not included in the Commission's regulatory agenda for this Fiscal Year because the need for the rule was not anticipated at the time the regulatory agenda was published.

These rules were published on May 12, 2011, for public comment in the City Record. On June 16, 2011 a public hearing was held by the TLC at Bronx Borough Hall Rotunda, 851 Grand Concourse, Bronx, New York 10451. These rules were passed by the TLC on July 21, 2011. Pursuant to section 1043(e)(1)(c) of the Charter, these rules will go into effect 30 days following publication in the City Record.

Statement of Basis and Purpose of Rules

These rules make five changes to the Taxi and Limousine Commission's license application process and two additional changes.

First, these rules replace costly and time-consuming license applicant "fitness hearings" with a more flexible information-gathering process. Under the current rules, when applicants do not fully demonstrate that they are fit to hold the license for which they are applying, the TLC may refer them for a fitness hearing before an Administrative Law Judge (ALJ) where they provide additional information. These applicant fitness hearings have not been formal adversarial hearings, but have been informal proceedings more closely resembling interviews than trials.

Under these rules, when an application leaves questions about the applicant's fitness to hold the license, instead of being referred to a fitness hearing, TLC licensing staff will ask the applicant for more information. In contrast with the current in-person fitness hearing, TLC staff will request the information however is most appropriate for the specific application – such as by letter, e-mail, telephone call, or personal interview. The TLC expects this flexible information-gathering process to take less time than fitness hearings, which will benefit both the TLC and applicants.

Second, these rules will provide specific standards and clearly identify the reasons for which an application will be rejected. In reviewing prior fitness decisions the TLC identified applicant conduct that makes it highly likely that an application will be rejected. Such conduct indicates an applicant poses an unreasonable risk to safety and welfare of the public, or otherwise demonstrates that the applicant is not fit to hold a TLC license. The TLC will reject applications that indicate the following forms of conduct within certain prescribed time periods:

- any acts of fraud or material misrepresentation or omission;
- a poor driving record, including the use of alcohol or drugs while operating a motor vehicle;
- use of illegal drugs;
- failure to comply with TLC rules, as demonstrated by license revocation;
- acts of actual, threatened or potential violence, including possession of weapons; and,
- unlicensed driving, including driving without a required state license and driving for hire without a required TLC license.

These rules establish one-, two-, and three-year application bans depending on the conduct. For example, a driver license application will not be accepted for three years after the revocation of a TLC license previously held by the applicant. The TLC will reject or deny applications that are submitted within these ban periods.

These rules will enable a potential applicant to avoid the time and expense of preparing and submitting an application that will be denied. Where an applicant is not fit for licensure under these rules, the TLC staff will wherever possible reject the application upon submission and no license fees will be

accepted. In contrast, under the current rules, the TLC must accept an application no matter how unlikely it is to be granted. Where TLC staff does not determine at submission that an application should be rejected, and accepts the application, license fees are non-refundable. These rules make three other changes to the license application process:

- They codify long-standing practice that an applicant bears the burden of proving fitness for licensure,
- They clarify which drugs the TLC tests for, and
- They eliminate a number of minor inconsistencies among license types.

Finally, these rules make two other changes:

- They clarify that final decisions issued by the Chairperson are precedent for deciding later cases that involve similar facts or issues, and
- They require drivers to surrender their licenses within 30 days of license revocation and establish a \$1,000 fine for drivers who fail to comply.

Any application filed before Tuesday, January 3, 2012 will be decided under the old hearing process. Any application filed on or after Tuesday, January 3, 2012, will be decided under the new information gathering (interview) process as outlined in these rules. All other provisions of this rule will take effect 30 days following publication in the City Record.

New material is underlined.
[Material inside brackets indicates deleted material.]

Section The definition of "Fit to Hold a License" in section 51-1 of Title 35 of the Rules of the City of New York is amended, and a new definition of "Drugs" is added, to read as follows:

Drugs mean any drug or other substance defined as a controlled substance in §3306 of the Public Health Law.

Fit to Hold a License means that [the Applicant or Licensee is qualified ("fit") to assume the duties and obligations of the particular TLC Licensee and meets and will continue to meet the qualifications for licensure established by applicable Rule or law, and that a Licensee or Applicant for a License will comply and continue to meet such qualifications and comply with such applicable Rule or law.]

- The Applicant or Licensee meets and will continue to meet all of the qualifications for the License sought or held as established by applicable Rules and laws.
- The Applicant or Licensee is of good moral character.
- The Applicant or Licensee has been and will be candid and forthcoming with the Commission and honest in dealing with the public.
- The Applicant or Licensee has reliably complied with and will reliably comply with all of the rules and laws associated with holding the particular TLC License.
- Where an Applicant has engaged in conduct that resulted or could have resulted in the suspension or revocation of a TLC License, the Applicant shows that he or she will not engage in similar conduct in the future.

Section 2. Paragraphs (2) through (17) of subdivision (c) of section 54-03 of Title 35 of the Rules of the City of New York are renumbered paragraphs (3) through (18) and a new paragraph (2) is added, to read as follows:

- (2) Application in this chapter refers to an application for a Taxicab Driver's License, including all documentation and other information submitted as part of the application.

Section 3. Subdivision (h) of section 54-04 of Title 35 of the Rules of the City of New York is amended, that subdivision (q) is amended by adding a new paragraph (2), and a new subdivision (r) is added, to read as follows:

(h) Pass Drug Test.

- (1) All Applicants for new Taxicab Driver's Licenses, except New York City Police Officers, must be tested, at the Applicant's expense, for [d]Drugs [or controlled substances].
- (2) The Commission designates who can perform the drug test and will only designate an individual or entity that has a permit issued by the New York State Department of Health.
- (3) If an Applicant tests positive for [d]Drugs [or controlled substances], the Commission will deny the Applicant's license. This decision is final.
- ...
- (q) ...

(2) An Applicant, including an Applicant for a renewal License, must pay any fines related to the Applicant's failure to surrender a previously revoked License (of any type), unless the Applicant can demonstrate in person or in writing that the License has been surrendered.

(r) Material Changes in the Application. The Applicant must inform the Chairperson of any material change in the information submitted as part of the Application while the Application is pending. Material changes include, but are not limited to:

- (1) Changes in Applicant's Chauffeur's License status;
- (2) Mailing address;
- (3) Additional criminal convictions;
- (4) Additional DMV convictions, including convictions for the offense of operating a motor vehicle while impaired by alcohol or drugs; or
- (5) Any change to the information provided or submitted with the Application.

Section 4. Section 54-08 of Title 35 of the Rules of the City of New York is amended to read as follows:

§54-08 Licensing – Process and Causes for Denial

- (a) [Failure to Meet Requirements]Fit to Hold a License - Applicant. The [Commission] Chairperson will deny the original or renewal License of any Applicant who fails to [meet the requirements] demonstrate that the Applicant is Fit to Hold a License. The [Commission] Chairperson will inform the Applicant, in writing, of the specific reason(s) for this denial. The decision to deny a license Application is in the discretion of the Chairperson.
 - (b) [Failure to Continue to Meet Requirements]Fit to Hold a License - Licensee. If at any time the [Commission] Chairperson [becomes aware] is notified that a Driver no longer meets the requirements for licensure, the [Commission] Chairperson can deny Driver's renewal application or may seek to suspend or revoke his or her License.
 - (c) [Bribery. The Commission can deny an application for a new or renewal License if the Applicant directly or indirectly offers or gives any gift, gratuity or thing of value to an employee, representative or member of the Commission or any public servant. Applicants must immediately report to the Commission any direct or indirect request for a gift, gratuity or thing of value from any public servant.] Denial of an Application. The Chairperson can reject or deny a new Application for a License for the reasons specified in this section. If, at the time of submission of an Application by the Applicant, the Chairperson identifies that the Applicant meets the criteria in this section, the Chairperson will reject the Application and no Application fees will be accepted. If the Application is accepted by the Chairperson for processing, no Application fees will be refunded.
- (1) Three-Year Ban. The Chairperson can deny an Application if, during the previous three years, the Applicant has committed:
 - (i) Any act, as prohibited by these Rules, of driving a TLC licensed vehicle while impaired by intoxicating liquor (regardless of its alcoholic content) or Drugs.
 - (ii) Any act, as prohibited by these Rules, of bribery, fraud, material misrepresentation, theft, threat against a person, harassment, abuse, or use of physical force.
 - (iii) Any act, as prohibited by these Rules, involving the possession of a Weapon in a vehicle licensed under these Rules.
 - (iv) Revocation of a prior License.
 1. Revocation. If a prior License was revoked, the three-year ban will run from the date of the revocation.
 2. Surrender While License Revocation Charges were Pending. If a prior License was surrendered to the Chairperson before the expiration date of the License, the three-year ban will run from the date the License is surrendered.
 3. License Expiration While License Revocation Charges were Pending. If a prior License expired while license revocation charges were pending, the three-year ban will run from the date the License expired.
 - (2) Two-Year Ban. The Chairperson can deny an Application if, during the previous two years, the Applicant has committed:
 - (i) Any act constituting for-hire operation of a motor vehicle without a valid TLC License, except for the traffic infraction of unlicensed operation.
 - (ii) Six or more violations of these Rules while holding any License or Licenses issued by the Commission. The two-year ban will be counted from the date of

the last violation.

- (3) One-Year Ban. The Chairperson can deny an Application if, during the previous one year, the Applicant has committed:
 - (i) More than three traffic accidents within a single year. The one-year ban will be counted from the date of the last accident.
 - (ii) The traffic infraction of unlicensed operation of a motor vehicle.
 - (iii) Prior Application Denied. The Chairperson will deny an Application that is submitted within one year after the denial of a previous Application, if the previous Application was denied because the Applicant was found not Fit to Hold a License. The one-year ban will be counted from the date the prior application was denied.
 - (iv) Illegal use of Drugs, as determined by the Commission following a drug test required by the Commission. This includes where the drug test result was unchallenged or unsuccessfully challenged. The one-year ban will run from the date of the failed drug test.
- (4) Other Reasons for Denial of an Application.
 - (i) Mistake or Omission in the Application. The Chairperson can deny an Application if the Application includes any material mistake or omission, or if the Applicant fails to inform the Chairperson of any material change in the Application.
 - (ii) Eligible for Critical Driver Penalty. The Chairperson can deny an Application if the Applicant would, if licensed, be subject to License suspension or revocation under the Critical Driver Program at the time the Application is submitted.
 - (iii) Pendency of Criminal Charges. The Chairperson will defer consideration of an Application if the Applicant has criminal charges pending. If the charges are not resolved within 90 days after the submission of the Application, the Application will be denied.
- (5) Settlements. When settling charges which may result in the revocation of a License, the Chairperson and the Respondent in that proceeding may agree to a ban on applying for a new License different than that provided for in these rules, provided that the:
 - (i) The agreement is in writing, and
 - (ii) The ban on applying for a new Driver's License is not less than one year.
- (d) [Material Misrepresentation or Falsification. The Commission can deny a Driver's License application and can suspend or revoke a renewal application if the Applicant provides any material misrepresentation in the application, or if the Applicant fails to inform the Commission of any material change in the application. The Commission may also impose other sanctions.] [e] Failure to Complete Application Requirements. (1) The [Commission] Chairperson will deny an [a]Application for a new License if the Applicant has not completed all of the requirements of an [a]Application within 90 days of the date the [a]Application is filed. (2) The [Commission] Chairperson will deny an [a]Application for a renewal License if the Applicant has not completed all of the requirements of an [a]Application by the expiration date of the prior License. (3) The [Commission] Chairperson will not deny an [a]Application under this Rule if completion is delayed because the [Commission] Chairperson has not issued a final decision [in any fitness Hearing it requires] and the Applicant has complied with any requests made by the Chairperson.
- (e) Additional Consideration of an Application. If a review of the Application leads the Chairperson to believe that the Applicant may not be Fit to Hold a License, the Chairperson may seek additional information from the Applicant. This request for additional information may be an in-person interview, telephone call, letter, e-mail, or other method of communication. This additional

consideration may result in the denial of the Application. Failure to provide any requested information within the time frame requested, or failure to appear at a scheduled interview will result in a denial of the application.

Section 5. Section 54-10 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (f), to read as follows:

§54-10 Licensing – Care and Use of License

(f) Surrender of License. A Driver must surrender his or her License to the Commission immediately upon revocation of the License. The License must be surrendered within thirty days of the date of revocation.

§54-10 (f) Fine: \$1,000 to be paid if Driver Appearance N/A applies for a new License of any type.

Section 6. Subdivisions (b) and (c) of section 54-14 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (b) Driving While Impaired.
 - (1) A Driver must not operate a Taxicab while his or her driving ability is impaired by intoxicating liquor (regardless of its alcoholic content),] or [d]Drugs [or other controlled substances].
 - (2) A Driver must not drive or occupy his or her Taxicab for at least six hours after consuming any intoxicating liquor regardless of its alcoholic content, or any [d]Drugs [or other controlled substances].
- (c) Drug Testing.
 - (1) Drug Testing for Cause. If the Commission has a reasonable suspicion that a Driver has used a [d]Drug [or controlled substance] that makes him or her unfit to operate a Taxicab safely, the Commission can direct the Driver to be tested, at the Driver's expense, by a Commission-approved person, licensed by the NYS Department of Health, and the Driver must comply.
 - (2) Annual Drug Testing.
 - (i) All Drivers except Drivers who are City of New York Police Officers must be tested annually, at the Driver's expense, for [d]Drugs [or controlled substances] in order to retain Valid Licenses.

Section 7. Subdivisions (b) through (t) of section 55-03 of Title 35 of the Rules of the City of New York is relettered subdivisions (c) through (u) and a new subdivision (b) is added, to read as follows:

(b) Application in this chapter refers to an application for a For-Hire Driver's License including all documentation and other information submitted as part of the application.

Section 8. Subdivision (g) of section 55-04 of Title 35 of the Rules of the City of New York is amended, that subdivision (k) is amended by adding a new paragraph (2), and a new subdivision (m) is added, to read as follows:

- (g) Pass Drug Test.
 - (1) All Applicants for new For-Hire Driver's License, except New York City Police Officers, must be tested, at the Applicant's expense, for [d]Drugs[or controlled substances].
 - (2) The Commission designates who can perform the drug test and will only designate an individual or entity that has a permit issued by the New York State Department of Health.
 - (3) If an Applicant tests positive for [d]Drugs [or controlled substances], the Commission will deny the Applicant's license. This decision is final.
- (k) ...
- (2) An Applicant, including an Applicant for a renewal License, must pay any fines related to their failure to surrender a previously revoked License (of any type), unless the Applicant can demonstrate in person or in writing that the License has been surrendered.
- (m) Material Changes in the Application. The Applicant must inform the Chairperson of any material change in the information submitted as part of the Application while the Application is pending. Material changes include, but are not limited to:
 - (1) Changes in Applicant's Chauffeur's License status;
 - (2) Mailing address;
 - (3) Additional criminal convictions;

(4) Additional DMV convictions, including convictions for the offense of operating a motor vehicle while impaired by alcohol or drugs; or
 (5) Any change to the information provided or submitted with the Application.

Section 9. Section 55-08 of Title 35 of the Rules of the City of New York is amended to read as follows:

§55-08 Licensing – Process and Causes for Denial of License

- (a) [Reserved. Failure to Meet any of Above Requirements.]
Fit to Hold a License - Applicant. The Chairperson will deny the original or renewal License of any Applicant who fails to demonstrate that the Applicant is Fit to Hold a License. The Chairperson will inform the Applicant, in writing, of the specific reason(s) for this denial. The decision to deny a license Application is in the discretion of the Chairperson.
- (b) [Material Misrepresentation or Falsification.
 - (1) The Commission can deny an application for a License or renewal of a License if it finds that an Applicant has lied or made a material misrepresentation on the application.
 - (2) The Commission can also, after notice and hearing, revoke or suspend any License it has issued if it finds that an Applicant has lied or made a material misrepresentation on his or her application.]

Fit to Hold a License - Licensee. If at any time the Chairperson is notified that a Driver no longer meets the requirements for licensure, the Chairperson can deny Driver's renewal application or may seek to suspend or revoke his or her License.

- (c) Denial of an Application. The Chairperson can reject or deny a new Application for a License for the reasons specified in this section. If, at the time of submission of an Application by the Applicant, the Chairperson identifies that the Applicant meets the criteria in this section, the Chairperson will reject the Application and no Application fees will be accepted. If the Application is accepted by the Chairperson, no Application fees will be refunded.

- (1) Three-Year Ban. The Chairperson can deny an Application if, during the previous three years, the Applicant has committed:
 - (i) Any act, as prohibited by these Rules, of driving a TLC licensed vehicle while impaired by intoxicating liquor (regardless of its alcoholic content), or Drugs.
 - (ii) Any act, as prohibited by these Rules, of bribery, fraud, material misrepresentation, theft, threat against a person, harassment, abuse, or use of physical force.
 - (iii) Any act, as prohibited by these Rules, involving the possession of a Weapon in a vehicle licensed under these Rules.
 - (iv) Revocation of a prior License.
 - 1. Revocation. If a prior License was revoked, the three-year ban will run from the date of the revocation.
 - 2. Surrender While License Revocation Charges were Pending. If a prior License was surrendered to the Chairperson before the expiration date of the License, the three-year ban will run from the date the License is surrendered.
 - 3. License Expiration While License Revocation Charges were Pending. If a prior License expired while license revocation charges were pending, the three-year ban will run from the date the License expired.

- (2) Two-Year Ban. The Chairperson can deny an Application if, during the previous two years, the Applicant has committed:
 - (i) Any act constituting for-hire operation of a motor vehicle without a valid TLC License, except for the traffic infraction of unlicensed operation.
 - (ii) Six or more violations of these Rules while holding any License or Licenses issued by the Commission. The two-year ban will be counted from the date of the last violation.

- (3) One-Year Ban. The Chairperson can deny an Application if, during the previous one year, the Applicant has committed:
 - (i) More than three traffic accidents within a single year. The one-year ban will be counted from

the date of the last accident.

- (ii) The traffic infraction of unlicensed operation of a motor vehicle.
- (iii) Prior Application Denied. The Chairperson will deny an Application that is submitted within one year after the denial of a previous Application, if the previous Application was denied because the Applicant was found not Fit to Hold a License. The one year ban will be counted from the date the prior application was denied
- (iv) Illegal use of Drugs, as determined by the Commission following a drug test required by the Commission. This includes where the drug test result was unchallenged or unsuccessfully challenged. The one-year ban will run from the date of the failed drug test.

(4) Other Reasons for Denial of an Application.

- (i) Mistake or Omission in the Application. The Chairperson can deny an Application if the Application includes any material mistake or omission, or if the Applicant fails to inform the Chairperson of any material change in the Application.
- (ii) Eligible for Critical Driver Penalty. The Chairperson can deny an Application if the Applicant would if licensed be subject to License suspension or revocation under the Critical Driver Program at the time the Application is submitted.
- (iii) Pendency of Criminal Charges. The Chairperson will defer consideration of an Application if the Applicant has criminal charges pending. If the charges are not resolved within 90 days after the submission of the Application, the Application will be denied.

(5) Settlements. When settling charges which may result in the revocation of a License, the Chairperson and the Respondent in that proceeding may agree to a ban on applying for a new License different than that provided for in these rules, provided that the:

- (i) The agreement is in writing, and
- (ii) The ban on applying for a new Driver's License is not less than one year.

(d) Failure to Complete Application Requirements.

- (1) The [Commission] Chairperson will deny an [a]Application for a new License if the Applicant has not completed all the requirements of an application within 90 days of the date the application is filed.
- (2) The [Commission] Chairperson will deny an [a]Application for a renewal License if the Applicant has not completed all the requirements of an [a]Application by the expiration date of the prior License.
- (3) The [Commission] Chairperson will not deny an [a]Application under this Rule if completion is delayed because the [Commission] Chairperson has not issued a final decision [in any fitness Hearing it requires] and the Applicant has complied with any requests made by the Chairperson.

(e) Additional Consideration of an Application. If a review of the Application leads the Chairperson to believe that the Applicant may not be Fit to Hold a License, the Chairperson may seek additional information from the Applicant. This request for additional information may be an in-person interview, telephone call, letter, e-mail, or other method of communication. This additional consideration may result in the denial of the Application. Failure to provide any requested information within the time frame requested, or failure to appear at a scheduled interview will result in a denial of the application.

Section 10. Section 55-10 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (e), to read as follows:

§55-10 Licensing – Care and Use of License

- (e) Surrender of License. A Driver must surrender his or her License to the Commission immediately upon revocation of the License. The License must be surrendered within thirty days of the date of revocation.

§55-10 (e) Fine: \$1,000 to be paid if Driver Appearance N/A applies for a new License of any type.

Section 11. Subdivisions (b),(c), and (d) of section 55-10 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (b) Driving While Impaired.
 - (1) A Driver must not operate a For-Hire Vehicle while his or her driving ability is impaired by intoxicating liquor (regardless of its alcoholic content),] or [d]Drugs [or other controlled substances].
 - (2) A Driver must not drive or occupy his or her For-Hire Vehicle for at least six hours after consuming any intoxicating liquor regardless of its alcoholic content, or consuming any [d]Drugs [or other controlled substances].
- (c) Drug Testing "For Cause." If the Commission has a reasonable suspicion that a Driver has used a [d]Drug [or controlled substance] that makes him or her unfit to operate a For-Hire Vehicle safely, the Commission can direct the Driver to be tested, at the Driver's expense, by a Commission-approved person, licensed by the NYS Department of Health, and the Driver must comply.
- (d) Annual Drug Testing.
 - (1) All Drivers except those who are NYC Police Officers, must be tested annually, at the Driver's expense, for [d]Drugs [or controlled substances].

Section 12. Subdivisions (b) through (h) of section 56-03 of Title 35 of the Rules of the City of New York be relettered subdivisions (c) through (i) and a new subdivision (b) is added, to read as follows:

- (b) Application in this chapter refers to an application for a Paratransit Driver's License including all documentation and other information submitted as part of the application.

Section 13. Subdivision (n) of section 56-04 of Title 35 of the Rules of the City of New York is amended by adding a new paragraph (2) and that a new subdivision (o) is added, to read as follows:

- (n) . . .
- (2) An Applicant, including an Applicant for a renewal License, must pay any fines related to their failure to surrender a previously revoked License (of any type), unless the Applicant can demonstrate in person or in writing that the License has been surrendered.

(o) Material Changes in the Application. The Applicant must inform the Chairperson of any material change in the information submitted as part of the Application while the Application is pending. Material changes include, but are not limited to:

- (1) Changes in Applicant's Chauffeur's License status;
- (2) Mailing address; additional criminal convictions;
- (3) Additional DMV convictions, including convictions for the offense of operating a motor vehicle while impaired by alcohol or drugs; or
- (4) Any change to the information provided or submitted with the Application.

Section 14. Section 56-08 of Title 35 of the Rules of the City of New York is amended to read as follows:

§56-08 Licensing – Process and Cause for Denial of License

- (a) [Failure to Meet Any of Above Requirements] Fit to Hold a License - Applicant. The [Commission] Chairperson will deny the original Paratransit License or renewal License of any Applicant who fails to [meet the requirements] demonstrate that the Applicant is Fit to Hold a License. The [Commission] Chairperson will inform the Applicant, in writing, of the specific reason(s) for this denial. The decision to deny a license Application is in the discretion of the Chairperson.

(b) [Material Misrepresentation or Falsification.

The Commission will deny a Driver's License application, including a renewal application, and can suspend or revoke an existing License if the Applicant fails to notify the Commission of any material change in the information contained in the application. The Commission can impose other sanctions as well.

The Commission will deny a Driver's License application and can suspend or revoke an existing License if the Applicant lies or misrepresents any information in the application. The Commission can impose other sanctions as well.]

Fit to Hold a License - Licensee. If at any time the Chairperson is notified that a Driver no longer meets the requirements for licensure, the Chairperson can deny Driver's renewal application or may seek to suspend or revoke his or her License.

(c) [Evidence of Attempt to Bribe.

An Applicant (or someone acting on behalf of the Applicant) must not offer or give any gift or gratuity to any employee, representative, public servant, or member of the Commission.

An Applicant must immediately report to the Chairperson if any employee, representative, public servant, or member of the Commission makes a

request or demand for any gift or gratuity.]

Denial of an Application. The Chairperson can reject or deny a new Application for a License for the reasons specified in this section. If, at the time of submission of an Application by the Applicant, the Chairperson identifies that the Applicant meets the criteria in this section, the Chairperson will reject the Application and no Application fees will be accepted. If the Application is accepted by the Chairperson, no Application fees will be refunded.

- (1) Three-Year Ban. The Chairperson can deny an Application if, during the previous three years, the Applicant has committed:
 - (i) Any act, as prohibited by these Rules, of driving a TLC licensed vehicle while impaired by intoxicating liquor (regardless of its alcoholic content), or Drugs.
 - (ii) Any act, as prohibited by these Rules, of bribery, fraud, material misrepresentation, theft, threat against a person, harassment, abuse, or use of physical force.
 - (iii) Any act, as prohibited by these Rules, involving the possession of a Weapon in a vehicle licensed under these Rules.
 - (iv) Revocation of a prior License.
 1. Revocation. If a prior License was revoked, the three-year ban will run from the date of the revocation.
 2. Surrender While License Revocation Charges were Pending. If a prior License was surrendered to the Chairperson before the expiration date of the License, the three-year ban will run from the date the License is surrendered.
 3. License Expiration While License Revocation Charges were Pending. If a prior License expired while license revocation charges were pending, the three-year ban will run from the date the License expired.
- (2) Two-Year Ban. The Chairperson can deny an Application if, during the previous two years, the Applicant has committed:
 - (i) Any act constituting for-hire operation of a motor vehicle without a valid TLC License, except for the traffic infraction of unlicensed operation.
 - (ii) Six or more violations of these Rules while holding any License or Licenses issued by the Commission. The two-year ban will be counted from the date of the last violation.
- (3) One-Year Ban. The Chairperson can deny an Application if, during the previous one year, the Applicant has committed:
 - (i) More than three traffic accidents within a single year. The one-year ban will be counted from the date of the last accident.
 - (ii) The traffic infraction of unlicensed operation of a motor vehicle.
 - (iii) Prior Application Denied. The Chairperson will deny an Application that is submitted within one year after the denial of a previous Application, if the previous Application was denied because the Applicant was found not Fit to Hold a License. The one year ban will be counted from the date the prior application was denied
 - (iv) Illegal use of Drugs, as determined by the Commission following a drug test required by the Commission. This includes where the drug test result was unchallenged or unsuccessfully challenged. The one-year ban will run from the date of the failed drug test.
- (4) Other Reasons for Denial of an Application.
 - (i) Mistake or Omission in the Application. The Chairperson can deny an Application if the Application includes any material mistake or omission, or if the Applicant fails to inform

the Chairperson of any material change in the Application.

- (ii) Eligible for Critical Driver Penalty. The Chairperson can deny an Application if the Applicant would, if licensed, be subject to License suspension or revocation under the Critical Driver Program at the time the Application is submitted.
- (iii) Pendency of Criminal Charges. The Chairperson will defer consideration of an Application if the Applicant has criminal charges pending. If the charges are not resolved within 90 days after the submission of the Application, the Application will be denied.
- (5) Settlements. When settling charges which may result in the revocation of a License, the Chairperson and the Respondent in that proceeding may agree to a ban on applying for a new License different than that provided for in these rules, provided that the:
 - (i) The agreement is in writing, and
 - (ii) The ban on applying for a new Driver's License is not less than one year.

- (d) Failure to Complete Application Requirements.
 - (1) The [Commission] Chairperson will deny an [a]Application for a new License if the Applicant has not completed all the requirements of an [a]Application within 90 days of the date the application is filed.
 - (2) The [Commission] Chairperson will deny an [a]Application for a renewal License if the Applicant has not completed all the requirements of an [a]Application by the expiration date of the prior License.
 - (3) The [Commission] Chairperson will not deny an [a]Application under this Rule if completion is delayed because the [Commission] Chairperson has not issued a final decision [in any fitness Hearing it requires] and the Applicant has complied with any requests made by the Chairperson.
- (e) [No Longer Meets Requirements. The Commission can deny, suspend or revoke the License of any renewal Applicant who no longer meets the requirements for a Paratransit Driver's License.] Additional Consideration of an Application. If a review of the Application leads the Chairperson to believe that the Applicant may not be Fit to Hold a License, the Chairperson may seek additional information from the Applicant. This request for additional information may be an in-person interview, telephone call, letter, e-mail, or other method of communication. This additional consideration may result in the denial of the Application. Failure to provide any requested information within the time frame requested, or failure to appear at a scheduled interview will result in a denial of the application.

Section 15. Section 56-10 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (g), to read as follows:

§56-10 Licensing – Care of License

- (g) Surrender of License. A Driver must surrender his or her License to the Commission immediately upon revocation of the License. The License must be surrendered within thirty days of the date of revocation.

§56-10 (g) Fine: \$1,000 to be paid if Driver Appearance N/A applies for a new License of any type.

Section 16. Paragraph (d) of section 56-14 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (d) Driving While Impaired. A Driver must not operate a Paratransit Vehicle if his or her driving ability is impaired by either alcohol or [d]Drugs. A Driver must not consume alcoholic beverages or [illegal drugs]Drugs while occupying the vehicle.

Section 17. Subdivisions (b) through (i) of section 57-03 of Title 35 of the Rules of the City of New York are relettered subdivisions (c) through (j) and a new subdivision (b) is added, to read as follows:

- (b) Application in this chapter refers to an application for a Commuter Van Driver's License including all documentation and other information submitted as part of the application.

Section 18. Subdivision (l) of section 57-04 of Title 35 of the Rules of the City of New York is amended by adding new paragraph (2) and a new subdivision (o) is added, to read as follows:

- (1) ...
- (2) An Applicant, including an Applicant for a renewal License, must pay any fines related to their failure

to surrender a previously revoked License (of any type), unless the Applicant can demonstrate in person or in writing that the License has been surrendered.

- (o) Material Changes in the Application. The Applicant must inform the Chairperson of any material change in the information submitted as part of the Application while the Application is pending. Material changes include, but are not limited to:
 - (1) Changes in Applicant's Chauffeur's License status;
 - (2) Mailing address;
 - (3) Additional criminal convictions;
 - (4) Additional DMV convictions, including convictions for the offense of operating a motor vehicle while impaired by alcohol or drugs; or
 - (5) Any change to the information provided or submitted with the Application.

Section 19. Section 57-08 of Title 35 of the Rules of the City of New York is amended to read as follows:

§57-08 Licensing – Procedures and Causes for Denial

- (a) [Reserved. Failure to Meet Requirements.] Fit to Hold a License - Applicant. The Chairperson will deny the original or renewal License of any Applicant who fails to demonstrate that they are Fit to Hold a License. The Chairperson will inform the Applicant, in writing, of the specific reason(s) for this denial. The decision to deny a license Application is in the discretion of the Chairperson.
- (b) [Revocation within the Last Year. The Commission will not issue or renew a Commuter Van Driver's License if the Applicant has had a Commuter Van Driver's License revoked within the last year.] Fit to Hold a License - Licensee. If at any time the Chairperson is notified that a Driver no longer meets the requirements for licensure, the Chairperson can deny Driver's renewal application or may seek to suspend or revoke his or her License.
- (c) [Material Misrepresentation or Falsification. The Commission can deny an application or refuse a renewal if the Applicant has lied or withheld any material information or made or concealed a material fact in connection with his or her application or any certification related to the application.]

Denial of an Application. The Chairperson can reject or deny a new Application for a License for the reasons specified in this section. If, at the time of submission of an Application by the Applicant, the Chairperson identifies that the Applicant meets the criteria in this section, the Chairperson will reject the Application and no Application fees will be accepted. If the Application is accepted by the Chairperson, no Application fees will be refunded.

- (1) Three-Year Ban. The Chairperson can deny an Application if, during the previous three years, the Applicant has committed:
 - (i) Any act, as prohibited by these Rules, of driving a TLC licensed vehicle while impaired by intoxicating liquor (regardless of its alcoholic content), or Drugs.
 - (ii) Any act, as prohibited by these Rules, of bribery, fraud, material misrepresentation, theft, threat against a person, harassment, abuse, or use of physical force.
 - (iii) Any act, as prohibited by these Rules, involving the possession of a Weapon in a vehicle licensed under these Rules.
 - (iv) Revocation of a prior License.
 1. Revocation. If a prior License was revoked, the three-year ban will run from the date of the revocation.
 2. Surrender While License Revocation Charges were Pending. If a prior License was surrendered to the Chairperson before the expiration date of the License, the three-year ban will run from the date the License is surrendered.
 3. License Expiration While License Revocation Charges were Pending. If a prior License expired while license revocation charges were pending, the three-year ban will run from the date the License expired.
- (2) Two-Year Ban. The Chairperson can deny an Application if, during the previous two years, the Applicant has committed:

- (i) Any act constituting for-hire operation of a motor vehicle without a valid TLC License, except for the traffic infraction of unlicensed operation.
- (ii) Six or more violations of these Rules while holding any License or Licenses issued by the Commission. The two-year ban will be counted from the date of the last violation.
- (3) One-Year Ban. The Chairperson can deny an Application if, during the previous one year, the Applicant has committed:
 - (i) More than three traffic accidents within a single year. The one-year ban will be counted from the date of the last accident.
 - (ii) The traffic infraction of unlicensed operation of a motor vehicle.
 - (iii) Prior Application Denied. The Chairperson will deny an Application that is submitted within one year after the denial of a previous Application, if the previous Application was denied because the Applicant was found not Fit to Hold a License. The one year ban will be counted from the date the prior application was denied.
 - (iv) Illegal use of Drugs, as determined by the Commission following a drug test required by the Commission. This includes where the drug test result was unchallenged or unsuccessfully challenged. The one-year ban will run from the date of the failed drug test.
- (4) Other Reasons for Denial of an Application.
 - (i) Mistake or Omission in the Application. The Chairperson can deny an Application if the Application includes any material mistake or omission, or if the Applicant fails to inform the Chairperson of any material change in the Application.
 - (ii) Eligible for Critical Driver Penalty. The Chairperson can deny an Application if the Applicant would if licensed be subject to License suspension or revocation under the Critical Driver Program at the time the Application is submitted.
 - (iii) Pendency of Criminal Charges. The Chairperson will defer consideration of an Application if the Applicant has criminal charges pending. If the charges are not resolved within 90 days after the submission of the Application, the Application will be denied.
- (5) Settlements. When settling charges which may result in the revocation of a License, the Chairperson and the Respondent in that proceeding may agree to a ban on applying for a new License different than that provided for in these rules, provided that the:
 - (i) The agreement is in writing, and
 - (ii) The ban on applying for a new Driver's License is not less than one year.
- (d) Failure to Complete Application Requirements.
 - (1) The [Commission] Chairperson will deny an [a]Application for a new License if the Applicant has not completed all the requirements of an [a]Application within 90 days of the date the application is filed.
 - (2) The [Commission] Chairperson will deny an [a]Application for a renewal License if the Applicant has not completed all the requirements of an [a]Application by the expiration date of the prior License.
 - (3) The [Commission] Chairperson will not deny an [a]Application under this Rule if completion is delayed because the [Commission] Chairperson has not issued a final decision [in any fitness Hearing it requires] and the Applicant has complied with any requests made by the Chairperson.
- (e) [Other Reasons. The Commission may deny a Commuter Van Driver's License whenever the Applicant has engaged in conduct that would be the basis for suspension or revocation.]
Additional Consideration of an Application. If a

- review of the Application leads the Chairperson to believe that the Applicant may not be Fit to Hold a License, the Chairperson may seek additional information from the Applicant. This request for additional information may be an in-person interview, telephone call, letter, e-mail, or other method of communication. This additional consideration may result in the denial of the Application. Failure to provide any requested information within the time frame requested, or failure to appear at a scheduled interview will result in a denial of the application.
 - ((f) Refusal to Renew. The Commission may refuse to renew a Commuter Van Driver's License for any of the reasons listed above in this section, as well as for the following:
 - (1) The Applicant has violated any provision of these Rules or any of the rules relating to commuter van service in Chapter 5, Title 19 of the Administrative Code.
 - (2) The Applicant has engaged in any fraud or misrepresentation in connection with providing any transportation service.
 - (3) The Applicant has failed to pay any penalty that has been properly imposed under these Rules.
 - (4) The Applicant has been convicted of a crime that the Commission believes has a direct bearing upon the Applicant's fitness or ability to perform the functions required of a Commuter Van Driver, or has been convicted of any offense that under Article 23-A of the NYS Corrections Law would provide a basis for the Commission to refuse to renew or to suspend or revoke a Commuter Van Driver's License.
 - (5) The Applicant has failed to maintain the conditions of operation that apply to Commuter Van Drivers.
 - (6) The Applicant has been found to have violated any of the provisions of §8-107 of the Administrative Code of the City of New York concerning unlawful discriminatory practices in public accommodations in the operation of a commuter van service or a commuter van vehicle.]
- Section 20. Section 57-10 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (e), to read as follows:
- §57-10 Licensing – Care and Use of License**
- (e) Surrender of License. A Driver must surrender his or her License to the Commission immediately upon revocation of the License. The License must be surrendered within thirty days of the date of revocation.
- §57-10 (e) Fine: \$1,000 to be paid if Driver Appearance N/A applies for a new License of any type.
- Section 21. Subdivision (d) of section 58-04 of Title 35 of the Rules of the City of New York is amended and subdivision (h) is amended by adding a new paragraph (2), to read as follows:
- §58-04 Licensing – General Requirements**
- ...
- (d) Fit to Hold a License. An individual or Business Entity must demonstrate to the satisfaction of the Commission that the Applicant is [qualified to assume perform the duties and obligations] Fit to Hold the License of an Owner of a Taxicab License.
- ...
- (h) ...
- (2) An Applicant, including an Applicant for a renewal License, must pay any fines related to their failure to surrender a previously revoked License (of any type), unless the Applicant can demonstrate in person or in writing that the License has been surrendered.
- Section 22. Subdivision (g) of section 58-08 of Title 35 of the Rules of the City of New York is amended and that a new subdivision (i) is added, to read as follows:
- §58-08 Licensing – Causes for Denial**
- (g) Failure to Complete Application Requirements.
- (1) The [Commission] Chairperson will deny an application for a new License if the Applicant has not completed all the requirements of an application within 180 days of the date the application is filed.
 - (2) The [Commission] Chairperson will not deny an application under this Rule if completion is delayed because the [Commission] Chairperson has not issued a final decision [in any fitness Hearing it requires] and the Applicant has complied with any requests made by the Chairperson.
 - ...
 - (i) Additional Consideration of an Application. If a review of the application leads the

- Chairperson to believe that the Applicant may not be Fit to Hold a License, the Chairperson may seek additional information from the Applicant. This request for additional information may be an in-person interview, telephone call, letter, e-mail, or other method of communication. This additional consideration may result in the denial of the application. Failure to provide any requested information within the time frame requested, or failure to appear at a scheduled interview will result in a denial of the application.
- Section 23. Subdivision (l) of section 59A-04 of Title 35 of the Rules of the City of New York is amended by adding a new paragraph (2) and that a new subdivision (o) is added, to read as follows:
- §59A-04 Licensing – General Requirements**
- ...
- (1) ...
- (2) An Applicant, including an Applicant for a renewal License, must pay any fines related to their failure to surrender a previously revoked License (of any type), unless the Applicant can demonstrate in person or in writing that the License has been surrendered.
- ...
- (o) Fit to Hold a License. An Applicant for a For-Hire Vehicle License must demonstrate that the Applicant is Fit to Hold a License.
- Section 24. Subdivisions (d) and (e) of section 59A-08 of Title 35 of the Rules of the City of New York are amended and that a new subdivision (f) is added, to read as follows:
- §59A-08 Licensing – Causes for Denial or Revocation**
- (d) Prior Revocation.
- (1) [The Commission will not issue a For-Hire Vehicle License to any Applicant that has had a previous For-Hire Vehicle License revoked until there has been a Hearing to determine the Applicant's fitness to hold a license.]
If the Applicant has had a previous For-Hire Vehicle License revoked, the Chairperson may deny the Applicant's application if the previous revocation shows that the applicant is not Fit to Hold a License.
 - (2) To determine if a previously revoked For-Hire Vehicle License ("Revoked License") will be attributed to this Applicant, the Commission will include any Revoked License held by any of the following:
 - (i) All of Applicant's Business Entity Persons, and
 - (ii) Any other entity in which any of Applicant's Business Entity Persons also serve as a partner, officer or shareholder.
- (e) Failure to Complete Application Requirements.
- (1) The [Commission] Chairperson will deny an application for a new License if the Applicant has not completed all the requirements of an application within 45 days of the date the application is filed. This does not apply to inspections.
 - (2) The [Commission] Chairperson will deny an application for a renewal License if the Applicant has not completed all the requirements of an application by the expiration date of the prior License. This does not apply to inspections.
 - (3) The [Commission] Chairperson will not deny an application under this Rule if completion is delayed because the [Commission] Chairperson has not issued a final decision [in any fitness Hearing it requires] and the Applicant has complied with any requests made by the Chairperson.
- (f) Additional Consideration of an Application. If a review of the application leads the Chairperson to believe that the Applicant may not be Fit to Hold a License, the Chairperson may seek additional information from the Applicant. This request for additional information may be an in-person interview, telephone call, letter, e-mail, or other method of communication. This additional consideration may result in the denial of the application. Failure to provide any requested information within the time frame requested, or failure to appear at a scheduled interview will result in a denial of the application.
- Section 25. Subdivision (f) of section 59B-04 of Title 35 of the Rules of the City of New York is amended by adding new paragraph (2) and that a new subdivision (i) is added, to read as follows:
- §59B-04 Licensing – General Requirements**
- ...
- (f) ...
- (2) An Applicant, including an Applicant for a renewal License, must pay any fines related to their failure to surrender a previously revoked License (of any type), unless the Applicant can demonstrate in

person or in writing that the License has been surrendered.

- (i) Fit to Hold License. An Applicant (including the individual, Business Entity or any Limited Business Entity Persons) must demonstrate that they are Fit to Hold a License.

Section 26. Subdivision (f) of section 59B-08 of Title 35 of the Rules of the City of New York is amended and that a new subdivision (g) is added, to read as follows:

§59B-08 Licensing – Causes for Denial or Revocation

(f) Failure to Complete Application Requirements.

(1) The [Commission] Chairperson will deny an application for a new Black Car Base or Luxury Limousine Base License if the Applicant has not completed all the requirements of an application within 90 days of the date the application is filed.

(2) The [Commission] Chairperson will deny an application for a renewal Black Car Base or Luxury Limousine Base License if the Applicant has not completed all the requirements of an application by the expiration date of the prior License.

(3) The [Commission] Chairperson will deny an application for a new or renewal Livery Base Station License if the Applicant has not completed all the requirements of an application and has not completed all the requirements for Licensing as a Livery Base Station set forth in Section 59B-05 of this Chapter within 90 days of Commission approval of the application.

(4) The [Commission] Chairperson will not deny an application under this Rule if completion is delayed because the [Commission] Chairperson has not issued a final decision [in any fitness Hearing it requires] and the Applicant has complied with any requests made by the Chairperson.

- (g) Additional Consideration of an Application. If a review of the application leads the Chairperson to believe that the Applicant may not be Fit to Hold a License to operate a Base Station, the Chairperson may seek additional information from the Applicant. This request for additional information may be an in-person interview, telephone call, letter, e-mail, or other method of communication. This additional consideration may result in the denial of the application. Failure to provide any requested information within the time frame requested, or failure to appear at a scheduled interview will result in a denial of the application.

Section 27. Subdivision (g) of section 60A-04 of Title 35 of the Rules of the City of New York is amended and that subdivision (l) is amended by adding new subdivision (2), to read as follows:

§60A-04 Licensing – Requirements

- (g) Fitness to Hold License. An Applicant must demonstrate that they are Fit to Hold a License. In making this determination, [T]he Commission will [determine an Applicant's fitness by examining] review the Applicant's (or Licensee's) criminal and driving records, medical and mental health records, and any history of drug or alcohol use.

(l) ...

- (2) An Applicant, including an Applicant for a renewal License, must pay any fines related to their failure to surrender a previously revoked License (of any type), unless the Applicant can demonstrate in person or in writing that the License has been surrendered.

Section 28. Subdivision (f) of section 60A-07 of Title 35 of the Rules of the City of New York is amended and that a new subdivision (g) is added, to read as follows:

§60A-07 Licensing – Causes for Denial

(f) Failure to Complete Application Requirements.

(1) The [Commission] Chairperson will deny an application for a new License if the Applicant has not completed all the requirements of an application within 45 days of the date the application is filed.

(2) The [Commission] Chairperson will deny an application for a renewal License if the Applicant has not completed all the requirements of an application by the expiration date of the prior License.

(3) The [Commission] Chairperson will not deny an application under this Rule if completion is delayed because the [Commission] Chairperson has not issued a final decision [in any fitness Hearing it requires] and the Applicant has complied with any requests made by the Chairperson.

- (g) Additional Consideration of an Application. If a review of the application leads the Chairperson to believe that the Applicant may not be Fit to Hold a License, the Chairperson may seek additional information from the Applicant. This request for additional information may be an in-person interview, telephone call, letter, e-mail, or other method of communication. This additional consideration may result in the denial of the application. Failure to provide any requested information within the time frame requested, or failure to appear at a scheduled interview will result in a denial of the application.

Section 29. Subdivision (b) of section 60A-08 of Title 35 of the Rules of the City of New York is REPEALED.

- (b) Right to Appeal On Denial. If the Commission

denies an application for a new or renewal Paratransit Vehicle License:

- (1) The Applicant is entitled to a hearing before the Commission.
- (2) The Applicant can be represented by an attorney or by a non-attorney.
- (3) The Commission can, for cause, refuse to allow a non-attorney to represent the Applicant.]

Section 30. Subdivision (g) of section 60B-04 of Title 35 of the Rules of the City of New York is amended by adding new paragraph (2) and that a new subdivision (i) is added, to read as follows:

§60B-04 Licensing – General Requirements

(g) ...

- (2) An Applicant, including an Applicant for a renewal License, must pay any fines related to their failure to surrender a previously revoked License (of any type), unless the Applicant can demonstrate in person or in writing that the License has been surrendered.

- (i) Fit to Hold License. An Applicant, including all persons who must be fingerprinted as specified by paragraph (b) of this section, must demonstrate that they are Fit to Hold a License to operate a Base Station.

Section 31. Subdivision (d) of section 60B-07 of Title 35 of the Rules of the City of New York is amended and a new subdivision (e) is added, to read as follows:

§60B-07 Licensing – Causes for Denial

(d) Failure to Complete Application Requirements.

(1) The [Commission] Chairperson will deny an application for a new License if the Applicant has not completed all the requirements of an application within 90 days of the date the application is filed.

(2) The [Commission] Chairperson will deny an application for a renewal License if the Applicant has not completed all the requirements of an application by the expiration date of the prior License.

(3) The [Commission] Chairperson will not deny an application under this Rule if completion is delayed because the [Commission] Chairperson has not issued a final decision [in any fitness Hearing it requires] and the Applicant has complied with any requests made by the Chairperson.

- (e) Additional Consideration of an Application. If a review of the application leads the Chairperson to believe that the Applicant may not be Fit to Hold a License, the Chairperson may seek additional information from the Applicant. This request for additional information may be an in-person interview, telephone call, letter, e-mail, or other method of communication. This additional consideration may result in the denial of the application. Failure to provide any requested information within the time frame requested, or failure to appear at a scheduled interview will result in a denial of the application.

Section 32. Subdivision (d) of section 61A-04 of Title 35 of the Rules of the City of New York is amended and subdivision (h) is amended by adding a new paragraph (2), to read as follows:

§61A-04 Licensing – General Requirements

(d) ...

- (d) Fit to Hold License. No Commuter-Van License can be issued or renewed unless an Applicant demonstrates [to the satisfaction of the Commission] that the Applicant is [fit, willing, and able] Fit to Hold a License to operate a Commuter-Van Vehicle.

(h) ...

- (2) An Applicant, including an Applicant for a renewal License, must pay any fines related to their failure to surrender a previously revoked License (of any type), unless the Applicant can demonstrate in person or in writing that the License has been surrendered.

Section 33. Subdivision (e) of section 61A-07 of Title 35 of the Rules of the City of New York is amended and a new subdivision (f) is added, to read as follows:

§61A-07 Licensing – Causes for Denial

(e) ...

(c) Complete Application Requirements
(1) The [Commission] Chairperson will deny an application for a new License if the Applicant has not completed all the requirements of an application within 45 days of the date the application is filed.

(2) The [Commission] Chairperson will deny an application for a renewal License if the Applicant has not completed all the requirements of an application by the expiration date of the prior License.

(3) The [Commission] Chairperson will not deny an application under this Rule if completion is delayed because the [Commission] Chairperson has not issued a final decision [in any fitness Hearing it requires] and the Applicant has complied with any requests made by the Chairperson.

- (f) Additional Consideration of an Application. If a review of the application leads the Chairperson to believe that the Applicant may not be Fit to Hold a License, the Chairperson may seek additional information from the Applicant. This request for additional information may be an in-person interview, telephone call, letter, e-mail, or other method of communication. This additional consideration may

result in the denial of the application. Failure to provide any requested information within the time frame requested, or failure to appear at a scheduled interview will result in a denial of the application.

Section 34. Subdivision (d) of section 61B-04 of Title 35 of the Rules of the City of New York is amended and subdivision (j) is amended by adding new paragraph (2), to read as follows:

§61B-04 Authorization – Requirements

(d) ...

- (d) Fitness to Hold Authorization. No Commuter-Van Service Authorization can be issued or renewed unless an Applicant demonstrates to the satisfaction of the Commission that the Applicant is [fit, willing, and able] Fit to Hold a License (Authorization) to operate a Commuter-Van Service.

(j) ...

- (2) An Applicant, including an Applicant for a renewal License, must pay any fines related to their failure to surrender a previously revoked License (of any type), unless the Applicant can demonstrate in person or in writing that the License has been surrendered.

Section 35. Subdivision (d) of section 61B-07 of Title 35 of the Rules of the City of New York is amended and a new subdivision (f) is added to read as follows:

§61B-07 Authorization – Causes for Denial

(d) ...

(d) Failure to Complete Application Requirements.

(1) The [Commission] Chairperson will deny an application for a new Authorization if the Applicant has not completed all the requirements of an application within 90 days of the date the application is filed.

(2) The [Commission] Chairperson will deny an application for a renewal Authorization if the Applicant has not completed all the requirements of an application by the expiration date of the prior Authorization.

(3) The [Commission] Chairperson will not deny an application under this Rule if completion is delayed because the [Commission] Chairperson has not issued a final decision [in any fitness Hearing it requires] and the Applicant has complied with any requests made by the Chairperson.

- (f) Additional Consideration of an Application. If a review of the application leads the Chairperson to believe that the Applicant may not be Fit to Hold a License (Authorization), the Chairperson may seek additional information from the Applicant. This request for additional information may be an in-person interview, telephone call, letter, e-mail, or other method of communication. This additional consideration may result in the denial of the application.

Section 36. Subdivision (c) of section 62-04 of Title 35 of the Rules of the City of New York is amended to read as follows:

§62-04 Licensing – General Information Required

(c) ...

- (c) [Good Moral Character]Fit to Hold a License. An individual Applicant and each Business Entity Person of an Applicant must [be of good moral character] demonstrate that they are Fit To Hold a License. [Moral character] Fit to Hold a License will be determined in part through fingerprinting and background investigations, as follows:

Section 37. Subdivision (d) of section 62-10 of Title 35 of the Rules of the City of New York is amended to read as follows:

§62-10 Licensing – Cause for Denial

(d) ...

(d) Failure to Complete Application Requirements

(1) The [Commission] Chairperson will deny an application for a new License if the Applicant has not completed all the requirements of an application within 90 days of the date the application is filed.

(2) The [Commission] Chairperson will deny an application for a renewal License if the Applicant has not completed all the requirements of an application within by the expiration date of the prior License.

(3) The [Commission] Chairperson will not deny an application under this Rule if completion is delayed because the [Commission] Chairperson has not issued a final decision [in any fitness Hearing it requires] and the Applicant has complied with any requests made by the Chairperson.

- (e) Additional Consideration of an Application. If a review of the application leads the Chairperson to believe that the Applicant may not be Fit to Hold a License (Authorization), the Chairperson may seek additional information from the Applicant. This request for additional information may be an in-person interview, telephone call, letter, e-mail, or other method of communication. This additional consideration may result in the denial of the application. Failure to provide any requested information within the time frame requested, or failure to appear at a scheduled interview will result in a denial of the application.

Section 38. Section 63-04 of Title 35 of the Rules of the City of New York is amended by adding new subdivision (j), to read as follows:

§63-04 Licensing – Requirements

(j) ...

- (j) Fit to Hold a License. An Applicant (including the individual Applicant and all Limited Business Entity Persons of a Business Entity Applicant) for an original License must demonstrate that they are Fit to Hold a License.

Section 39. Subdivision (f) of section 63-07 of Title 35 of the

Rules of the City of New York is amended and a new subdivision(g) is added, to read as follows:

§63-04 Licensing – Causes for Denial

(f) *Failure to Complete Application Requirements.*

(1) The [Commission] Chairperson will deny an application for a new License if the Applicant has not completed all the requirements of an application within 90 days of the date the application is filed.

(2) The [Commission] Chairperson will deny an application for a renewal License if the Applicant has not completed all the requirements of an application by the expiration date of the prior License.

(3) The [Commission] Chairperson will not deny an application under this Rule if completion is delayed because the [Commission] Chairperson has not issued a final decision [in any fitness Hearing it requires] and the Applicant has complied with any requests made by the Chairperson.

(g) Additional Consideration of an Application. If a review of the application leads the Chairperson to believe that the Applicant may not be Fit to Hold a License (Authorization), the Chairperson may seek additional information from the Applicant. This request for additional information may be an in-person interview, telephone call, letter, e-mail, or other method of communication. This additional consideration may result in the denial of the application.

Section 40. Subdivision (f) of section 64-04 of Title 35 of the Rules of the City of New York is amended to read as follows:

§64-04 Licensing – General Requirements

(f) [Good Moral Character] Fit to Hold a License. The individual or Business Entity Person applying for a Taximeter License or its renewal must [be of good moral character] demonstrate that they are Fit to Hold a License, as determined in part through a review of the criminal history records from the New York State Division of Criminal Justice Services to be secured through fingerprinting of the following:

Section 41. Subdivision (c) of section 64-08 of Title 35 of the Rules of the City of New York is amended and a new subdivision (d) is added, to read as follows:

§64-08 Licensing – Cause for Denial

(c) *Failure to Complete Application Requirements*

(1) The [Commission] Chairperson will deny an application for a new License if the Applicant has not completed all the requirements of an application within 90 days of the date the application is filed.

(2) The [Commission] Chairperson will deny an application for a renewal License if the Applicant has not completed all the requirements of an application by the expiration date of the prior License.

(3) The [Commission] Chairperson will not deny an application under this Rule if completion is delayed because the [Commission] Chairperson has not issued a final decision [in any fitness Hearing it requires] and the Applicant has complied with any requests made by the Chairperson .

(d) Additional Consideration of an Application. If a review of the application leads the Chairperson to believe that the Applicant may not be Fit to Hold a License (Authorization), the Chairperson may seek additional information from the Applicant. This request for additional information may be an in-person interview, telephone call, letter, e-mail, or other method of communication. This additional consideration may result in the denial of the application. Failure to provide any requested information within the time frame requested, or failure to appear at a scheduled interview will result in a denial of the application.

Section 42. Section 68-03 of Title 35 of the Rules of the City of New York is amended to read as follows:

§68-03 Definitions Specific to this Chapter

(e) *Commission Adjudications Tribunal (or Commission Tribunal)* is the [judicial] adjudicatory body that has, except as otherwise provided in these Rules and consistent with Mayor Executive Order No. 148 of 2011, jurisdiction over:

- (1) Violations of Title 19, Chapter 5 of the Administrative Code
- (2) Violations of Commission Rules
- (3) Review of the fitness of [an Applicant or] a Licensee to hold a License

(d) **Fit to Hold a License** means that [the Applicant or Licensee is qualified (“fit”) to assume the duties and obligations of the particular TLC Licensee and meets and will continue to meet the qualifications for licensure established by applicable Rule or law, and that a Licensee or Applicant for a License will comply and continue to meet such qualifications and comply with such applicable Rule or law.]

- The Applicant or Licensee meets and will continue to meet all of the qualifications for the License sought or held as established by applicable Rules and laws.
- The Applicant or Licensee is of good moral character.
- The Applicant or Licensee has been and will be

candid and forthcoming with the Commission and honest in dealing with the public.

- The Applicant or Licensee has reliably complied with and will reliably comply with all of the rules and laws associated with holding the particular TLC License.
- Where an Applicant has engaged in conduct that resulted or could have resulted in the suspension or revocation of a TLC License, the Applicant shows that he or she will not engage in similar conduct in the future.

Section 43. Section 68-17 of Title 35 of the Rules of the City of New York is amended to read as follows:

§68-17 Procedure for Finalizing Recommended Decisions

(c) *Final Decision by Chairperson.* The Chairperson will determine whether to accept, modify, or reject the Recommendation of the ALJ and will issue a Final Decision. Alternatively, the Chairperson can remand the matter to the ALJ for further consideration. The Final Decision will be precedent for deciding later cases that involve similar facts or issues.

Section 44. Subdivision (b) of section 68-18 of Title 35 of the Rules of the City of New York is amended to read as follows:

§68-18 ALJ’s Final and Recommended Decisions

- (b) ALJ decisions will be final except for the following, which shall be Recommended Decisions:
 - (1) ALJ findings and penalty determinations as to the fitness of Licensees[or License Applicants]

Section 45. Section 68-20 of Title 35 of the Rules of the City of New York is amended to read as follows:

§68-20 Special Procedures – Fitness Hearings

(a) The Chairperson becomes aware that an Licensee may not be Fit to Hold a License, the Chairperson may refer the Licensee for a Fitness Hearing. The Chairperson will notify the [Applicant or]Licensee to appear as Respondent for a fitness Hearing, [if the Chairperson believes] Charges that a Licensee [or Applicant for a License] is not Fit to Hold a License [including] may be as a result of, but are not limited to[, as a result of]:

- (d) [If the Respondent is or has ever been a Licensee, the Recommended Decision will be issued to the Chairperson.
- (e) If the Respondent is an Applicant who has never held a License issued by the Commission, t]The Recommended Decision will be [issued] submitted to the Chairperson.
- [(f)](e) The Chairperson can accept, reject, or modify the Recommended Decision. The decision of the Chairperson will constitute the final[,] determination of the Commission.
- [(g)](f) The License of a Licensee who is found to be not Fit to Hold a License will be revoked.



HOUSING PRESERVATION & DEVELOPMENT

■ NOTICE

REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT

Notice Date: August 9, 2011

To: Occupants, Former Occupants, and Other Interested Parties

Property:	Address	Application #	Inquiry Period
232 West 139th Street, Manhattan	80/11	July 5, 2008 to Present	
145 West 136th Street, Manhattan	83/11	July 18, 2008 to Present	
1557 2nd Avenue, Manhattan	84/11	July 22, 2008 to Present	
234 West 48th Street, Manhattan	85/11	July 28, 2008 to Present	
224 West 49th Street, Manhattan	86/11	July 28, 2008 to Present	
131 St. Johns Place, Brooklyn	81/11	July 14, 2008 to Present	

Authority: SRO, Administrative Code §27-2093

Before the Department of Buildings can issue a permit for the alteration or demolition of a single room occupancy multiple dwelling, the owner must obtain a “Certification of No Harassment” from the Department of Housing Preservation and Development (“HPD”) stating that there has not been harassment of the building’s lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at CONH Unit, 100 Gold Street, 3rd Floor, New York, NY 10038 by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call (212) 863-5277, (212) 863-8211 or (212) 863-8298.

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REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT

Notice Date: August 9, 2011

To: Occupants, Former Occupants, And Other Interested Parties

Property:	Address	Application #	Inquiry Period
43 Havemeyer Street, Brooklyn	82/11	October 4, 2004 to Present	

Authority: Greenpoint-Williamsburg Anti-Harassment Area, Zoning Resolution §§23-013, 93-90

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a “Certification of No Harassment” from the Department of Housing Preservation and Development (“HPD”) stating that there has not been harassment of the building’s lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at CONH Unit, 100 Gold Street, 3rd Floor, New York, NY 10038 by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call (212) 863-5277, (212) 863-8211 or (212) 863-8298.

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ECONOMIC DEVELOPMENT CORPORATION

CONTRACTS
■ SOLICITATIONS

Goods & Services

ST. GEORGE WATERFRONT RFEI – Request for Information – PIN# 4907-0 – DUE 11-10-11 AT 4:00 P.M. – New York City Economic Development Corporation (“NYCEDC”) is seeking expressions of interest for the disposition and redevelopment of either or both of two parcels (collectively, the “Sites”) located on the waterfront of St. George, Staten Island, New York.

The Sites occupy a prominent waterfront location near a major transportation hub and a commercial, cultural, and civic center. The appropriate development of the Sites would greatly contribute to the land use goals and economic health of St. George, Staten Island’s North Shore, and the borough as a whole by creating a greater presence both locally and throughout the greater metropolitan region.

NYCEDC plans to evaluate proposals on the basis of factors stated in the RFEI which include, but are not limited to: the quality of the proposal, experience of key staff identified in the proposal, experience and quality of any subcontractors proposed, and demonstrated successful experience in performing services similar to those encompassed in the RFEI.

Companies who have been certified with the New York City Department of Small Business Services as Minority and Women Owned Business Enterprises (“M/WBE”) are strongly encouraged to apply. To learn more about M/WBE certification and NYCEDC’s M/WBE program, please visit <http://www.nycedc.com/opportunitymwdbe>.

On Thursday, September 15, 2011 at 10:00 A.M., NYCEDC staff will meet attendees inside the St. George Terminal of the Staten Island Ferry to lead an optional tour of the Sites. After the tour, an optional information session will be held at a nearby location. Those who wish to attend should RSVP by email to StGeorgeWaterfrontRFEI@nycedc.com on or before September 12, 2011.

Respondents may submit questions and/or request clarifications from NYCEDC no later than 4:00 P.M. on Thursday, October 20, 2011. Questions regarding the subject matter of this RFP should be directed to StGeorgeWaterfrontRFEI@nycedc.com. Answers to all questions will be posted by Thursday, November 3, 2011, to www.nycedc.com/RFP.

Please submit six (6) hard copies and one (1) electronic version on disc of your expression of interest to: NYCEDC.

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.
Economic Development Corp., 110 William Street, 6th Floor, New York, NY 10038. Maryann Catalano (212) 312-3969; Fax: (212) 312-3918; StGeorgeWaterfrontRFEI@nycedc.com

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