

Construction Advisory Committee (CAC)

Wednesday, April 28th 2021

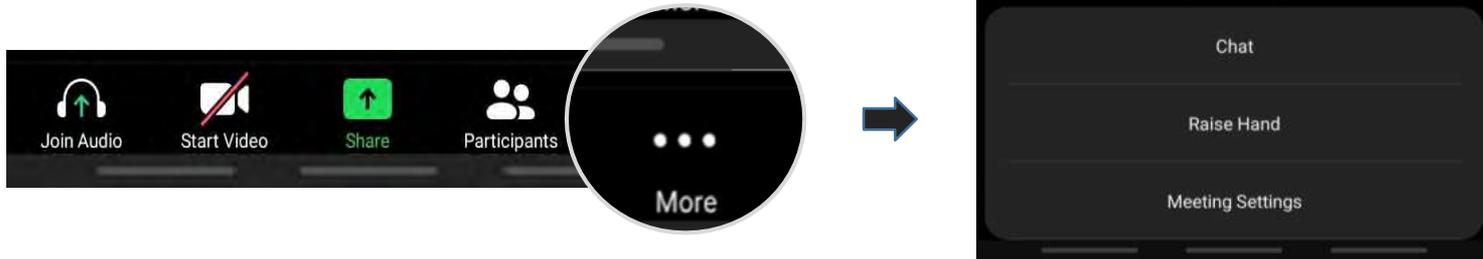
Before we begin, please note:



Please **mute** your microphone when not talking.

This is located at the bottom left of your screen.

Before we begin, please note:



If you have a question while on a mobile device, please select **more** at the bottom of your screen and either **raise your hand** or type in your message in the **chat**.

Agenda

- SPECIAL EVENTS
- OCCM
- DEP INFRASTRUCTURE
- HIQA SUMMONS UNIT
- BIKE MPT AND SIGNS
- 1ST AVENUE RESTORATION
- OPEN RESTAURANT & CONSTRUCTION COORDINATION
- HIQA ITEMS
 - Concrete Chute
 - Color Code Tags
- QUESTIONS FROM THE INDUSTRY
- CON ED & NATIONAL GRID SAFETY PRESENTATION

Jason Podlubny

Duane Barra

Zubeda Bentley

Latisha Pender

Hayes Lord

Nelson Deleon

V. Maniscalco

V. Maniscalco

SPECIAL EVENTS

Effective Friday, April 2, 2021, small and medium scale performing arts and entertainment event venues may reopen at 33% capacity (up to 100 people indoors, 200 people outdoors). Restaurants as of March 19, 2021 are at operating at 50% capacity. Additional Special Events such as parades, street fairs, etc. will be reviewed by The Mayor's Office (SAPO) on a case by case basis. All event updates and decisions regarding event permits come through the Mayor's Office (SAPO).

Special Events continues to create stipulations for event permits that are tentatively scheduled for 2021. Please be sure to check your work permits for any event stipulations that may appear. We will update stipulations as we continue to coordinate with our event partners on event dates and locations.

You may access our new online event documents portal by clicking here: [DOT Office of Special Events Public Share Portal](#). There are no login credentials required. This link will be updated with event information throughout the year.

Special Events Contact Info:

Email: specialevents@dot.nyc.gov

Phone: 212-839-6620

OPEN STREETS / OPEN RESTAURANTS / OPEN LEARNING / OPEN CULTURE

- Be sure to check and recheck your permits for any stipulations that may appear. Contact Special Events with any questions regarding stipulations or requests for waivers. If you are requesting a waiver via email, please provide: a location, a description of work, any sketches or drawings and include a timeline for the proposed work.
- Special Events has stipped all Open Streets / Open Restaurant / Open Learning / Open Culture locations and remove stipulations when locations are no longer active, per updates from DOT SIP Team and the Mayor's Office (SAPO).

JAVITS CENTER VACCINATION EMBARGO

The Javits Center Vaccination Embargo has been extended to June 30, 2021.

Special Events is processing waivers as we receive them. If you are requesting a waiver via email, please provide: a work location, a description of work, any sketches or drawings and include a timeline for the proposed work.



MEMORANDUM

TO: Distribution
FROM: Jay Jaber, P.E.
Assistant Commissioner
DATE: March 3, 2021
SUBJECT: Javits Center COVID-19 Vaccination Response – Amendment #1

A Special Event Construction Embargo is in effect for Javits Center COVID-19 Vaccination Response. During this time frame, only emergency work may be performed provided an emergency number is received from the New York City Department of Transportation. Any non-emergency permits issued prior to the date of this notice are hereby suspended for the dates and locations indicated below. Utility cover openings are also restricted unless an emergency authorization number has been obtained from the Department of Transportation. There will be strict enforcement of this embargo and violators are subject to be summonsed. The embargoed dates and locations in Manhattan are as follows:

To apply for a waiver, please email specialevents@dot.nyc.gov. In the subject line include “event name / waiver request”. In the body of your email, please describe in detail the scope and timeline of work and attach any relevant drawings. If you have any questions, please contact the **Office of Special Events: (212) 839-6620**

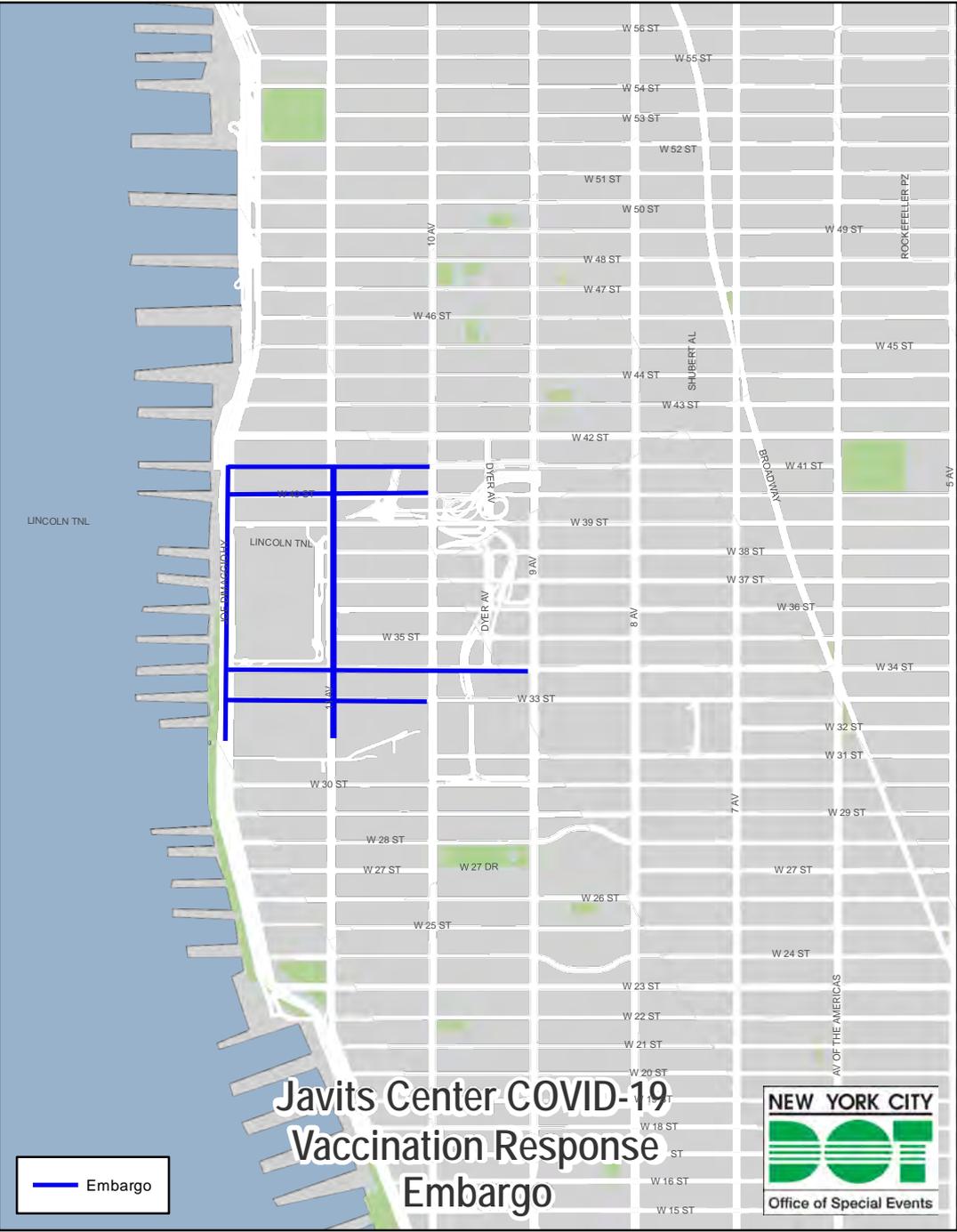
Venue #1:

Dates:

- 12:01 AM Wednesday, January 13 through 11:59 PM Wednesday, June 30, 2021

Locations:

- 12th Avenue between West 32nd Street and West 41st Street
- 11th Avenue between West 32nd Street and West 41st Street
- West 41st Street between 12th Avenue and 10th Avenue
- West 40th Street between 12th Avenue and 10th Avenue
- West 34th Street between 12th Avenue and 9th Avenue
- West 33rd Street between 12th Avenue and 10th Avenue



Javits Center COVID-19 Vaccination Response Embargo

 Embargo



ALL PERMITTEES - 0135 (FINAL RESTORATION) PERMIT APPLICATION SUBMITTALS - CY 2014 THROUGH APRIL 22, 2021

Calendar Year	A Total 01 (Street Opening) Applications Submitted	B Total 0135 Application s Submitted	C New Application s	D Renewal Application s	E Re-Issue Application s	F Extension Application s	G Total Renew/Re- Issue/Extend	H % of Total 0135 Applications	I % of Total 01 Applications	J Amend Application s
2021 (as of 4/22/21)	39,207	3,183	1,795	905	274	189	1368	42.98%	3.49%	20
2020	117,878	9,531	6,379	1,814	840	464	3118	32.71%	2.65%	34
2019	156,325	14,548	8,230	4,821	894	517	6232	42.84%	3.99%	86
2018	140,499	16,757	11,170	3,647	833	1,016	5496	32.80%	3.91%	91
2017	110,100	12,336	10,740	537	430	567	1534	12.44%	1.39%	62
2016	100,394	9,570	8,782	231	112	394	737	7.70%	0.73%	51
2015	94,605	7,660	6,966	78	131	436	645	8.42%	0.68%	49
2014	22,069	488	417	34	10	23	67	13.73%	0.30%	4



Right-of-way Green Infrastructure Protection During Construction

Updated April 2021

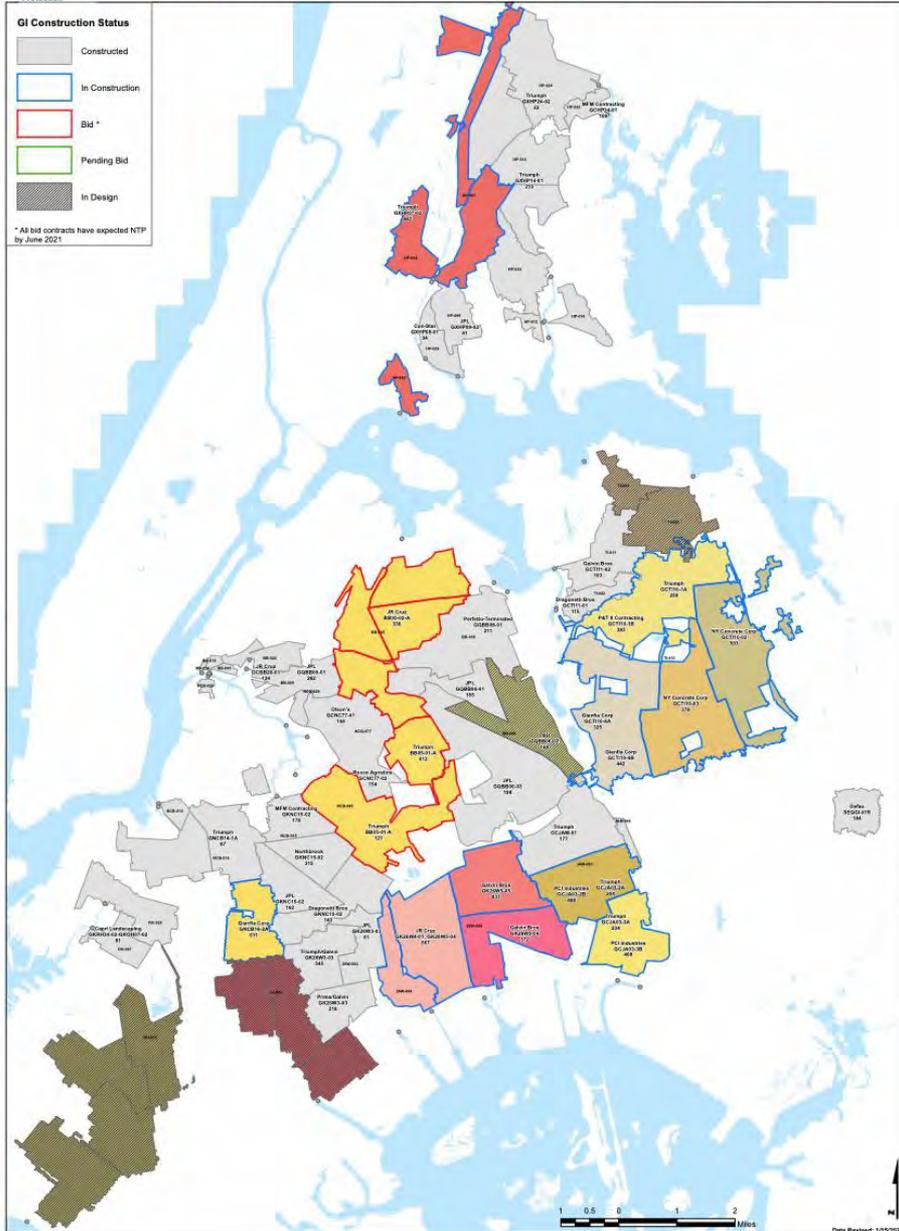
NYC DEP Green Infrastructure Program Overview	3
DOT Stipulations	11
Protection Measures for ROW Green Infrastructure	16
Rain Gardens	18
Infiltration Basins	26
Porous Pavements	28
Summary and Review	37

- As part of efforts to improve water quality in New York City, the New York City Department of Environmental Protection (DEP) is implementing a Green Infrastructure (GI) Program.
- The program includes the construction of GI in the Right-of-Way (ROW) throughout the combined sewer areas of the City.
- The goal of the ROW GI practices is to collect stormwater runoff from the ROW and infiltrate it into existing subsoils.



Green Infrastructure Program Snapshot

Green Infrastructure Program Area-wide Construction



- Over 10,000 ROW green infrastructure practices constructed or in construction



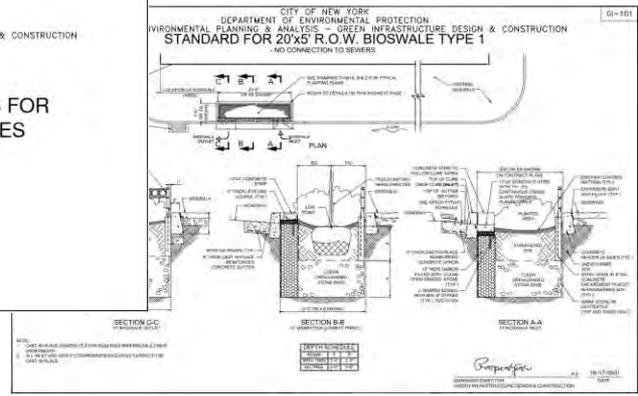
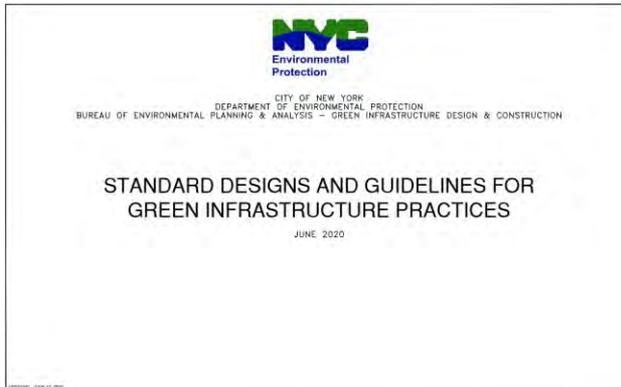
www.nyc.gov/dep/greeninfrastructure



- Types of Green Infrastructure +
- Private Property Stormwater Incentives +
- Green Infrastructure Reports and Plans +
- Green Infrastructure Standards and Specifications +
- Green Infrastructure Protections +
- Impervious Area Map Layer +



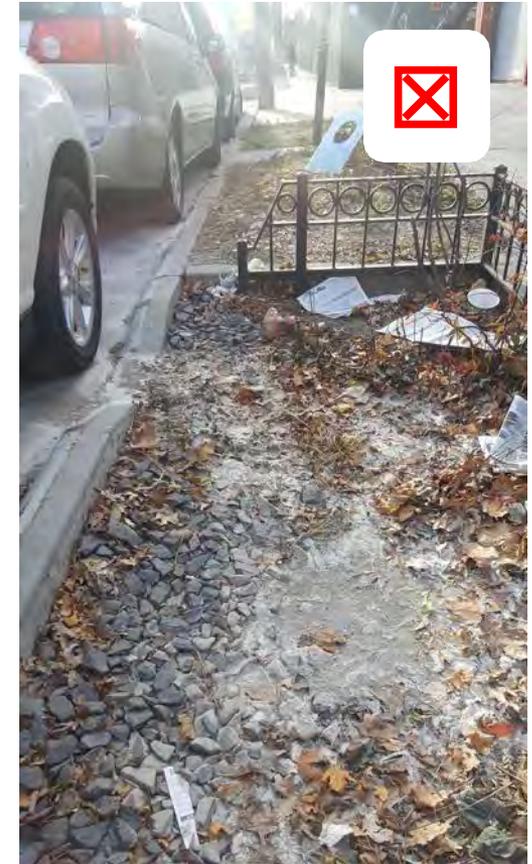
Example rain garden schematic



Design Standards

Purpose of Proper Protections

- Protect hardscape, vegetation, and soil from being damaged, directly or indirectly, by construction debris or physical impacts
- **Prevent construction debris** from entering practice by blocking all openings and setting up fence
- Set up physical barriers to **discourage people, equipment, materials, etc. from entering practice**



Left: Materials from DPR tree protection causing damage to other vegetation in rain garden
Right: Concrete runoff entering rain garden due to upstream construction activities and lack of any protections

- Rain gardens
 - Bioswales and Greenstrips with vegetation
 - Bioswales and Greenstrips that are not yet planted
 - Bioswales with stormwater inlet (Type B and Type D Rain Gardens)
 - Stormwater Greenstreets
- Infiltration Basins
 - Grass Top
 - Concrete Top
 - Combination Grass and Concrete Top
- Porous pavements (typically in the parking lane/gutter, entire roadway width in some locations)
 - Precast concrete panels
 - Permeable pavers
 - Porous asphalt

How to Identify ROW Green Infrastructure

Which of these pictures show ROW Green Infrastructure?



How to Identify ROW Green Infrastructure

On the surface, ROW Green Infrastructure assets look similar to typical streets and sidewalks.



- Check address/location information on permit
- Confirm exact location on DEP online GI map
- Look for signs of stormwater conveyance
 - Tapered curbs
 - Cuts in the curb
 - Stormwater grates (catch basins)
- Other identifying features
 - Signs with DEP logo
 - RAIN GARDEN decals
 - Pucks on sidewalk



BIOSW1

- A NYC DEP Right of Way Green Infrastructure practice is located in the roadway and/or sidewalk. Permittee must contact NYC DEP 48 business hours before construction starts at giutility@dep.nyc.gov for further instruction on how to proceed. Also, the Permittee must follow NYC DEPs Green infrastructure protection requirements at <https://www1.nyc.gov/site/dep/water/green-infrastructure.page>. Permittee is responsible for restoration, replacement, or reconstruction of damaged DEP Green Infrastructure assets impacted by the Permittee as directed by DEP.

PERMPV

- NYC DEP Permeable Pavement is located in the roadway and/or sidewalk. Permittee must contact NYC DEP 48 business hours before construction starts at giutility@dep.nyc.gov for further instruction on how to proceed. Also, the permittee must follow NYC DEP Green infrastructure a protection requirements available at <https://www1.nyc.gov/site/dep/water/green-infrastructure.page>. Permittee is responsible for restoration, replacement or reconstruction of damaged DEP Green Infrastructure assets impacted by the Permittee as directed by DEP.

- City recently amended provisions in Title 15 Chapter 19 , the purpose of which are to protect the City's green infrastructure
 - “adding a definition for ‘green infrastructure’ and include it in the definition of ‘sewerage system’ in order to ban the discharge of prohibited substances into such infrastructure, and protect such infrastructure from damage.”
- Effective since March 19th 2020
- BEPA intends to enforce aspects of Title 15 Chapter 19 by issuing administrative summonses to violators thereof with civil penalties
 - Discharge of obstructive substance into or other interference to green infrastructure, and discharge of oil into green infrastructure are prohibited

- Follow all GI Protection requirements as listed on DEP webpage
- Notify DEP at giutility@dep.nyc.gov at least 48 hours prior to commencing work. Provide the following information:
 - Date and time of planned work
 - Extent of work
 - Type of work
 - Attach the DOT permit
- Take photos of nearby and downstream GI assets before work and after protections are installed
- Install all applicable protection measures and keep in place throughout work

Given enough lead time, DEP staff will be available to provide **on-site guidance** for proper installation of GI protection measures

Good afternoon Matthew,

Based on the information provided there is one (1) bioswale that is in proximity to your construction project and needs to be protected according to the guidelines outlined on our website here:

<https://www1.nyc.gov/assets/dep/downloads/pdf/water/stormwater/green-infrastructure/right-of-way-green-infrastructure-protections-during-construction.pdf>

Please remove any snow that will interfere with installing the protection measures properly and securely.

We request that you provide us with photos of the current bioswale condition and photos of the installed protect measures. Construction should begin after the protection measures are in place. The contractor is liable for any damages to the asset.

Please let us know if you have any further questions.

DEP

First Section

- States the type and number of GI assets that require protections
- Provides link to the protection guidelines pdf

Good afternoon Matthew,

Based on the information provided there is one (1) bioswale that is in proximity to your construction project and needs to be protected according to the guidelines outlined on our website here:

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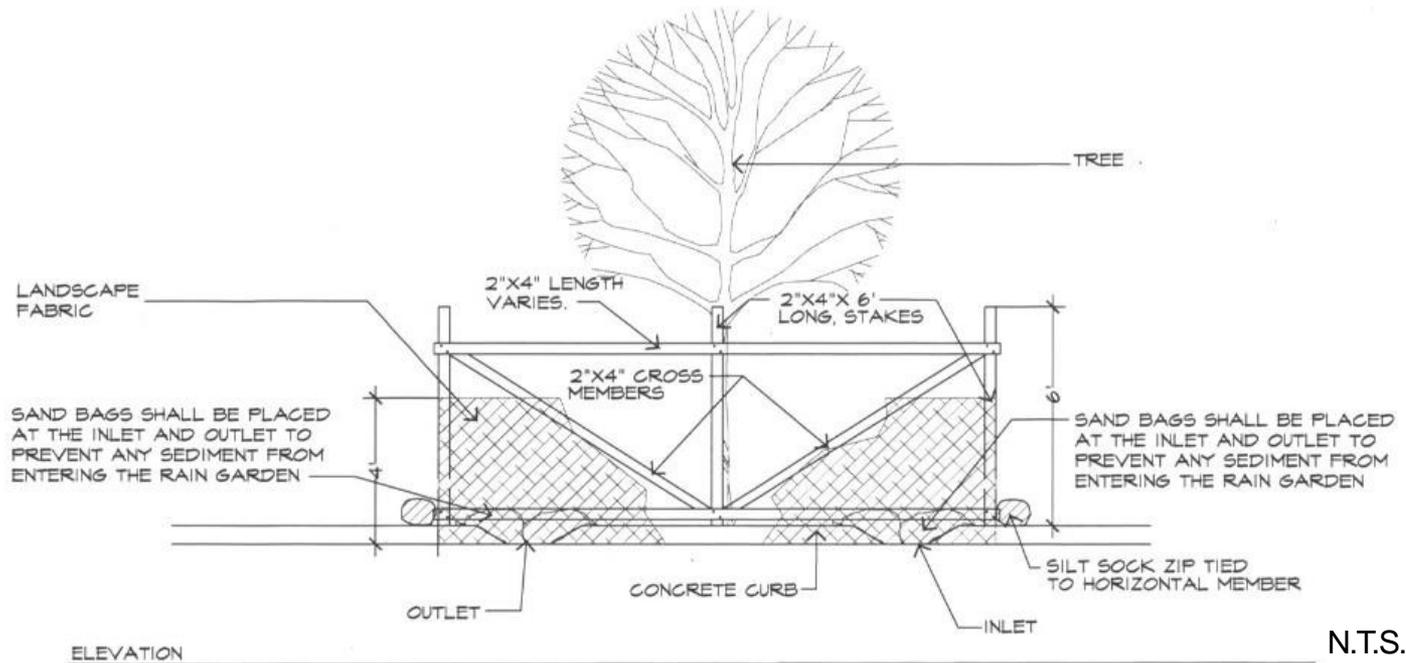
DEP

Second Section

- Requests for photos of the current conditions and installed protections

- Site protection fence materials for rain gardens (bioswales, stormwater greenstreets, etc.)
 - Wooden 2x4 members for vertical, horizontal, and cross beams
(For stormwater greenstreets: use wood or steel stakes instead)
 - Landscape fabric (filters debris but allows air, typically non-woven)
 - Zip ties to attach landscape fabric to wood
- Temporary cover material to protect vegetation during concrete work (less permeable than landscape fabric for rain garden protection fence, e.g., woven geotextile)
- Sandbags to block all curb cuts and grated inlets
- Silt sock for perimeter of rain gardens and/or permeable pavement
- Standard erosion control for catch basins (e.g., inlet filters)
- Safety cones
- Impermeable liner to cover grated openings on ROW Infiltration Basins
- Steel plate for permeable pavement, if using heavy machinery

- All GI practices **must be protected** if construction is being performed close by or upstream to a practice, in order for the GI practices to maintain their function. Install protection measures at **all nearby and downstream GI practices**.
- **Do not stockpile materials** within, around, or on top of any GI practice.
- **Control construction runoff and debris at the source** to the extent possible.
 - **Install control measures around work** producing dust, concrete slurries, or other construction debris. The Contractor must also control dust following DEP, OSHA and any applicable Federal and State regulations.
 - Cover and install erosion control measures for stockpiled materials to prevent particulates from migrating.
- The Contractor must ensure that protection measures **are properly installed, adequately maintained, and are kept in place** throughout all construction activity.
- The Contractor **must keep protective measures in place** until completion of construction activity or DOT Street Opening Permit is no longer required, and **properly remove all protective measures** at the conclusion of construction.
- **The Contractor shall be liable** for damage to ROW GI practices if proper controls are not installed and maintained throughout the construction period.
- The Contractor must **allow DEP personnel to have access** and to perform inspection of the ROW GI practice and GI protections, as necessary.



PROTECTION COMPONENTS

- **Wooden protection** around entire rain garden. Wooden structure must be 6' high and installed outside of the rain garden steel tree guard.
- **Landscape fabric** or geotextile, 3'-4' high, installed flush to ground and attached to wooden members using zip ties on sidewalk side (may be attached with staples on street side)
- **Sandbags** at all curb openings
- **Silt sock** (minimum 6" diameter) on sidewalk, zip-tied to horizontal member around three sides of rain garden

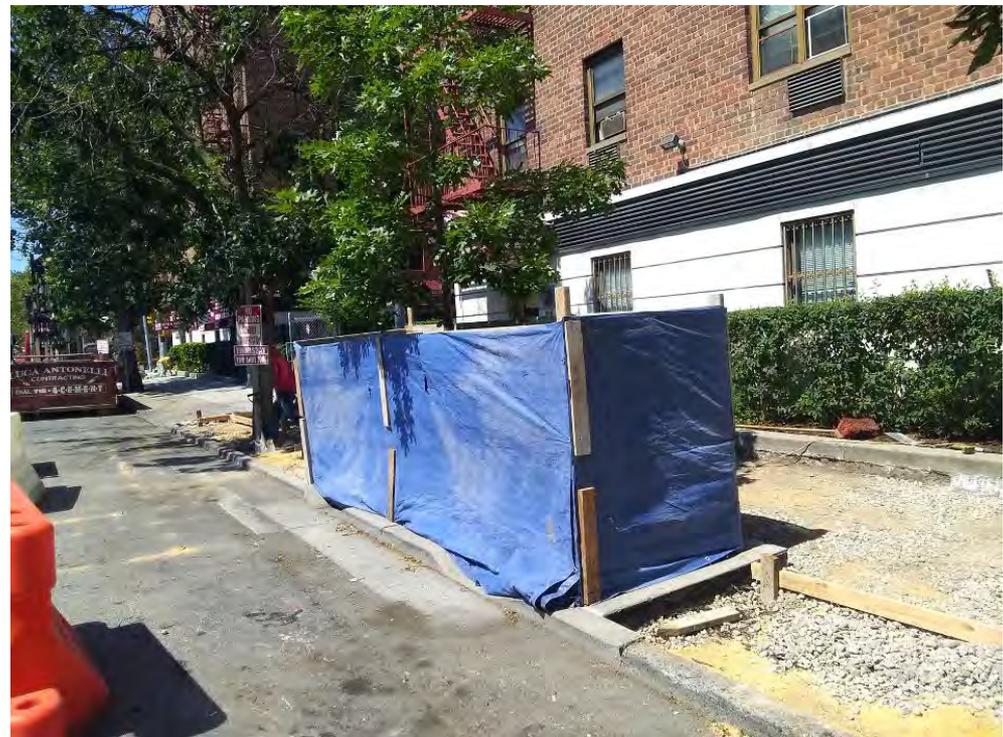


GI PROTECTION TIP

- Do not step inside rain garden when installing protection measures
- No protection components should be placed in or on top of soil bed – wooden members must rest on sidewalk or top of curb
- Fence can be stabilized by tying to tree guard if necessary
- Ensure sandbags are placed so that they completely block out all runoff from entering rain garden. Use sufficient number of sandbags and place firmly to close the open channel(s).
- Routinely check landscape fabric and sandbags to ensure that they are intact

- **Additional protection requirement** for the following types of work being conducted near or above existing vegetation in rain gardens:

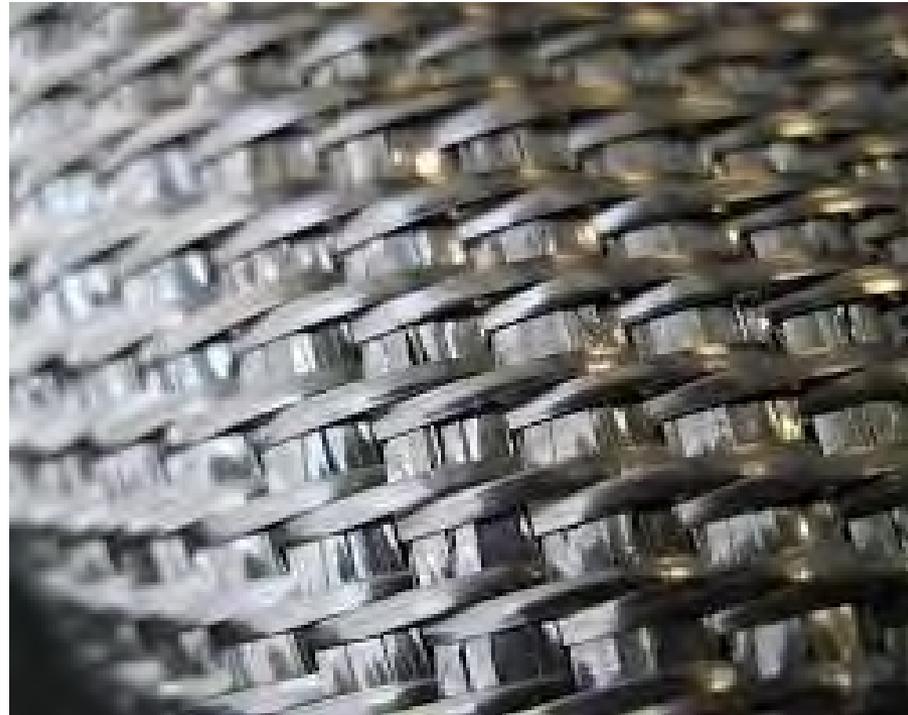
- Concrete work including, but not limited to :
 - concrete pouring
 - sawcutting
 - concrete demolition
- Any other dust-producing work
- Any other spatter-producing work



- Asset Type: Bioswale with tree
- Type of Work: Sidewalk replacement
- Key Take Away:
 - ✓ Use sandbags to protect inlets.
 - ✓ Additional protection is needed for dust-producing work.
 - ✓ Notify DEP 48 hours before the start of construction.



- Vegetation within rain garden must be protected with a temporary cover material that is designed to filter out fine particles and is resistant to moisture and biological degradation
 - Typical acceptable material include woven geotextiles with Water Flow Rates (per ASTM D4491) of less than 100 gpm/ft²
 - Cover material shall not be kept over vegetation for more than 12 continuous hours



Source:geosolutionsinc.com



PROTECTION COMPONENTS

- Install **all applicable protection measures for typical rain gardens** including, but not limited to sandbags and temporary fencing
- Install temporary **inlet filter bags** for stormwater conveyance inlets, following methods used to protect Standard DEP Catch Basins.
- Refer to NYC DOT's *Standard Highway Specification Volume II, Appendix F* for material and installation specifications for inlet protection.

GI PROTECTION TIP

- Check protection measures regularly to ensure that the ROW GI is properly protected
- Check and remove sediment from the inlet filter bag when it becomes full
- Remove all protection measures after construction activities have ceased



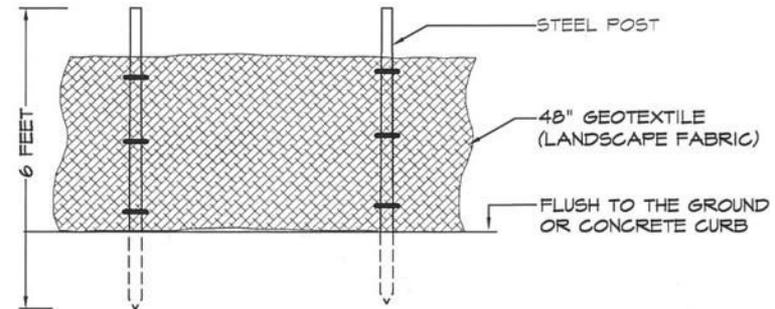
PROTECTION COMPONENTS

- Use same protections as rain gardens with vegetation where feasible. If not, at a minimum:
 - Place **sandbags** at curb cuts
 - Lay **temporary covering** (landscape fabric or plastic) over the bare soil area and gently secure
 - Install **landscape fabric** 2'-3' high around entire rain garden, supported by wooden stakes



GI PROTECTION TIP

- Avoid stepping onto the soil when placing temporary covering
- Do not stockpile materials inside of rain garden, regardless of whether there is vegetation or not



NOTE:
SECURE FENCING TO POST WITH WIRE TOP, MIDDLE, AND BOTTOM OF POST. WIRE SHALL BE TIGHT ENOUGH TO PREVENT THE FENCING FROM SLIPPING DOWN.

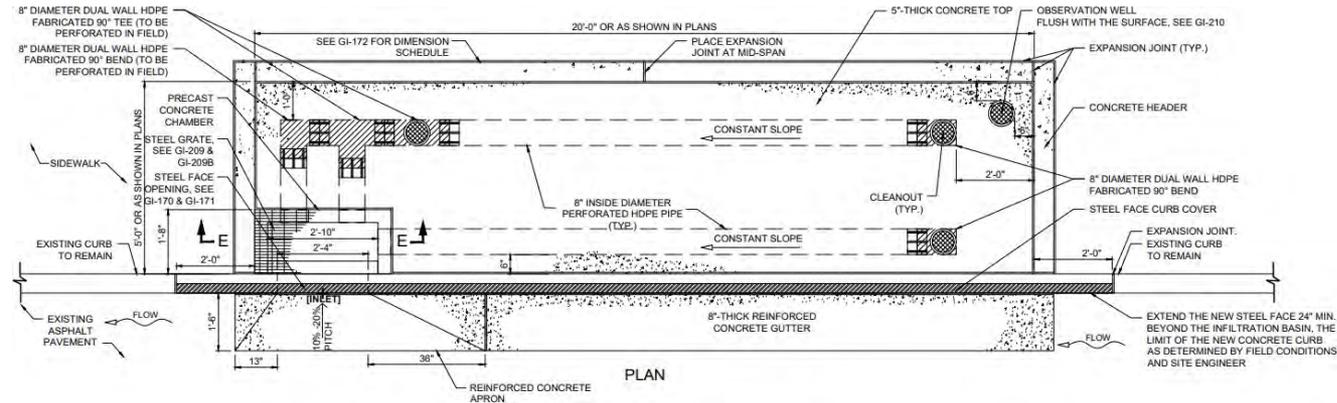
PROTECTION COMPONENTS

- Install site protection fence using 6' **steel or wood posts** and **landscape fabric** around entire perimeter of planted area
- Close off all curb openings with **sandbags**
- Trees within Stormwater Greenstreets will require DPR standard protection for street trees

GI PROTECTION TIP

- Avoid impacting existing vegetation when installing fence and/or placing DPR tree protection
- Do not step inside or place materials within Stormwater Greenstreet
- Confirm protections are intact throughout construction activities

Right-of-way (ROW) Infiltration Basins



Key features: clean-out covers, concrete headers, NYC DEP logo on grates (at some locations), openings in the curb, concrete apron in roadway gutter



Left: Infiltration Basin with Concrete Top
Right: Infiltration Basin with Grass Top



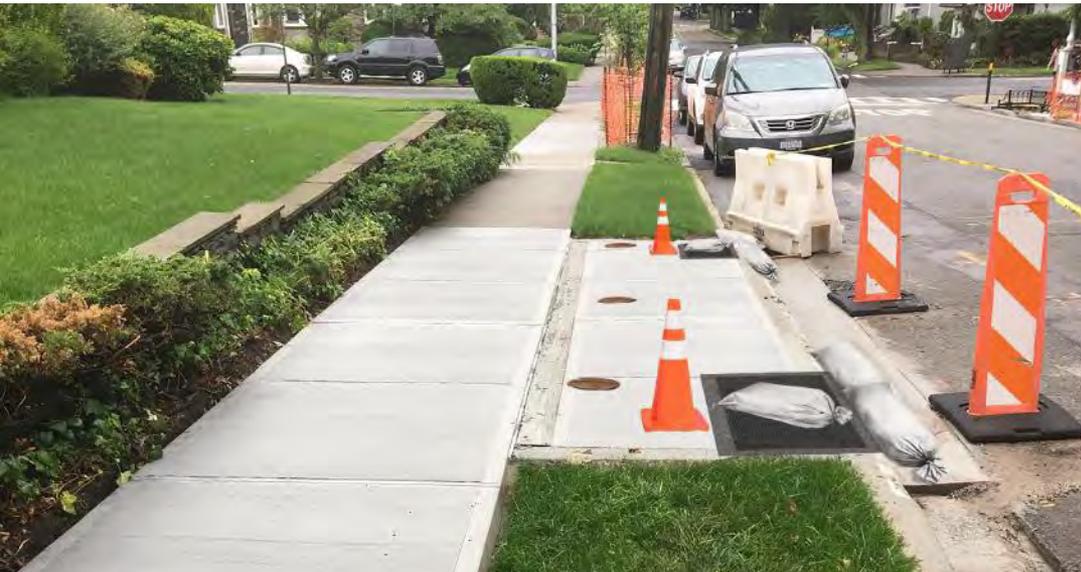


PROTECTION COMPONENTS

- Install **sand bags** at curb cuts along the gutter line
- Cover or **close grate openings** (e.g. plywood, rigid plastic board, proprietary filtering system). Secure material as appropriate.

GI PROTECTION TIP

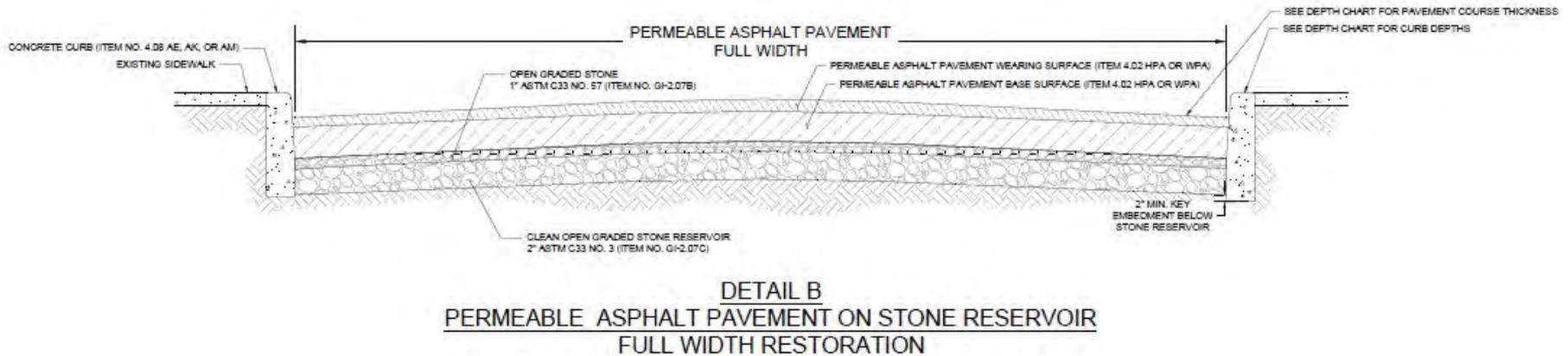
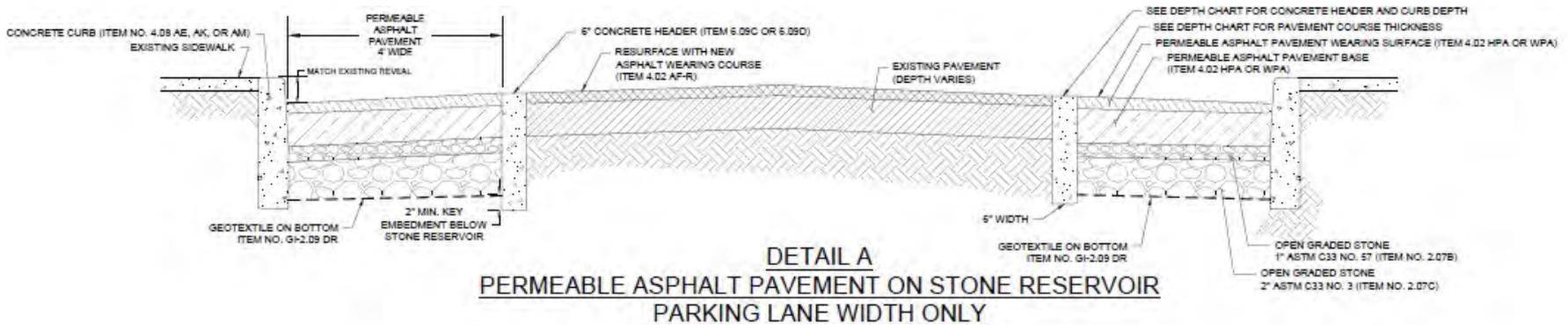
- Place safety cones wherever there may be a tripping hazard on the sidewalk
- Do not stockpile materials on top of GI practice
- Check protection measures regularly to ensure that the ROW GI is properly protected. Repair or replace GI protection as needed



ROW Porous Asphalt

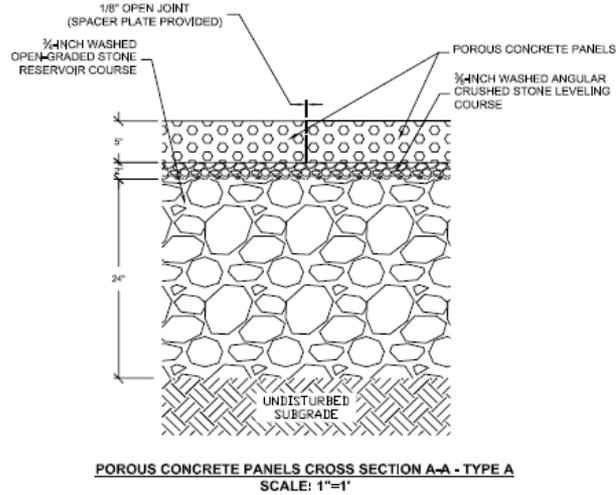
Porous Asphalt along parking lanes only & full roadway width

Location: 4 street segments in Maspeth (Queens)



Permeable Pavers and Porous Concrete Panels along the parking lane

Locations: Wakefield (Bronx), Rego Park (Queens), Ozone Park (Queens)



- Porous panels
- Concrete casing which contains utility valves.
- Road asphalt is separated from the pavers by concrete headers
- Permeable Structure is not connected to the catch basin



- Install sediment and erosion control:
 - Where possible, implement sediment control at the source
 - Place silt socks or other methods around the permeable pavement to divert sediment away
 - Use temporary cover over entire permeable surface

PROTECTION COMPONENTS

- Utilize **silt sock** around segments of permeable pavement that are nearby and/or downstream
- Install **temporary covering** over entire permeable surface and secure in place.
- No heavy machinery. If unavoidable, use **steel plates**.

GI PROTECTION TIP

- Check to make sure protection measures remain in place and are functioning as intended.
- Assess vehicular access considerations for permeable pavement in front of driveways
- Place steel plates gently and do not drag across pavement surface





- Contractor must restore permeable surface material AND underlying layers (open graded stone and choker course or geotextile) at the end of construction
- Removing *precast porous concrete slabs*:
 - In general, if slabs are removed correctly, they can be reused and reinstalled after completion of work.
 - Most slabs have cast-in ½” lifting inserts (typically four locations for 5’ x 4’ slabs and two locations for smaller slabs). Use equipment that can lift the slab vertically and not on an angle.
 - Only where necessary, slabs should be cut at joints.
 - In no case shall partially supported slabs remain in place during duration of the work.
- Removing *permeable pavers*: can also be reused if removed and handled carefully (e.g., by hand)



Concrete Apron and Gutter

- The apron and gutter are used to maintain a steady flow into and out of the practice

Steps:

- Use white spray paint to identify practice limits
- From the outside header place a white line leading from the sidewalk to the road.
- The paint marks be spaced 1' apart with the center called out with a dot.

GI PROTECTION TIP

- Paint lines should be perpendicular to the curb

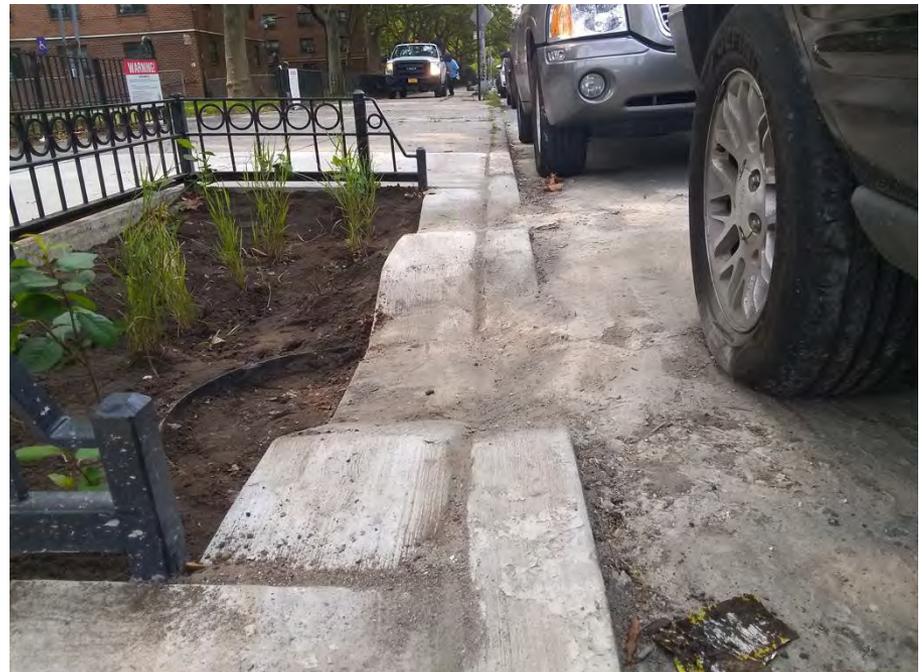
- Markings should be placed on both sides of the practice.
- Once the edge of the curb is marked, sawcut between the asphalt and concrete gutter to separate the materials.



- This allows for milling operator to reposition the machine around street components and to remove the asphalt while leaving the concrete.
- This process can be done without chipping or cracking the concrete elements.



- Increased pedestrian ramp construction
- Rain garden locations are upstream and in close proximity to street corners
- Protect the inlets with sandbags
- Cover bare soil with geotextile fabric



- Installing protection measures is easier than repairing damage. In many cases, damage cannot be “undone” and requires completely rebuilding the asset
- Improper protections can cause as much damage as no protection
- The Contractor shall be liable for damage to ROW GI practices if proper controls are not installed and maintained
- Consider what plants need for survival
- sunlight
 - clean water
 - stable soil

Protection Requirements for
Right-of-Way
**Green
Infrastructure**

(Rain Gardens, Infiltration Basin, and Permeable Pavements)



Utility Coordination:
giutility@dep.nyc.gov

Additional Information:
nyc.gov/dep/greeninfrastructure

General GI Inquiries:
RainGardens@dep.nyc.gov or
718-595-7599

SUMMONS EMAIL SERVICE

- In January 2021 the HIQA – Summons Unit started accepting email authorization requests to receive summonses via email to one (1) email address. To date the department has registered more than 210 permittees.
- We continue to strongly encourage interested parties to sign up:
 - You can conveniently receive summonses by email within days of the summons being issued, instead of being picked up from our borough offices or sent Secretary of State.
- Requirements:
 - Must be registered with the department and have a permittee number.
 - Complete and submit an original Email Authorization letter on the companies letterhead. (Sample Attached)
 - The letter must be **NOTARIZED**.



March 10, 2021

DOT Permittees:

Please be advised that effective January 1, 2021, the Summons Unit began offering a new method of service for all **electronic summonses**. Permittees are now allowed to request for summonses to be emailed to one (1) email address. To enroll in this new service, we asked that the attached form is copied onto your company's letterhead and mailed to us at the address provided. Upon receipt of the original letter for authorization of email service, it will be processed and a confirmation email sent with the effective date of service.

Any summonses received before the effective date of service will have to be picked up from one of our borough offices or sent to the NYS Secretary of State.

To pick up a summons from one of our DOT HIQA Borough Offices an **authorization letter** on the company's letterhead must be received with the below information:

ALL AUTHORIZATION LETTERS MUST:

- Be legible, type written only
- Be on company letterhead
- Be signed by a Corporate Officer
- Be notarized
- Designate one to three authorized agents to collect summonses on behalf of the named company.
 - Company owners or officers who are intending to retrieve summonses from DOT on behalf of their company must also be named as authorized agents in the authorization letter in order for DOT to release summonses to them.
- Designate a primary HIQA Borough Office where they intend to pick up summonses from DOT.

A HIQA staffer will contact the permittee by telephone or email, to alert the organization that a summons issued to the company is ready for pick-up. ****Due to the pandemic summonses can only be picked up on specific days and times designated by each HIQA Borough Office.** If the summons is not picked up within 10 business days (from the date of contact) the summons will be automatically be sent to the NYS Secretary of Service for service.

HIQA BOROUGH OFFICE LOCATIONS AND CONTACT INFORMATION

- Manhattan: 59 Maiden Lane, 3rd Floor, New York, NY 10038 (212) 839-4700
- Brooklyn: 16 Court Street, 15th Floor, Brooklyn NY 11241 (646) 892-1390
- Queens: 120-55 Queens Blvd, Room 421H, Kew Gardens, NY 11424 (212) 839-2430
- Bronx: 1400 Williamsbridge Road, 2nd Floor, Bronx, NY 10461 (212) 748-6610
- Staten Island: 10 Richmond Terrace, Room 427, Staten Island, NY 10301 (212) 839-2410



COMPANY LETTERHEAD

AUTHORIZATION LETTER FOR E-MAIL SERVICE

(Name of Company's) (Permittee #), hereby agrees to accept service of Summonses issued by the New York City Department of Transportation ("DOT") by e-mail to the following e-mail address:

ABCDE@SAMPLE.COM

(Name of Company) agrees that the e-mail service of any DOT Summons shall be deemed to be valid service of the Summons under New York City Charter 1049-a and other applicable law to allow for the docketing of judgments.

(Name of Company) further agrees that it shall not challenge the service of any Summons that it has received from DOT at the email address above, in any forum, including before a hearing officer at the Office of Administrative Trials and Hearings (OATH) itself, or in any court of law.

(Name of Company's) may withdraw this Authorization at any time upon thirty (30) days' prior written notice to:

New York City Department of Transportation
55 Water Street, 7th Floor
New York, NY 10041
Attention: HIQA- SUMMONS UNIT

BY: _____

AUTHORIZED SIGNATORY

NAME (Print): _____

TITLE: _____

DATE: _____

SWORN BEFORE ME ON THIS

_____ DAY OF _____, 2021

NOTARY PUBLIC



SUMMONS • FOR CIVIL PENALTIES ONLY

SUMMONS NUMBER: [REDACTED]

ENFORCEMENT AGENCY : New York City Department of Transportation

DIVISION: 841, H746

AGENCY ADDRESS : 55 Water Street, 9th Floor, New York NY 10041

PHONE NUMBER: 212-839-8838

RESPONDENT: [REDACTED]

DBA: N/A

MAILING ADDRESS: [REDACTED] NEW YORK, NY 10003

ID NUMBER: M0120202 [REDACTED]

CELL PHONE:

TYPE OF ID AND ISSUED BY: NYC DOT

DATE and TIME OF OCCURRENCE: 9/4/2020 06:26 PM

START AND END TIMES OF INSPECTION: N/A

PLACE OF OCCURRENCE: 232 EAST 9 STREET Btwn 2 AVENUE and STUYVESANT STREET

BOROUGH: MANHATTAN

You must respond to this Summons. You can appear at the hearing date and location below or choose another option. For other options on how to respond, see the back of this page.

HEARING DATE: January 13, 2021 AT: 8:30 AM

HEARING LOCATION : Office of Administrative Trials & Hearings

66 John Street, 10th Floor, New York, NY 10038 Phone: (844) 628-4692

Refer to the Summons number above on all communications.

Warning: If you do not respond the City of New York will decide the Summons against you and impose penalties. If you do not pay any imposed civil penalty, the City could deny an application for, suspend, terminate, or revoke any City license, permit or registration that you have. The City may also enter a judgment against you in court.

Details of Violation(s)

34 RCNY 2-11(e)(8)(vi) - Restoration sunken more than 2 inches (D1G)

Mail-In Penalty : \$500

A/T/P/O I found the Respondent Failed to repair area that has sunken more then 2" below grade with in their permanent Gas restoration. Previously notified by NICA CAR #20204030202 on 9/1/2020 to correct the condition. - If not admitting the charge, you MUST APPEAR IN PERSON.

Maximum Penalty: \$1,000

NYC Charter Sections 1048, 1049 and 1049-a and the Rules of the City of New York authorize the NYC Office of Administrative Trials and Hearings (OATH) to hold hearings.

I, an employee of the agency named above, affirm under penalty of perjury that I personally observed the commission of the violation(s) charged above and/or verified their existence through a review of departmental records. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law.

Electronically signed on 9/4/2020 at 06:26 PM by:

Name/ID: NICHOLAS CUCCINIELLO, Tax Reg No. 000746

Rank/Title: NYC DOT Apprentice Highway and Sewer Inspector

0702434801



HOW TO RESPOND TO THIS CIVIL SUMMONS

New York City Department of Transportation has charged you with the violation listed on the other side of this page. You may 1) present a defense at the independent NYC Office of Administrative Trials and Hearings, or 2) admit the charge and pay the penalty. Instructions are below. **If you do not pay the penalty or present a defense, a default judgment may be entered against you and additional penalties may be imposed.**

HOW TO RESPOND

Deny the charge and present a defense in person:

- You or an authorized representative may go on the hearing date at the time indicated on the other side of this page. The address for the borough of the hearing location is listed below.
- Please be fully prepared. Bring this paper, your paperwork and any other evidence you want to use to defend yourself with you.
- If you need help with English, free language help will be provided.
- Reasonable Accommodation: If you have a disability and require a reasonable accommodation for the hearing, call 1-844-628-4692.
- **Deny the charge and present a defense online:** Visit www.nyc.gov/oath.
- **Deny the charge and present a defense by phone:** Call (212) 436-0817.
- **Deny the charge and present a defense by mail:** Send a signed statement of facts that includes the words, "My signature in this statement certifies that all facts in it are true", as well as documents and other evidence you wish to have considered to:
 - **OATH Mail Unit, 66 John Street, 10th Floor, New York, NY 10038**

Admit the charge and pay the penalty in person: On any business day on or **before** the Hearing Date listed on the front of this Summons, bring this Summons and your payment to any OATH Hearings Center between 8:00 AM and 3:30 PM. Checks, money orders and credit cards are accepted.

Admit the charge and pay the penalty online: Go to www.nyc.gov/citypay/oath

Admit the charge and pay the penalty by mail: Make the check or money order payable to "Finance Commissioner" in the amount shown on the Mail-in Penalty line. **Write the Summons Number on the check or money order.** No later than ten (10) days before the hearing date on this Summons, mail a copy of this paper and the check or money order to:

Finance Commissioner, City of New York, PO Box 2307, Peck Slip Station, New York NY 10272

YOU HAVE THE RIGHT TO BE INFORMED OF THE MAXIMUM PENALTY. If no maximum penalty is shown on the front of this Summons, inquire in person at any location below or call 1-844-628-4692 for more information. Higher penalties may be imposed for each repeated violation up to the maximum penalty allowed by law or regulation.

Until further notice, hearings will be by phone or online. Visit www.nyc.gov/oath before the hearing date to schedule your phone hearing or learn about online options. If you cannot participate in a telephone or online hearing, email LiveHearings@oath.nyc.gov to request an in-person hearing.

OATH HEARINGS CENTERS

Manhattan: 66 John Street, 10th Floor, York, NY 10038

Brooklyn: 9 Bond Street, 7th Floor Brooklyn, NY 11201

Queens: 31-00 47th Ave 3rd & 4th Fl. Long Island City, NY 11101

Bronx: 260 East 161st Street, 6th Floor, Bronx, NY 10451

Staten Island: 350 St. Marks Place, Staten Island, NY 10301



NOV NUMBER:



PERMITTEE:



PLACE OF OCCURRENCE:

232 EAST 9 STREET Btwn 2 AVENUE and STUYVESANT STREET

DATE & TIME OF OCCURRENCE

9/4/2020 6:26:22 PM

COMPLAINANT NAME:

Nicholas Cucciniello



Summons with problems

- If you believe your company was wrongfully issued a summons, the appropriate protocol is to contact the HIQA borough office where the summons was issued for review. The borough offices can be reached at one of the below email addresses:
 - MNHIQA@DOT.NYC.GOV
 - BXHIQA@DOT.NYC.GOV
 - BKHIQA@DOT.NYC.GOV
 - QNHIQA@DOT.NYC.GOV
 - SIHIQA2@DOT.NYC.GOV

Questions about Hearings

- If a company needs to reschedule a hearing, this can be done on the New York City Office of Administrative Trials and Hearings website at www.nyc.gov/oath
- The DOT can not reschedule hearings, reopen cases, change outcomes of case that were already heard or even accept payments.
- The most up to date information regarding hearings, payments etc. can be found on OATH's website.
- The highlighted sections on the back of the summonses are also valid options.

HOW TO RESPOND

Deny the charge and present a defense in person:

- You or an authorized representative may go on the hearing date at the time indicated on the other side of this page. The address for the borough of the hearing location is listed below.
- Please be fully prepared. Bring this paper, your paperwork and any other evidence you want to use to defend yourself with you.
- If you need help with English, free language help will be provided.
- Reasonable Accommodation: If you have a disability and require a reasonable accommodation for the hearing, call 1-844-628-4692.
- **Deny the charge and present a defense online:** Visit www.nyc.gov/oath.
- **Deny the charge and present a defense by phone:** Call (212) 436-0817.
- **Deny the charge and present a defense by mail:** Send a signed statement of facts that includes the words, "My signature in this statement certifies that all facts in it are true", as well as documents and other evidence you wish to have considered to:
 - **OATH Mail Unit, 66 John Street, 10th Floor, New York, NY 10038**

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Finance Commissioner, City of New York, PO Box 2307, Peck Slip Station, New York NY 10272



OATH'S OFFICES ARE CURRENTLY CLOSED.

OATH is still operating and all summonses must be responded to. OATH is not conducting in-person hearings. All hearings are being conducted by telephone.

You MUST email the hearing location where your hearing is scheduled to occur in order to put your case on the calendar and to receive instructions on when and how to call in for your Hearing by Phone. Your email must be received by OATH on or before the scheduled hearing date and you should list the summons number(s) in the subject line of the email.

Bronx: RemoteBronx@oath.nyc.gov

Brooklyn: RemoteBKLYN@oath.nyc.gov

Queens: RemoteLIC@oath.nyc.gov

Staten Island: RemoteSI@oath.nyc.gov

Manhattan: RemoteManhattan@oath.nyc.gov

If you do not email OATH on or before your hearing date you will receive a decision finding you in violation of the charge by default and the legally mandated default penalty will be imposed.

If you would like a one-on-one consultation about your rights and the hearing process, call the Help Center at (212) 436-0845 or email Manhelpcenter@oath.nyc.gov. For dedicated small business assistance you may also email Smallbizhelp@oath.nyc.gov.

Until further notice, hearings will be by phone or online, Visit [NYC.GOV/OATH](https://nyc.gov/oath) before the hearing date to schedule your phone hearing or learn about online options. If you cannot participate in a telephone or online hearing, email Livehearings@oath.nyc.gov to request an in-person hearing

Independent and Impartial Administrative Law Court



বাংলা Text-Size

IMPORTANT ANNOUNCEMENT

**Due to the COVID-19 Outbreak,
OATH Trials, Hearings, and Help Center
Sessions are Being Conducted by Phone**



LEARN MORE
OATH is not holding in-person trials or hearings, except in limited, pre-approved, circumstances and at certain pre-scheduled times and locations. Click here for information on how to respond to your summons with a remote hearing.



Find Copies of Summonses and Case Status Information

You can search for a summons, see a copy of the summons, and find your OATH hearing date by using the OATH Summons Finder. You can search for this information by name, address or the summons number.

[GO TO THE SUMMONS FINDER ▶](#)

Note: *Summonses issued to for hire vehicles or restaurants, and summonses issued by the Department of Consumer Affairs are not currently available using the Summons Finder. You can find case status information for all types of summonses using the [OATH Hearings Division Case Status Open Data Set](#).*

Quick Links

[Contact the Help Center](#)

[Hearings Division Forms](#)

[Fight a Summons Online](#)

[Fight a Summons by Phone](#)

[Admit and Pay a Summons](#)

[Request a New Hearing after Missing a Hearing](#)

[MEND NYC Mediation Program](#)

News

[What You Need to Know About COVID-19](#)

[OATH in the News](#)

[Watch: How to Respond to Summonses](#)

[Learn about informational events hosted by OATH](#)



NYC DOT MAINTENANCE & PROTECTION OF TRAFFIC FOR BICYCLE FACILITIES

Presentation to Construction Advisory Council

April 28, 2021



Updates

1

NYC DOT's Maintenance and Protection of Traffic for Bicycle Facilities

Updates

- Approaching 2 years of the Guidelines
- Continuing to address the industry's suggestions
- New Bike Enforcement Unit to inspect bike MPTs
- Inspections will occur over weekends.



NYC DOT's Maintenance and Protection of Traffic for Bicycle Facilities

Bike Lane Enforcement Unit



Reminder: Bike MPT Guideline document location

Conduct a Google search
For "NYC DOT Bike MPT"

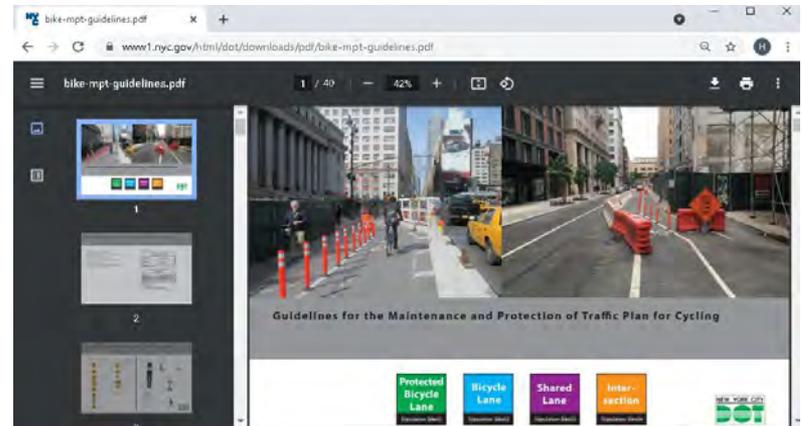


NYC DOT Bike MPT

Search query produces following result.

https://www1.nyc.gov › dot › downloads › pdf | PDF
Bike Lane MPT Guidelines - NYC.gov
May 7, 2019 — The specification for the green material for the green colored bike lane is found at the following address: https://www1.nyc.gov/html/dot/down-40 pages · 27 MB
You've visited this page many times. Last visit: 4/14/21

Document.

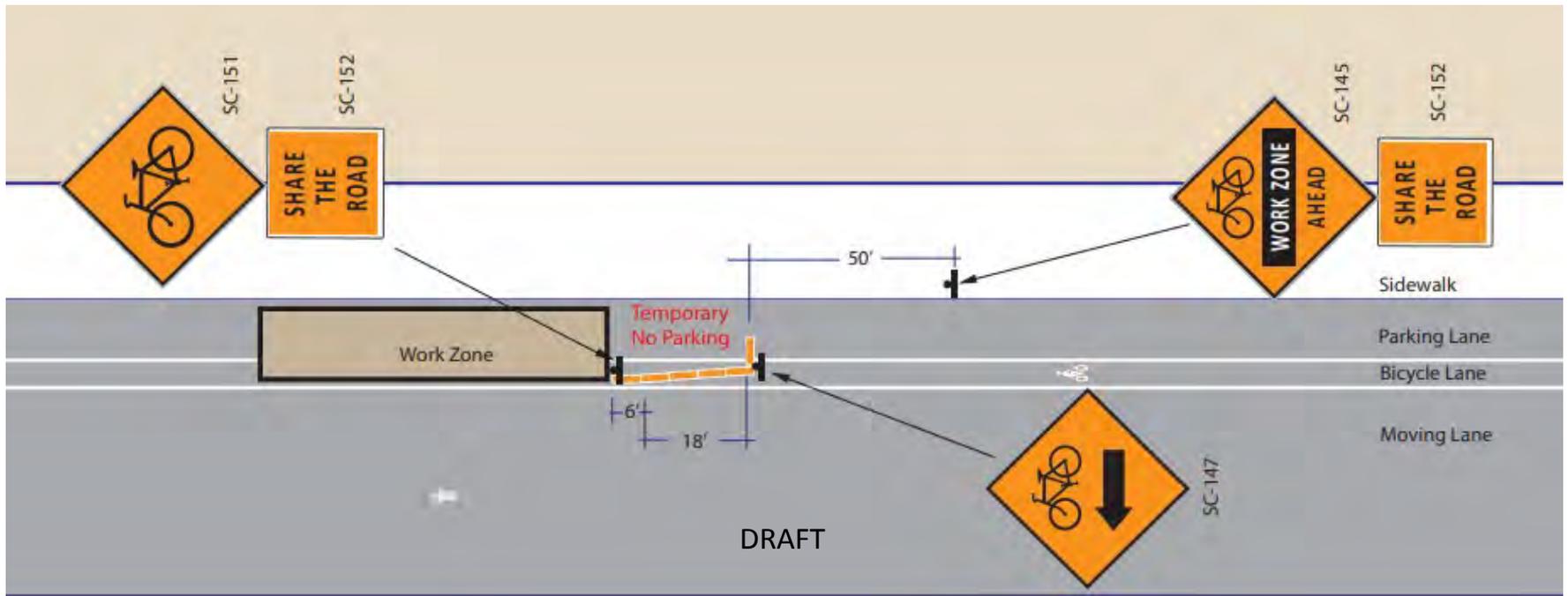


<https://www1.nyc.gov/html/dot/downloads/pdf/bike-mpt-guidelines.pdf>

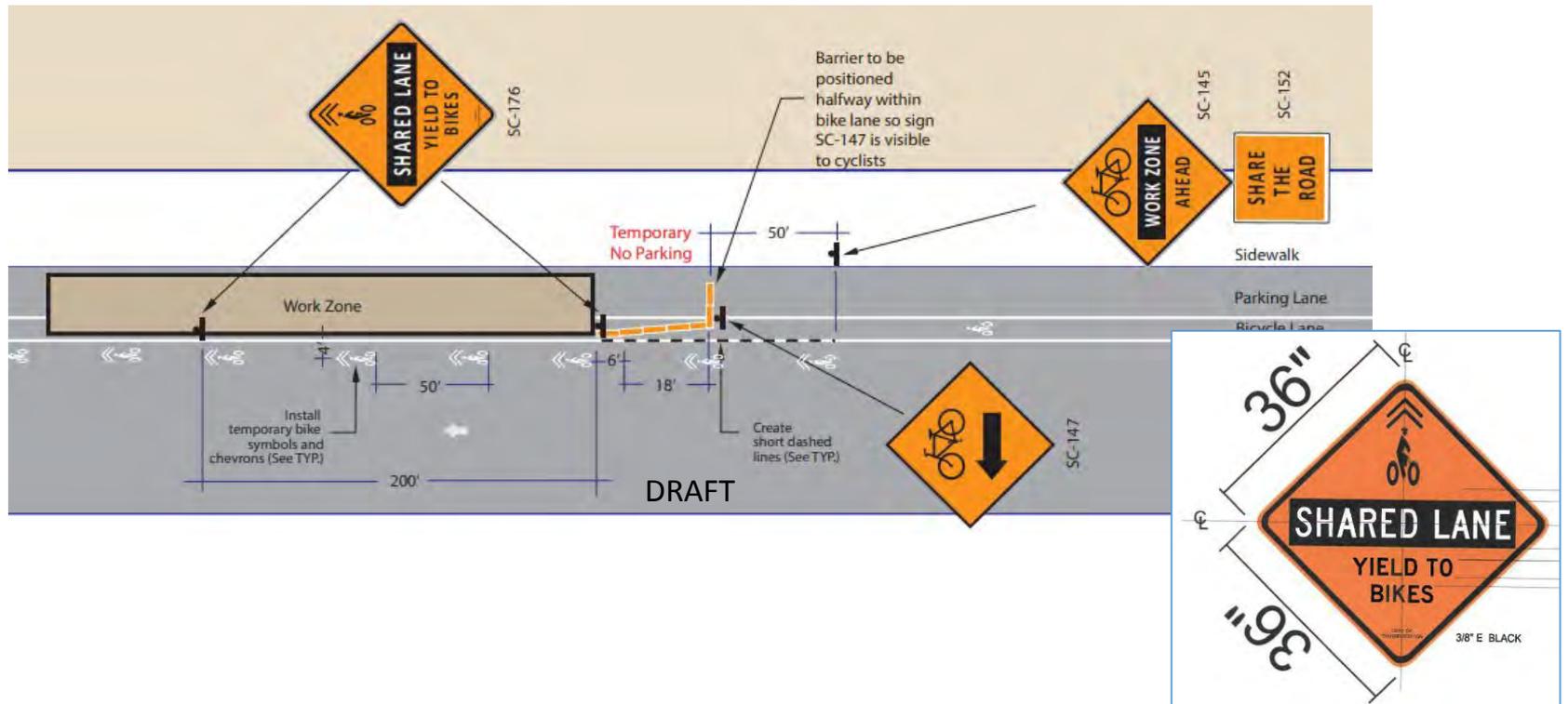
Design Updates

2

Shared Lane (Short Term (30)) – Design Update

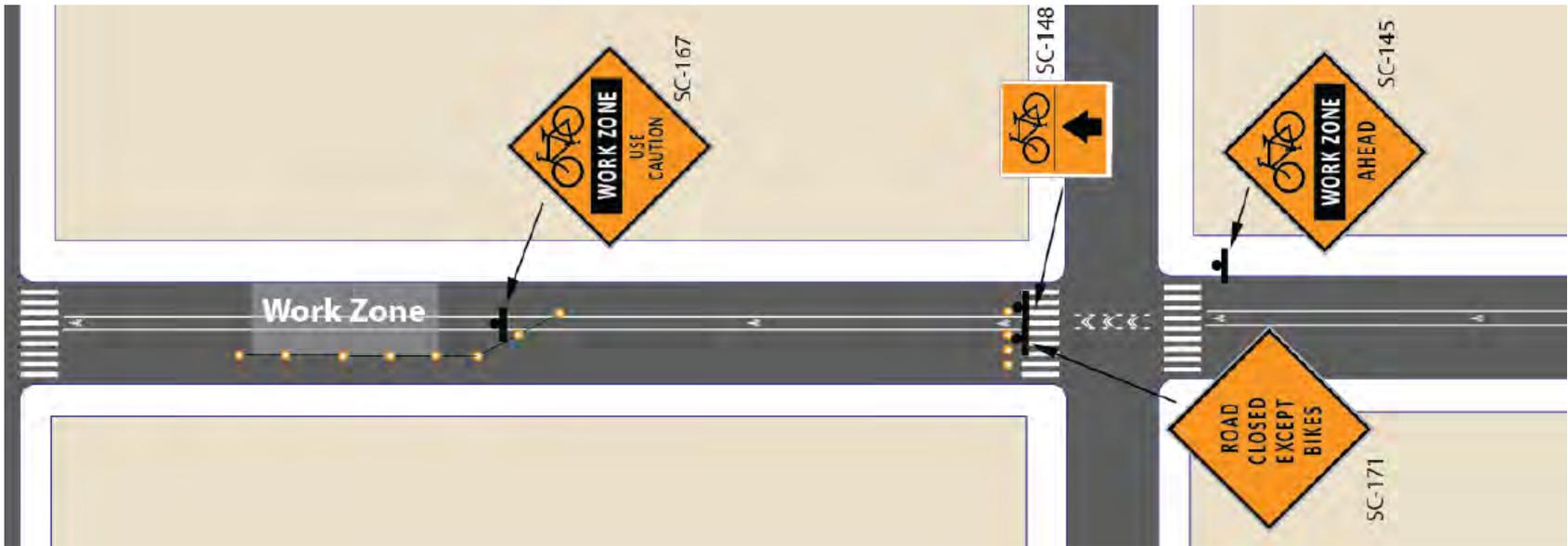


Shared Lane (Long Term (31)) – Design Update:



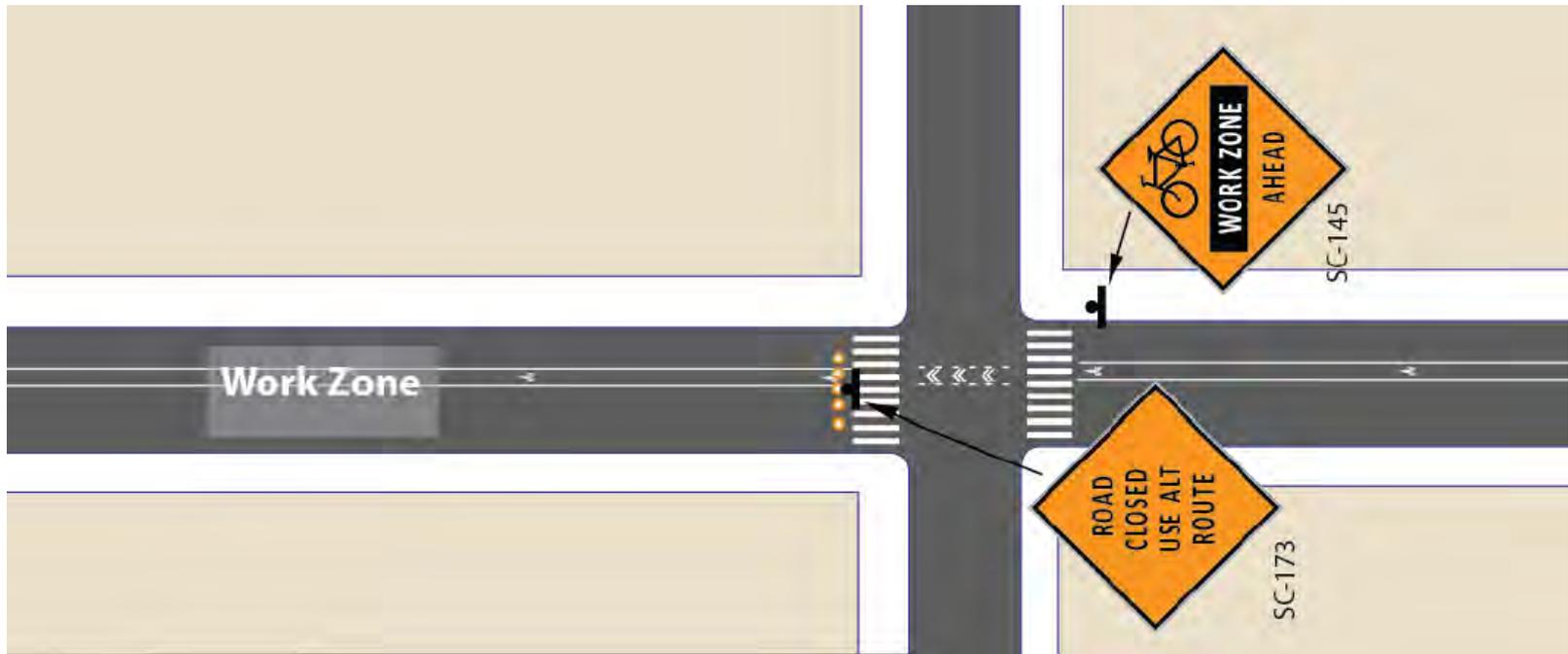
Road Closed – Except for Bikes

- Bike MPT still needs to be installed even if roadway is closed to vehicular traffic.



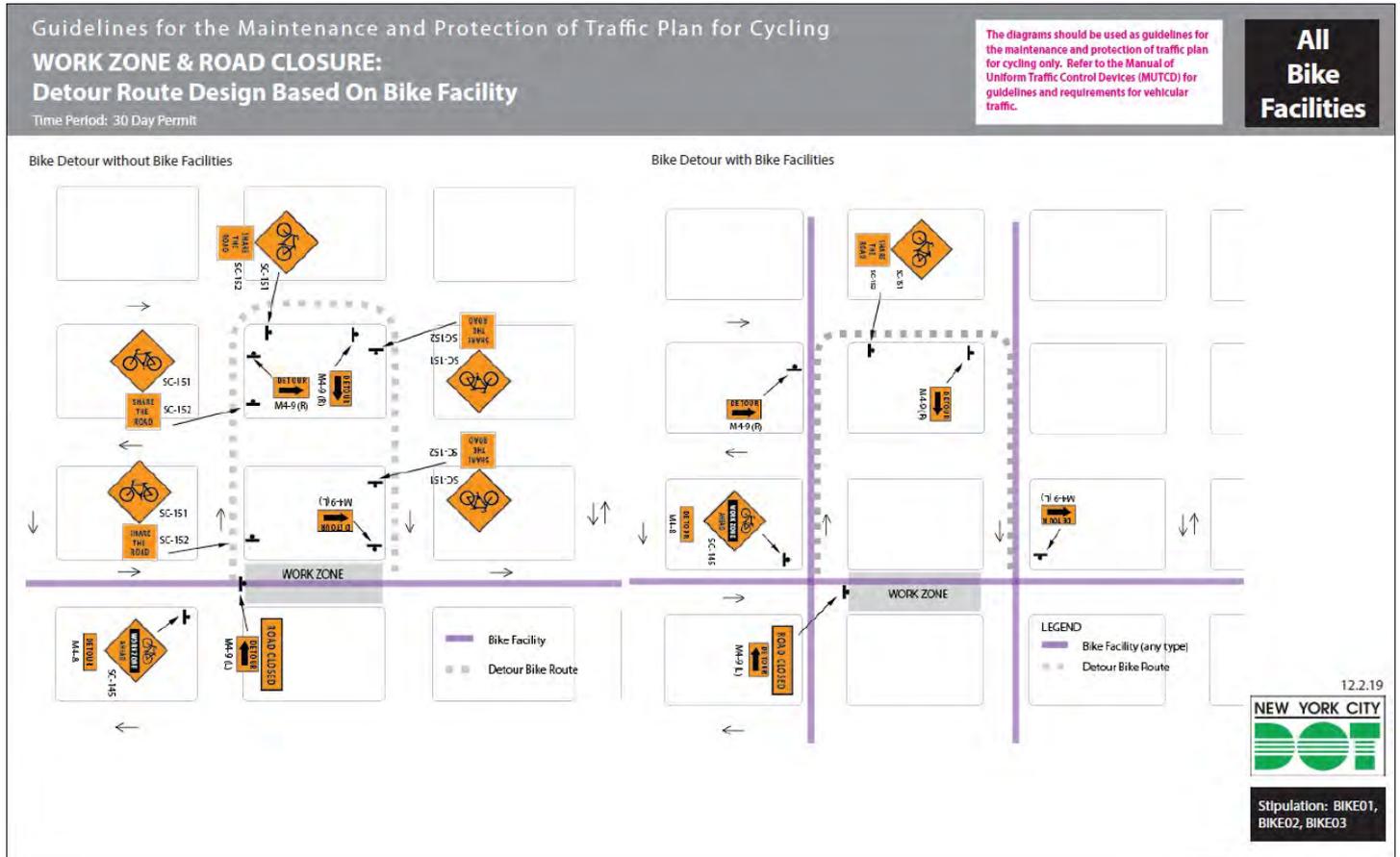
Road Closed – Use Alternative Route

- Typically installed during emergency work when there is no time to plan for detour route.



Road Closed – Bike Detour Plans

- Bike detour without bike facility
- Bike detour with bike facility



Current Bike MPT Practices

3

Current Bike MPT Practice – Street Closures

- Detour for cyclists is missing



Street closures without proper detours for cyclists creates confusion about how to proceed.

Current Bike MPT Practice – Confusing Set Up

- Clear signage is important to reduce any confusion around a work zone



Work zone ahead sign is placed at the work zone. The bicycle and pedestrian signage is confusing about where to go, To further confuse the situation is the Share the Road sign.

Current Bike MPT Practices – Confusing Set Up

- Lane assignment signs missing



Two temporary paths created for MPT, however, it is not absolutely clear which one to actually use.

Current Bike MPT Practice – Confusing Set Up

- A DOT barrel with lane assignment sign wrongfully taken and used for MPT purposes.



Proper signage not used for bike MPT.

Current Bike MPT Practice – Confusing Set Up

- Set Up of bike MPT is critical for the understanding and use for cyclists.
- Poor setups create a dangerous condition for cyclists



The signage indicates one direction, but the flagger is directing cyclist to perform a different maneuver . Also, signage requires better placement.

Current Bike MPT Practice – Shared Lane: Sign Assembly

- Shared lane signs needs to be assembled correctly



Correct sign assembly and location of signs.



Current Bike MPT Practice – Sign Placement and Height

- Signs need to be elevated to appropriate height.



Correct assembly of Work Zone Ahead and placement

In both instances, the signage is generally placed in advance of the work zone and not blocking the bike lane, however, the signs need to be elevated.

Current Bike MPT Practice – Poor Signage Use

- Shared lane signs needs to be assembled correctly



Sign is directing cyclists to wrong location



Sign is illegible due to its poor orientation.

Current Bike MPT Practice – Sign Order of Placement

- Shared lane signs needs to be organized correctly.



First sign is incorrectly place. It's also blocking the bike lane when it should be within the parking lane

Current Bike MPT Practice – Markings

- Placement of temporary bike markings is equally critical as signage. Poorly placed markings creates confusion and demonstrates sloppy work.



Placement of markings and type of markings is incorrectly installed making the information illegible.

Current Bike MPT Practice – Signs should be retro-reflectivity

- All Bike MPT signs should be retro-reflective to be visible during nighttime



Current Bike MPT Practices – Spell Check

- Make sure to check the spelling of words.



Current Bike MPT Practices – Over Signage

- Make sure to check the spelling of words.

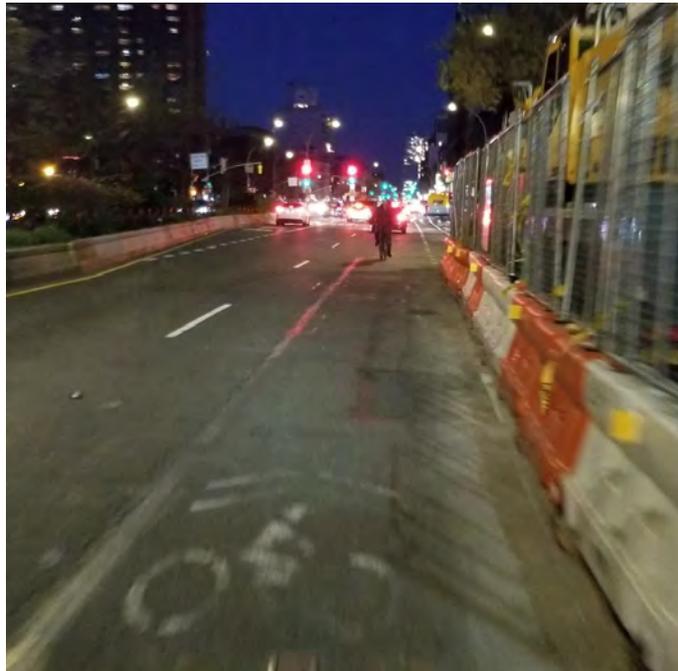


Bike MPT Maintenance & Post Construction

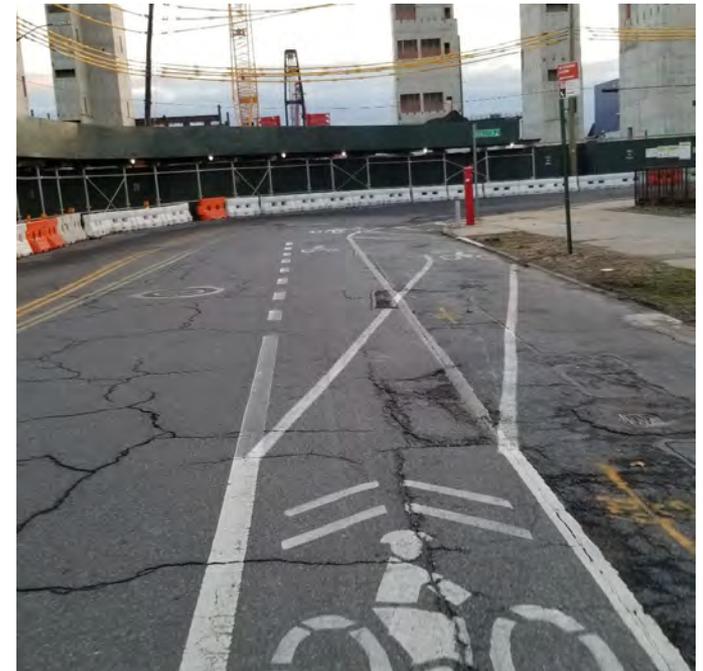
4

Current Bike MPT Practices – Refurbish Existing Bike MPT Markings

- Markings faded creating an unsafe condition for cyclists and motorists.
- Annual markings refurbishment is necessary.
- Where necessary black out existing markings not part of the bike MPT.



Shared lane markings worn and faded .



Existing bike lane markings now exposed creating confusion.

Current Bike MPT Practices – Green Paint Restoration

- Make sure the color green is correct



The green color paint used for the restoration does not match the NYC green paint

Bike MPT's

5

Bike MPT 's: All Ages & Abilities



Remember, all ages and abilities could be travelling through the work zone so it's imperative to make sure it's design safely

Bike MPT's



HPTO Concrete Restoration Boundaries

Manhattan

First Avenue (72nd Street to 125th Street)

Bronx

West Fordham Road (University Avenue to Major Deegan Expressway)

East Fordham Road (Webster Avenue to Grand Concourse)

- Andrews Avenue (West Fordham Road to West 183rd Street)
- Loring Place N (West Fordham Road to West 183rd Street)
- Sedgwick Avenue (West Fordham Road to West 183rd Street)
- Sedgwick Avenue (West Fordham Road to Webb Avenue)
- Webb Avenue (Sedgwick Avenue to Father Zeiser Place)
- Landing Place (West Fordham Road to Cedar Avenue)
- Hampden Place (West Fordham Road to Dead End/West 182nd Street)
- Cedar Avenue (West Fordham Road to West 179th Street)
- Cedar Avenue (West Fordham Road to Landing Road)

Permits

- **Permits will go on Concrete Hold and will not be released until location is reviewed.**
- **In order to release, permittee and DOT will have a joint inspection at the location to determine the proposed excavation/restoration dimensions, and mark out. Specifications will be emailed.**
- **Prior to final restoration (assuming the proposed dimensions remain unchanged), permittees are required to notify Moses or Nelson minimum 2 days prior to concrete pour to schedule inspection.**
- **Lawrence Moses – 646-235-7715 lmoses@dot.nyc.gov**
- **Nelson DeLeon – 917-295-7389 ndeleon@dot.nyc.gov**

Restoration

- Full depth, color tinted, reinforced concrete restoration required.
- Minimum Restoration size 10' length by full lane width (including cutbacks), larger restorations require 18" cutbacks.
 - 1¼" Dowels, 18" Long placed at 12" on center.
 - Welded Wire Fabric 4x4-W4xW4 placed at ½ depth of pavement, supported by chairs.
 - Color Tinted with approved dye (Onyx, Bus Pad Red2, Bike Lane Green).
 - Seal with approved sealer.
 - Expansion Joints used on case by case basis.



OPEN RESTAURANTS: **Planning Work Around Structures**

CAC | April 28, 2021



If there is roadway seating above where you need to complete any type of work . . .

Reach out to the DOT so we can arrange a meeting with the restaurant owner to remove their setup.

Information Needed Before Meeting:

- **Plan of work** to be completed
- Date restaurant should move setup by
- **Start date + end date** of work (limit to 2 weeks)
- Date restaurant can expect to **replace** setup

Who to contact?

Regular Open Restaurant:

Cespositio@dot.nyc.gov

Jrivera2@dot.nyc.gov

Vmaniscalco@dot.nyc.gov

Jyacca@dot.nyc.gov

Open Street w/ Open Restaurant:

SpecialEvents@dot.nyc.gov | 212.839.6620



§ 19-159.4 Chute closure devices required on concrete mixing trucks. a. Definitions. As used in this section, the following terms have the following meanings:

Chute closure device. The term “chute closure device” means a device attached to the end of the chute of a concrete mixer truck which is used to seal the chute.

Concrete mixer truck. The term “concrete mixer truck” means a truck used for the transport of liquid concrete.

Truck. The term “truck” has the same meaning as in section 158 of the vehicle and traffic law.

b. No later than June 30, 2021, all concrete mixer trucks driven in or through the city of New York shall be equipped with chute closure devices during the transport of liquid concrete.

Proposed Int. No. 1354-A

b. No later than June 30, 2021, all concrete mixer trucks driven in or through the city of New York shall be equipped with chute closure devices during the transport of liquid concrete.

CODE : DR2

<u>Admin. Code</u> <u>19-159.4</u>	<u>Failure to equip concrete mixer truck driven in or through the city of New York with chute closure device during the transport of liquid concrete</u>	<u>\$1,000</u>	<u>\$3,000</u>
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INDUSTRY QUESTIONS

1. Members have clarification requests and questions regarding NYC bike lanes:
 - a) SPA Members would like to see bike lane diagrams. These can be sketches or renderings.
 - b) SPA Members would like to know the exact dimensions that bike lane signs must measure.
 - c) Are there separate bike lane signs to be used in the event of a road closure due to road work? If not, are bike lane signs required to remain visible while road work is underway?
2. We would like to discuss the requirement of a site meeting prior to DOT issuing a permit on 1st Avenue in Manhattan between East 72nd Street and East 125th Street to finalize the Permittee's restoration requirements prior to securing a permit.

THANK YOU!

Next CAC Meeting

Date: July 28th 2021

Time: 10AM – 12PM

Location: ZOOM MEETING



NYC DOT



NYC DOT



nyc_dot



NYC DOT