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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

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, January 6, 2010, commencing at 10:00 A.M.

BOROUGH OF THE BRONX No. 1 LDGMA TEXT AMENDMENT

CD 10 N 100134 ZRX
IN THE MATTER OF an application submitted by the New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article II, Chapter 5 (Accessory Off-Street Parking and Loading Regulations) and Article III, Chapter 6 (Accessory Off-Street Parking and Loading Regulations), relating to off-street parking regulations.

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

Article I General Provisions

Chapter 2 Construction of Language and Definitions

12-10 DEFINITIONS

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

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

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

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

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

Chapter 5 Accessory Off-Street Parking and Loading Regulations

25-24

Modification of Requirements for Small Zoning Lots

R6 R7 R8 R9 R10
In the districts indicated, for small #zoning lots#, the requirements set forth in Section 25-23 (Requirements Where Group Parking Facilities Are Provided) shall be modified in accordance with the provisions of this Section.

25-241 Reduced requirements

R6 R7 R8 R9 R10
In the districts indicated, for #zoning lots# of 10,000 or 15,000 square feet or less, the number of required #accessory# off-street parking spaces is as set forth in the following table:
REDUCED REQUIREMENTS FOR SMALL ZONING LOTS

#Lot Area#	Parking Spaces Required as a Percent of Total #Dwelling Units#	District
10,000 square feet or less	50	R6 R7-1* R7B
	30	R7-1 R7A R7D R7X
10,001 to 15,000 square feet	30	R7-2
	20	R8** R9 R10

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

25-26 Waiver of Requirements for Small Number of Spaces

R4B R5B R5D R6 R7 R8 R9 R10
In the districts indicated, the requirements set forth in Section 25-21 (General Provisions) shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in this Section, except that the requirements shall not be waived for #non-profit residences for the elderly#.

However, the following provisions shall apply:

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

Chapter 6 Accessory Off-Street Parking and Loading Regulations

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

36-34 Modification of Requirements for Small Zoning Lots

C1 C2 C4-2 C4-3 C4-4 C4-5 C4-6 C4-7 C5 C6
In the districts indicated for small #zoning lots#, the requirements set forth in Section 36-33 (Requirements Where Group Parking Facilities are Provided), shall be modified in accordance with the provisions set forth in this Section.

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

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

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

REDUCED REQUIREMENTS FOR SMALL ZONING LOTS

District	Parking Spaces Required as a Percent of Total #Dwelling Units#	District within which C1 or C2 is Mapped
#Lot Area#		
10,000 square feet or less	50	R6 R7-1*R7B
	30	R7-1 R7A R7D R7X
10,001 to 15,000 square feet	30	R7-2
	20	R8** R9 R10

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

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

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

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5
In the districts indicated, where such districts are mapped within R6, R7, R8, R9 or R10 Districts, the requirements set forth in Section 36-31 (General Provisions) for new #development# or #enlargements# shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in the following table. The maximum number is determined by the #Residence District# within which the #Commercial District# is mapped.

NUMBER OF SPACES FOR WHICH REQUIREMENTS ARE WAIVED

#Residence District# within which C1 or C2 District is Mapped	Maximum Number of Spaces Waived
R5D	1
R6 R7-1 R7B	5
R7-2 R7A R7D R7X R8 R9 R10	15

However, the following provisions shall apply:

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

BOROUGH OF MANHATTAN No. 2 57-63 GREENE STREET

CD 2 C 090100 ZSM
IN THE MATTER OF an application submitted by Greene Mercer Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the use regulations of:

- Section 42-14D(1)(b) to allow Joint Living Work Quarters for Artists on portions of the 2nd through 6th floors of an existing 6-story building erected prior to December 15, 1961 and where the lot coverage is greater than 5000 square feet; and
- Section 42-14D(2)(a) to allow UG 6 uses (retail uses) on portions of the ground floor and cellar of an existing 6-story building occupying more than 3,600 square feet of lot area;

on property located at 57-63 Greene Street (Block 486, Lot 29), in an M1-5A District, within the Soho-Cast Iron Historic District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

No. 3

SULLIVAN STREET

CD 2 C 100026 ZMM
IN THE MATTER OF an application submitted by DJL Family Limited Partnership pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12a, establishing within an existing R7-2 District a C1-5 District bounded by a line 100 feet southerly of Spring Street, a line midway between Sullivan Street and Thompson Street, a line 200 feet northerly of Broome Street, and Sullivan Street, as shown on a diagram (for illustrative purposes only) dated September 21, 2009 and subject to the conditions of CEQR Declaration E-241.

No. 4

HUDSON YARDS PARKING TEXT AMENDMENT
CD 4 & 5 N100119 ZRM

IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District).

Hudson Yards Parking Text Amendment

Matter in underline is new, to be added; Matter within # # is defined in Section 12-10 (DEFINITIONS);

Matter in ~~strikeout~~ is old, to be deleted;

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

Article IX - Special Purpose Districts

Chapter 3

Special Hudson Yards District

* * *

93-052

Applicability of Chapter 3 of Article I, Chapter 3

#Public parking lots# authorized pursuant to Section 13-552 (Public parking lots) prior to January 19, 2005, and #accessory# off-street parking facilities for which a special permit has been granted pursuant to Section 13-561 prior to January 19, 2005, may be renewed subject to the terms of such authorization or special permit. Additional provisions of Article I, Chapter 3, shall be applicable as specified in Section 93-80 (inclusive).

* * *

93-054

Applicability of Chapter 4 of Article VII, Chapter 4

(b) The following provisions regarding special permits by the City Planning Commission shall be applicable as modified:

Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas) shall be applicable to the renewal of City Planning Commission special permits for #public parking lots# of any capacity and to #public parking garages#; granted prior to (date of enactment) or portions thereof, located above grade, subject to the findings of Section 93-821 (Authorization for above-grade parking). However, the findings of Section 93-821 shall not apply to any public parking facility in existence prior to January 19, 2005, that is the subject of a renewal or new special permit.

* * *

93-16

Public Parking Facilities

In C2-5, C2-8 and C6 Districts, the provisions of Sections 32-17 (Use Group 8) and 32-21 (Use Group 12) with respect to #public parking garages# and #public parking lots# are modified to require a special permit pursuant to Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas) for #public parking lots# of any capacity, and in C2-8 and C6 Districts, to allow, as of right, #public parking garages#, provided such garages are entirely below grade and contain not more than 0.30 parking spaces for each 1,000 square feet of #floor area# on the #zoning lot#. However, no #public parking garages# shall be permitted within the #Phase 2 Hudson Boulevard and Park#, as shown on Map 1 in Appendix A of this Chapter inapplicable and are superseded by the provisions of Section 93-80.

* * *

93-80

OFF-STREET PARKING REGULATIONS

The regulations governing permitted and required #accessory# off-street parking spaces of Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens) and Article II, Chapter 5; Article III, Chapter 6; and Article IV, Chapter 4 (Accessory Off-Street Parking and Loading Regulations) shall not apply except as set forth in this Section. In lieu thereof, the provisions of this Section, inclusive, shall apply.

93-81

Definitions

Hudson Yards parking regulations applicability area

The "Hudson Yards parking regulations applicability area" is comprised of the #Special Hudson Yards District#, the 42nd Street Perimeter Area of the #Special Clinton District# and Area P2 of the #Special Garment Center District#.

Hudson Yards development parking supply

The "Hudson Yards development parking supply" shall be the aggregate number of off-street parking spaces in #accessory# individual or #group parking facilities#, #public parking lots# and #public parking garages# in the #Hudson Yards parking regulations applicability area#.

(a) that have been constructed, pursuant to the as-of-right regulations in effect subsequent to January 19, 2005, and before (date of enactment), to the extent that such spaces satisfy the ratios of Section 93-821;

(b) that have been constructed, pursuant to a City Planning Commission special permit approved subsequent to January 19, 2005, and before (date of

enactment);

(c) for which the Chairperson has issued a certification, pursuant to Section 93-821, paragraph (e); and

(d) that have been approved by Board of Standards and Appeals variance, pursuant to Section 72-21, to the extent that:

(1) such spaces satisfy the ratios of Section 93-821, or

(2) the Board determines that any spaces in excess of the ratios of Section 93-821 are necessary to satisfy the need for #accessory# off-street parking generated by the #uses# or #floor area# permitted by such variance.

However, all off-street parking on Site 1 as shown in Map 6 of Appendix A shall be counted toward the #Hudson Yards development parking supply#.

For purposes of this definition, "constructed" shall include any off-street parking spaces in #accessory# or #group parking facilities#, #public parking garages# or #public parking lots# that were completed on (date of enactment); under construction on such date with the right to continue construction pursuant to Section 11-331; or granted a City Planning Commission special permit after January 19, 2005, where such permit had not lapsed as of (date of enactment).

Public parking

"Public parking" shall be off-street parking that is open to the public during the business day for hourly, daily or other time-defined rental of parking spaces, for which a fee is charged;

Reservoir deficit

The "reservoir deficit" shall be the amount by which the #reservoir surplus# is less than zero;

Reservoir parking supply

The "reservoir parking supply" shall be the sum of:

(a) all off-street parking spaces lawfully operating as of May 27, 2009, in the #Hudson Yards parking regulations applicability area# as #public parking#; and

(b) any off-street parking spaces for which a valid building permit had been issued, as of May 27, 2009, and which have been constructed before (date of enactment).

For purposes of this definition, "constructed" shall include any off-street parking spaces in #accessory# individual or #group parking facilities#, #public parking garages# or #public parking lots# that were either completed on (date of enactment) or under construction on such date with the right to continue construction pursuant to Section 11-331. However, any off-street parking space that satisfies the definition of the #Hudson Yards development parking supply# in this Section shall not be counted as part of the #reservoir parking supply#.

Reservoir surplus

The initial #reservoir surplus# shall be 3,600 off-street parking spaces. The "reservoir surplus" shall be increased by:

(a) the aggregate number of off-street parking spaces in the #reservoir parking supply# for which a building permit has been issued, pursuant to the as-of-right regulations in effect subsequent to January 19, 2005, and before the (date of enactment);

(b) the number of off-street parking spaces in the #Hudson Yards parking regulations applicability area# above the ratios permitted in Section 93-821, either certified by the Chairperson pursuant to Sections 93-822, paragraph (c), or by City Planning Commission special permit, pursuant to Section 93-823; and

(c) the number of off-street parking spaces lawfully added in the #Hudson Yards parking regulations applicability area#, other than those permitted pursuant to this Section 93-80 et. seq., except for any increase by Board of Standards and Appeals variance that is counted as part of the #Hudson Yards development parking supply#;

The #reservoir surplus# shall be decreased by:

(a) the aggregate number of parking spaces counted at any time in the #reservoir parking supply#, that subsequently are:

(1) reduced through modification or discontinuance of the applicable Department of Consumer Affairs license or certificate of occupancy or otherwise cease operation permanently; or

(2) not constructed in accordance with the applicable building permit, as reflected in a modification of such building permit or the issuance of a certificate of occupancy for a reduced number of spaces; or

(b) the issuance of a certificate of occupancy for a #development# or #enlargement# providing a smaller number of spaces than allowed, pursuant to Section 93-821, to the extent of the difference between the number of #accessory# off-street parking spaces allowed, and the number provided. However, this paragraph shall not apply to Sites 2, 3, 4 and 5, as shown on Map 6 of Appendix A, and shall apply to no more than 200 #accessory# off-street parking spaces on Site 6 as shown on Map 6.

Substantial construction

"Substantial construction" shall mean the substantial enclosing and glazing of a new #building# or of the #enlarged# portion of an existing #building#.

93-82

Required and Permitted Parking

All #Developments# or #enlargements# on #zoning lots# greater than 15,000 square feet in the #Hudson Yards parking regulations applicability area# may ~~shall~~ provide #accessory# parking spaces in accordance with the provisions of this Section. For #zoning lots# of 15,000 square feet or less, #accessory# parking spaces are permitted up to the maximum number allowed for required spaces as set forth in this Section. The provisions of Sections 36-52 (Size and Location of Spaces) and 36-53 (Location of Access to the Street) shall apply to all permitted #accessory# off-street parking spaces.

93-81

Permitted parking when the reservoir surplus is greater than zero

When the #reservoir surplus# is greater than zero, off-street parking spaces may be provided only in accordance with the provisions of this Section.

(a) For #residences#, #accessory# off-street parking spaces ~~shall~~ may be provided for at least not more than 33 30 percent of the total number of #dwelling units#, except that where such #dwelling units# are comprised of #low income floor area#, #moderate income floor area# or #middle income floor area#, as defined in Section 23-911 of this Resolution government assisted, pursuant to paragraph (c) of Section 25-25, #accessory# off-street parking spaces ~~shall~~ may be provided for at least 25 not more than eight percent of the total number of such #dwelling units#. The total number of off-street parking spaces #accessory# to #residences# shall not exceed 40 percent of the total number of #dwelling units#. However, if the total number of #accessory# off-street parking spaces required for such #use# on the #zoning lot# is less than 15, no such spaces shall be required.

(b) For Use Group 5 #transient hotels#, the provisions of Section 13-131 shall apply with respect to the number of permitted #accessory# off-street parking spaces, provided that the number of such spaces does not exceed 0.16 for every 1,000 square feet of #floor area#.

(c) For Use Group 6B offices #commercial# and #community facility uses#, a minimum of 0.30 #accessory# off-street parking spaces shall be provided for each 1,000 square feet of #floor area#, and not more than 0.325-0.16 #accessory# off-street parking spaces shall may be provided for every 1,000 square feet of #floor area#. However, if the total number of #accessory# off-street parking spaces required for such #uses# on the #zoning lot# is less than 40, no such spaces shall be required. No parking shall be required for houses of worship or #schools#.

(e) The required and permitted amounts of #accessory# off-street parking spaces shall be determined separately for #residential#, #commercial# and #community facility uses#.

(d) In the Eastern Rail Yard Subarea A1, no #accessory# off-street parking shall be required paragraphs (a) through (c) of this Section shall not apply, and any #accessory# off-street parking shall comply with the provisions of this paragraph, (d).

(1) For #residential uses#, #accessory# off-street parking spaces may be provided for not more than 40 percent of the total number of #dwelling units#.

(2) For #commercial# and #community facility uses#, not more than 0.325 #accessory# off-street parking spaces may be provided for every 1,000 square feet of #floor area#, provided that in no event shall the number of off-street parking spaces #accessory# to #commercial# or #community facility uses# exceed 350 spaces.

(3) In no event shall the total number of #accessory# off-street parking spaces for all #uses# exceed 1,000.

(e) The provisions of Sections 36-52 (Size and Location of Spaces) and 36-53 (Location of Access to the Street) shall apply to all permitted or required #accessory# off-street parking spaces.

The Department of Buildings shall not issue a building permit for any #accessory# off-street parking pursuant to paragraphs (a) through (c) of this Section unless the Chairperson has certified that the sum of the following is less than 6,084 spaces:

(1) the #reservoir surplus# or zero, whichever is less;

(2) the #Hudson Yards development parking supply#; and

(3) the number of spaces proposed to be added by the #development# or #enlargement# for which certification is sought.

Any such certification granted by the Chairperson shall lapse after two years if #substantial construction# of the subject #accessory# off-street parking spaces has not occurred. In making a certification pursuant to this Section, the Chairperson shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution.

93-82

Permitted parking when a reservoir deficit exists

When a #reservoir deficit# exists, additional off-street

parking spaces may be provided in accordance with the provisions of this Section. However, this Section shall not apply in the Eastern Rail Yard Subarea A1:

- (a) The number of permitted #accessory# off-street parking spaces for Use Group 5 hotels may exceed 0.16 for every 1,000 square feet of #floor area#, up to the number permitted by Section 13-131;
(b) The number of permitted #accessory# off-street parking spaces for Use Group 6B offices may be increased by up to 33 percent of the number permitted pursuant to Section 93-821, paragraph (b);
(c) The Department of Buildings shall not issue a building permit for any additional #accessory# off-street parking spaces permitted pursuant to this Section unless the Chairperson has certified that

(1) a #reservoir deficit# exists; and

(2) the number of #accessory# off-street parking spaces in excess of the ratios permitted by Section 93-821 proposed to be added by the #development# or #enlargement# for which certification is sought, does not exceed such #reservoir deficit#.

Any such certification granted by the Chairperson shall lapse after two years, if #substantial construction# of the subject #accessory# off-street parking spaces has not occurred. In making a certification pursuant to this Section, the Chairperson shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution.

93-823 Parking permitted by special permit

When a #reservoir deficit# exists, the City Planning Commission may allow, by special permit, Use Group 6B offices to exceed the number of #accessory# off-street parking spaces permitted by Section 93-822, in accordance with the provisions of Section 13-561, except that finding (a) of Section 13-561 shall not apply. In addition, the Commission shall find that the number of #accessory# off-street parking spaces in excess of the number permitted by Section 93-821, proposed to be added by the #development# or #enlargement# that is the subject of the application under review, does not exceed the #reservoir deficit#. In making such finding, the Commission shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution.

93-824 Publication of data

The Department of City Planning shall make available, in a form easily accessed by the public, regularly updated calculations of the current #Hudson Yards development parking supply#, #reservoir parking supply#, and #reservoir surplus# or #reservoir deficit#, as applicable.

93-823 Use and Location of Parking Facilities

The provisions of this Section shall apply to all off-street parking spaces within the #Special Hudson Yards District#.

(a) All off-street parking spaces #accessory# to #residences# shall be used exclusively by the occupants of such #residences#. Except in the Eastern Rail Yard Subarea A1, all #accessory# off-street parking spaces #accessory# to Use Group 5 #transient hotels# and Use Group 6B offices may be made available for public use. However, any such space shall be made available to the occupant of a #residence# to which it is #accessory# within 30 days after written request therefore is made to the landlord. Furthermore, if #accessory# and public parking spaces are provided on the same #zoning lot#, all such spaces shall be located within the same parking facility. However, in C1-7A Districts and in C2-5 Districts mapped within RSA Districts, all #accessory# off-street parking spaces shall be used exclusively by the occupants of the #residential development#, #enlargement# or conversion. Where a parking facility is located partially within a C2-5 District mapped within an RSA District and partially within another district, all such #accessory# off-street parking spaces may be made available for public use provided more than half of the floor space of the parking facility is located outside the C2-5 District mapped within an RSA District.

(b) All #accessory# off-street parking spaces may be provided within parking facilities on #zoning lots# other than the same #zoning lot# as the #uses# to which they are #accessory#, provided:

- (1) such parking facilities are located within a C2-8 or C6-4 District within the #Special Hudson Yards District#, or within the 42nd Street Perimeter Area of the #Special Clinton District# or within Area P-2 of the #Special Garment Center District#;
(2) the off-street parking space within such facility is counted only once in meeting the parking requirements for a specific #zoning lot#, and
(3) the number of parking spaces within such facility shall not exceed the combined maximum number of spaces permitted on each #zoning lot# using such facility, less the number of any spaces provided on such #zoning lots#. The provisions of Section 13-141 (Location of accessory off-street parking spaces), inclusive, shall apply.

(c) All off-street parking spaces shall be located within facilities that, except for entrances and exits, are:

- (1) entirely below the level of any #street# or publicly accessible open area upon which such facility, or portion thereof, fronts; or

- (2) located, at every level above-grade, behind commercial, community facility or #residential floor area# so that no portion of such parking facility is visible from adjoining #streets# or publicly accessible open areas.

93-8231

Authorization for above-grade parking

The City Planning Commission may authorize parking facilities that do not comply with the provisions of paragraph (c) of Section 93-823 (Use and Location of Parking Facilities) and may authorize floor space used for parking and located above a height of 23 feet to be exempt from the definition of #floor area#, provided that:

- (a) below-grade parking has been provided to the fullest extent feasible, and such above-grade facility is necessary due to subsurface conditions such as the presence of bedrock, railroad rights-of-way or other conditions that impose practical difficulties for the construction of below-grade parking facilities;
(b) the scale of the parking facility is compatible with the scale of #buildings# in the surrounding area;
(c) the materials and articulation of the #street wall# of the parking facility is compatible with #buildings# in the surrounding area;
(d) the ground floor level of such parking facilities that front upon #streets# is occupied by #commercial#, #community facility# or #residential uses# that activate all such adjoining #streets#, except at the entrances and exits to the parking facility. Where site planning constraints make such #uses# infeasible, the parking facility shall be screened from adjoining #streets# or public access areas with a densely planted buffer strip at least 10 feet deep. Where such screening is not desirable, such ground floor wall of the parking facility shall be articulated in a manner that provides visual interest;
(e) any floor space above the ground floor level utilized for parking is located, to the greatest extent feasible, behind #commercial#, #community facility# or #residential floor area# so as to minimize the visibility of the parking facility from adjoining #streets# or public access areas. Any exterior wall of the parking facility visible from an adjoining #street# or public access area shall be articulated in a manner that is compatible with #buildings# in the surrounding area;
(f) for portions of parking facilities that are visible from #streets#, publicly accessible open areas or nearby properties, interior lighting and vehicular headlights are shielded to minimize glare on such #streets#, public access areas or properties; and
(g) the location of vehicular entrances and exits will not unduly inhibit surface traffic and pedestrian flow.

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

93-83 93-84 Curb Cut Restrictions

93-831 93-841 Curb cut restrictions in the Large-Scale Plan Subdistrict A

93-832 93-842 Curb cut restrictions in the Farley Corridor Subdistrict B

93-84 93-85 Authorization for Additional Curb Cuts

Map 6 Sites for which Special Paking Regulations Apply



NOTICE IS HEREBY GIVEN that a Public Hearing will be held at the Department of Environmental Protection Offices at 59-17 Junction Boulevard, 17th Floor Conference Room, Flushing, New York, on January 7, 2010 commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and Cartusciello & Associates, PC, 104 Mountainside Road, Mendham, New Jersey 07945 for ECP-08: Employee Concerns Program Investigator. The Contract term shall be 36 months from the date of the written notice to proceed. The Contract amount shall be \$300,000.00 - Location: 5 Boroughs of NYC and NYC Watershed Region - PIN# 82608EHSC005.

A copy of the Contract may be inspected at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, New York, 11373, on the 17th Floor Bid Room, on business days from December 24, 2009 to January 7, 2010 between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DEP does not receive, by December 31, 2009, from any individual a written request to speak at this hearing, then DEP need not conduct this hearing. Written notice should be sent to Ms. Debra Butlien, NYCDEP, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373 or via email to dbutlien@dep.nyc.gov.

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

☛ d24

BUREAU OF WASTEWATER TREATMENT

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held at the Department of Environmental Protection Offices at 59-17 Junction Boulevard, 17th Floor Conference Room, Flushing, New York, on January 7, 2010 commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and The Gordian Group, 140 Bridges Road, Suite E, Maulden, South Carolina 29662 for JOC-CS2: Consultant Services for Job Order Contracting System in the DEP. The Contract term shall be 48 months with a one year option to renew from the date of the written notice to proceed. The Contract amount shall be \$2,478,000.00 - Location: Citywide - PIN# 82609WPC1184.

A copy of the Contract may be inspected at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, New York, 11373, on the 17th Floor Bid Room, on business days from December 24, 2009 to January 7, 2010 between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

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

☛ d24

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

FRANCHISE ADMINISTRATION

■ PUBLIC HEARINGS

NOTICE OF A FRANCHISE AND CONCESSION REVIEW COMMITTEE ("FCRC") PUBLIC HEARING to be held on Monday, January 11, 2010 commencing at 2:30 P.M. at 22 Reade Street, Borough of Manhattan, in the matter of the assignment to Van Wagner Kiosk Advertising, LLC ("Van Wagner") of a public pay telephone franchise currently held by Telebeam Telecommunications Corporation ("Telebeam"). The FCRC approved the franchise agreement between the City of New York ("the City") and the original franchisee, Urban Telecommunications, Inc. ("Urban"), on August 11, 1999 (Cal. No. 1). Subsequently, the FCRC approved an assignment of the franchise from Urban to Telebeam on March 14, 2007. The franchise provides the non-exclusive right to install, operate and maintain public pay telephones on, over and under the inalienable property of the City of New York.

A copy of the existing franchise agreement may be viewed at DoITT, 75 Park Place, 9th Floor, New York, New York 10007, commencing Thursday, December 17, 2009 through Monday, January 11, 2010, between the hours of 9:30 A.M. and 3:30 P.M., excluding Saturdays, Sundays and holidays. Hard copies of the franchise agreement may be obtained, by appointment, at a cost of \$.25 per page. All payments shall be made at the time of pickup by check or money order made payable to the New York City Department of Finance. The existing franchise agreement may also be obtained in PDF form at no cost, by email request. Interested parties should contact Roxanne Chambers at (212) 788-6610 or by email at RChambers@doitt.nyc.gov.

NOTE: Individuals requesting sign language interpreters at the public hearing should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, New York 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay service.

The Hearing may be cablecast on NYC TV- CHANNEL 74.

d17-j11

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

TUESDAY, JANUARY 12, 2010

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday,**

January 12, 2010, the Landmarks Preservation Commission will conduct a *public hearing* in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Landmark and Landmark Site. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007 (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

PUBLIC HEARING ITEM NO.1
LP-2391

WESTBETH (AKA WESTERN ELECTRIC COMPANY BUILDINGS, AKA BELL TELEPHONE LABORATORIES), 463 West Street (AKA 445-465 West Street; 137-169 Bank Street; 51-77 Bethune Street; 734-754 Washington Street), Manhattan
Landmark Site: Borough of Manhattan Tax Map Block 639, Lot 1

d23-j11

NOTICE IS HEREBY GIVEN THAT pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **January 05, 2010 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 10-4398 - Block 8096, lot 41-240-07 38th Drive, aka 7 Little Neck Road- Douglaston Historic District

An altered Colonial Revival style freestanding house, built circa 1925, and a one-car garage. Application is to demolish an existing shared garage and construct a new garage in connection with 240-11 38th Drive.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 10-4549- Block 8096, lot 39-240-11 38th Drive, aka 11 Little Neck Road- Douglaston Historic District

A vernacular Colonial Revival style freestanding house, built circa 1920, and a one-car garage. Application is to demolish an existing shared garage and construct a new garage in connection with 240-07 38th Drive.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4370- Block 41, lot 15-60 Pine Street - Down Town Association - Individual Landmark

A Romanesque Revival style clubhouse designed by Charles C. Haight, built in 1886-87, and modified with an extension designed by Warren & Wetmore and built in 1910-11. Application is to construct a rooftop addition, infill the non-visible interior courtyard, alter the Cedar Street facade and areaway to provide barrier-free access, and remove a fire escape. Zoned C5-5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-3122 - Block 193, lot 26-35 Walker Street - Tribeca East Historic District
A building built in 1808 and altered in the mid-19th century features originally built as a house circa 1808. Application is to reconstruct side walls, construct rooftop additions, install a barrier-free access ramp, and doors, and remove a fire escape. Zoned C6-2A.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4104 - Block 189, lot 12-160 Franklin Street - Tribeca West Historic District
A neo-Grec/Queen Anne style store and loft building designed by Berger & Baylies and built in 1886-87. Application is to install new storefront infill.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4718 - Block 189, lot 5-144 Franklin Street - Tribeca West Historic District
A neo-Grec style warehouse building designed by J. Morgan Slade and built in 1882-1883. Application is to modify windows and install a balcony.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4234 - Block 625, lot 56-34 8th Avenue - Greenwich Village Historic District
An apartment building originally constructed as a pair of rowhouses in 1841 and altered in the first half of the 20th century. Application is to install storefront infill.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-1987 - Block 593, lot 28-385 6th Avenue - Greenwich Village Historic District
A Queen Anne style flats building designed by D. & J. Jardine Architects and built in 1877. Application is to modify the ground floor.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4067 - Block 632, lot 55-535 Hudson Street - Greenwich Village Historic District
An apartment building designed by Samuel Roth and built in 1951-1953. Application is to construct rooftop addition and rear yard additions. Zoned C1-6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-5574 - Block 712, lot 11-439-445 West 14th Street, aka 438-440 West 15th Street - Gansevoort Market Historic District
A Romanesque Revival style stables building designed by Thomas R. Jackson and built in 1892-93. Application is to construct a rooftop addition, install new storefront infill, and replace windows. Zoned M1-5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-3463 - Block 837, lot 48-390 Fifth Avenue- The Gorham Building-Individual Landmark
A Florentine Renaissance style building designed by Stanford White of McKim, Mead and White and built in 1904-06. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4023- Block 849, lot 7502-7 East 20th Street - Ladies' Mile Historic District
A neo-Renaissance/modern French style store and loft building designed by William C. Frohne and built in 1907. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-2634 - Block 1210, lot 33-100 West 80th Street - Upper West Side/Central Park West

Historic District
A Beaux-Arts style hotel and boarding house designed by Benjamin & Deisler and built in 1898-1900. Application is to construct a rooftop addition. Zoned C1-8A.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-2951 - Block 1405, lot 120-969 Lexington Avenue - Upper East Side Historic District
A Queen Anne style house designed by Thom & Wilson and built in 1887-88 and altered by Bradley Delehanty in 1919-20. Application is to install an awning.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4794 - Block 1410, lot 68-110-120 East 76th Street - Upper East Side Historic District
A row of six neo-Grec style rowhouses designed by Augustus Hatfield, built in 1883-85 and altered in the 20th century. Application is to partially demolish and stabilize Nos. 112, 114 and 116 East 76th Street.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4437 - Block 1410, lot 68-110-120 East 76th Street - Upper East Side Historic District
A row of six neo-Grec style rowhouses designed by Augustus Hatfield, built in 1883-85 and altered in the 20th century. Application is to alter the facades, reconstruct and raise the height of one of the facades, and construct rooftop and rear yard additions. Zoned R8-8.

EXECUTIVE SESSION
BOROUGH OF QUEENS AND MANHATTAN 10-4651- Block 1434, lot 1- Queensboro Bridge - Individual Landmark
A cantilevered bridge with Beaux-Arts style elements designed by Gustav Lindenthal and Henry Hornbostel and built in 1901-08.

EXECUTIVE SESSION
BOROUGH OF BROOKLYN AND MANHATTAN 10-4650 - Block 25, lot 12- Brooklyn Bridge - Individual Landmark
A suspension bridge built in 1867-83 by John A. and Washington Roebling.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-3900 - Block 43, lot 25-70 Hudson Avenue - Vinegar Hill Historic District
A Greek Revival style rowhouse built circa 1828-41. Application is to excavate the cellar.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-3682- Block 1945, lot 15-343 Waverly Avenue - Clinton Hill Historic District
An Italianate style rowhouse built c.1869. Application is to legalize the installation of a security gate without Landmarks Preservation Commission permit(s).

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-4136 - Block 1159, lot 50-132 Underhill Avenue - Prospect Heights Historic District
A Romanesque/Renaissance Revival style rowhouse designed by William H. Reynolds and built c.1896. Application is to install a lamppost.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-4363 - Block 1158, lot 76-191 Park Place - Prospect Heights Historic District
An Italianate style rowhouse built prior to 1869. Application is to construct a rear yard addition. Zoned R-6B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-3899 - Block 1152, lot 7502-645 Vanderbilt Avenue, aka 229-237 Prospect Place - Prospect Heights Historic District
Application is to modify storefront infill and install a flue.

d22-j5

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday, December 30, 2009. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 IN THE MATTER OF a proposed revocable consent authorizing Michael A. Cooper to maintain and use a stoop and a fenced-in area on the east sidewalk of St. Nicholas Avenue, north of West 145th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2019 - \$25/per annum
the maintenance of a security deposit in the sum of \$1,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000

#2 IN THE MATTER OF a proposed revocable consent authorizing Bayonne Energy Center, LLC to construct, maintain and use transmission cables under and along 25th Street Pier, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2020, and provides among other terms and conditions, for compensation payable to the City according to the following schedule:

- \$40,240/annum
For the period July 1, 2010 to June 30, 2011 - \$41,447
For the period July 1, 2011 to June 30, 2012 - \$42,654
For the period July 1, 2012 to June 30, 2013 - \$43,861
For the period July 1, 2013 to June 30, 2014 - \$45,068
For the period July 1, 2014 to June 30, 2015 - \$46,275
For the period July 1, 2015 to June 30, 2016 - \$47,482
For the period July 1, 2016 to June 30, 2017 - \$48,689
For the period July 1, 2017 to June 30, 2018 - \$49,896
For the period July 1, 2018 to June 30, 2019 - \$51,103
For the period July 1, 2019 to June 30, 2020 - \$52,310

the maintenance of a security deposit in the sum of \$53,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#3 IN THE MATTER OF a proposed revocable consent authorizing Findlay Plaza Housing Development Fund Corp. to maintain and use a bridge over and across Findlay Avenue, north of 167th Street, in the Borough of the Bronx.

The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Date of Approval to June 30, 2010 - \$ 838
 For the period July 1, 2010 to June 30, 2011 - \$ 863
 For the period July 1, 2011 to June 30, 2012 - \$ 888
 For the period July 1, 2012 to June 30, 2013 - \$ 913
 For the period July 1, 2013 to June 30, 2014 - \$ 935
 For the period July 1, 2014 to June 30, 2015 - \$ 963
 For the period July 1, 2015 to June 30, 2016 - \$ 988
 For the period July 1, 2016 to June 30, 2017 - \$1,013
 For the period July 1, 2017 to June 30, 2018 - \$1,038
 For the period July 1, 2018 to June 30, 2019 - \$1,063

the maintenance of a security deposit in the sum of \$11,000, and the filing of an insurance policy in the minimum amount of \$1,250,000/\$5,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

#4 IN THE MATTER OF a proposed revocable consent authorizing Findlay Plaza Housing Development Fund Corp. to maintain and use a bridge over and across Teller Avenue, north of 167th Street, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Date of Approval to June 30, 2010 - \$783
 For the period July 1, 2010 to June 30, 2011 - \$806
 For the period July 1, 2011 to June 30, 2012 - \$829
 For the period July 1, 2012 to June 30, 2013 - \$852
 For the period July 1, 2013 to June 30, 2014 - \$875
 For the period July 1, 2014 to June 30, 2015 - \$898
 For the period July 1, 2015 to June 30, 2016 - \$921
 For the period July 1, 2016 to June 30, 2017 - \$944
 For the period July 1, 2017 to June 30, 2018 - \$967
 For the period July 1, 2018 to June 30, 2019 - \$990

the maintenance of a security deposit in the sum of \$10,250, and the filing of an insurance policy in the minimum amount of \$1,250,000/\$5,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

#5 IN THE MATTER OF a proposed revocable consent authorizing 640 Realty LLC & 86 Realty LLC to construct, maintain and use a stair, together with railing on the south sidewalk of Bleeker Street between Broadway and Crosby Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2020, and provides among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2010 - \$1,500/per annum
 For the period July 1, 2010 to June 30, 2011 - \$1,545
 For the period July 1, 2011 to June 30, 2012 - \$1,590
 For the period July 1, 2012 to June 30, 2013 - \$1,635
 For the period July 1, 2013 to June 30, 2014 - \$1,680
 For the period July 1, 2014 to June 30, 2015 - \$1,725
 For the period July 1, 2015 to June 30, 2016 - \$1,770
 For the period July 1, 2017 to June 30, 2018 - \$1,815
 For the period July 1, 2018 to June 30, 2019 - \$1,860
 For the period July 1, 2019 to June 30, 2020 - \$1,905

the maintenance of a security deposit in the sum of \$2,500, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#6 IN THE MATTER OF a proposed revocable consent authorizing Metropolitan Transportation Authority to construct, maintain and use bollards around the perimeter of Jamaica Station on the sidewalks of Archer Avenue and Sutphin Boulevard, in the Borough of Queens. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor. There shall be no compensation required for this revocable consent.

There is no maintenance of a security deposit required, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#7 IN THE MATTER OF a proposed revocable consent authorizing Deutsche Bank AG, New York Branch to construct, maintain and use security bollards around the perimeter of 60 Wall Street, on the sidewalk of Wall Street between William and Pearl Streets, and on the sidewalk of Pine Street between William and Pearl Streets, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor. There shall be no compensation required for this revocable consent in accordance with Title 34 Section 7-04(a)(33) of the Rules of the City of New York.

the maintenance of a security deposit in the sum of \$43,350, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

d10-30

COURT NOTICES

SUPREME COURT

■ NOTICE

RICHMOND COUNTY IA PART 74 NOTICE OF ACQUISITION INDEX NUMBER (CY) 4036/09

IN THE MATTER OF Application of the CITY OF NEW YORK relative to acquiring title in fee simple absolute to certain real property where not heretofore acquired for portions of

FURMAN STREET (from Amboy Road to a point approximately 131 feet north westerly therefrom and

the northwesterly area of the intersection of Amboy Road and Furman Street),

in the Borough of Staten Island, City and State of New York.

PLEASE TAKE NOTICE, that by order of the Supreme Court of the State of New York, County of Richmond, IA Part 74 (Hon. Abraham G. Gerges, J.S.C.), duly entered in the office of the Clerk of the County of Richmond on December 14, 2009, the application of the City of New York to acquire certain real property, for Furman Street, was granted and the City was thereby authorized to file an acquisition map with the Office of the Clerk of Richmond County. Said map, showing the property acquired by the City, was filed with the Clerk of Richmond County on December 14, 2009. Title to the real property vested in the City of New York on December 14, 2009.

PLEASE TAKE FURTHER NOTICE, that the City has acquired the following parcels of real property:

Damage Parcel	Block	Lot
1 (bed of street)	N/A	N/A
2 (bed of street)	N/A	N/A
3	6245	Part of 25
4 (bed of street)	N/A	N/A

PLEASE TAKE FURTHER NOTICE, that pursuant to said Order and to §§ 503 and 504 of the Eminent Domain Procedure Law of the State of New York, each and every person interested in the real property acquired in the above-referenced proceeding and having any claim or demand on account thereof is hereby required, on or before December 14, 2010 (which is one (1) calendar year from the title vesting date), to file a written claim with the Clerk of the Court of Richmond County, and to serve within the same time a copy thereof on the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, New York 10007. Pursuant to EDPL § 504, the claim shall include:

- A. the name and post office address of the condemnee;
- B. reasonable identification by reference to the acquisition map, or otherwise, of the property affected by the acquisition, and the condemnee's interest therein;
- C. a general statement of the nature and type of damages claimed, including a schedule of fixture items which comprise part or all of the damages claimed; and,
- D. if represented by an attorney, the name, address and telephone number of the condemnee's attorney.

Pursuant to EDPL § 503(C), in the event a claim is made for fixtures or for any interest other than the fee in the real property acquired, a copy of the claim, together with the schedule of fixture items, if applicable, shall also be served upon the fee owner of said real property.

PLEASE TAKE FURTHER NOTICE, that, pursuant to § 5-310 of the New York City Administrative Code, proof of title shall be submitted to the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, New York 10007 on or before December 14, 2011 (which is two (2) calendar years from the title vesting date).

Dated: December 16, 2009, New York, New York
 MICHAEL A. CARDOZO
 Corporation Counsel of the City of New York
 100 Church Street - Rm. 5-235
 New York, New York 10007
 Tel. (212) 788-0710

d18-j4

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF REAL ESTATE SERVICES

■ AUCTION

PROPOSED LEASES OF CERTAIN NEW YORK CITY REAL PROPERTY

PUBLIC NOTICE IS HERBY GIVEN THAT the Deputy Commissioner of the Department of Citywide Administrative Services, Division of Real Estate Services, or his/her designee, will conduct a Sealed Bid Public Lease Auction on Thursday, January 14, 2010, at 1 Centre Street, 19th Floor North Conference, New York, NY 10007. Sealed Bids will be accepted from 10:00 A.M. to 11:00 A.M. Bids will be opened at 11:00 A.M.

In accordance with New York Administrative Code Section 4-203, these properties will be leased pursuant to the Standard Terms and Conditions. An asterisk (*) appears next to those parcels subject to Special Terms and Conditions. For further information, a Brochure and a Sealed Bid Package, visit the Office of Public Auctions at 1 Centre Street, 19th Floor North, New York, New York 10007, or call (212) 669-2111 or 311.

8 Parcels
 Borough, Block, Lot, Location
 Minimum Bid

Manhattan, Block 932, Part of Lot 17
 \$948,000 annually

Brooklyn, Block 6036, Part of Lot 1
 \$162,000 annually

Bronx, Block 3542, Part of Lot 20
 \$8,040 monthly

Queens, Block 13432, Lots: Part of Lot 6, Part of Lot 20, Part of Lot 21, Part of Lot 40, Part of Lot 46, Part of Lot 49, Part of Lot 53, Part of Lot 59, Part of Lot 65, Part of Lot 67

and

Block 13433, Lots: Part of Lot 2, 5, 10, 15, 20, Part of Lot 23,

Part of Lot 29, Part of Lot 34, Part of Lot 36, Part of Lot 53, Part of Lot 55, Part of Lot 57, Part of Lot 59, 69, Part of Lot 999 (formerly known as 150th Road)
 \$31,960 monthly

Queens, Block 13420, Lots: 8 and 999
 \$5,710 monthly

Staten Island, Block 4396, Lot: 999
 \$5,000 monthly

Brooklyn, Block 803, Part of Lot 5
 \$4,940 monthly

Brooklyn, Block 803, Part of Lot 5
 \$3,130 monthly

NOTE: Individuals requesting Sign Language Interpreters should contact Barry Gendelman, Assistant Commissioner of Property Management and Leasing, 1 Centre Street, 19th Floor North, New York, NY 10007, (212) 669-4001, no later than 14 days prior to the auction. TDD users should call Verizon relay services.

d7-j13

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."

BUILDINGS

CONTRACTS UNIT

■ INTENT TO AWARD

Services (Other Than Human Services)

SUPPORT FOR PROPRIETARY SOFTWARE – Sole Source – Available only from a single source - PIN# 81010ITX0070 – DUE 01-05-10 AT 3:00 P.M. – Any vendor who believes it is capable of providing such services may express its interest in doing so by writing to Benjamin S. Karan at the indicated address by the date and time indicated.

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 Buildings, 280 Broadway, 6th Floor, NYC.
 Lesley Jones (212) 566-4095, lejones@buildings.nyc.gov

d21-28

CHIEF MEDICAL EXAMINER

AGENCY CHIEF CONTRACTING OFFICER

■ INTENT TO AWARD

Services (Other Than Human Services)

PREVENTIVE MAINTENANCE AND REPAIR SERVICES ON RAININ INSTRUMENTS BRAND PIPETTES – Sole Source – Available only from a single source - PIN# 81611ME0007 – DUE 12-28-09 AT 3:00 P.M. –

The Office of Chief Medical Examiner intends to enter into a sole source contract with Rainin Instruments LLC, at 7500 Edgewater Drive, Oakland, CA 94621, for the preventive maintenance and repair services of Rainin Instrument brand pipettes.

Any other vendor who is capable of providing this service to the NYC Office of Chief Medical Examiner may express their interest in doing so by writing to Luis A. Rodriguez, Office of Chief Medical Examiner, 421 East 26th Street, 10th Floor NY, NY 10016. Luis A. Rodriguez (212) 323-1733 lrodriguez@ocme.nyc.gov

d18-24

CITY UNIVERSITY

■ INTENT TO AWARD

Goods

PURCHASE OF PLANAR LIPID BILAYER WORKSTATION (BLM) – Sole Source – Available only from a single source - PIN# 12142009 – DUE 12-31-09 AT 10:00 A.M. – LaGuardia Community College is entering into a sole source purchase agreement with Warner Instruments for the purchase of one (1) Planar Lipid Bilayer Workstation, part number BLM-WS. If your company can provide this specific product, please contact Tawanikka Smith, 31-10 Thomson Avenue, Room E413, Long Island City, NY 11101 (718) 482-5590 or email: tsmith@lagcc.cuny.edu

d21-28

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AWARDS

Goods

VEHICLE WASH SYSTEM – Competitive Sealed Bids – PIN# 857901050 – AMT: \$199,118.07 – TO: Hydro Engineering, Inc., 865 West 2600 South, Salt Lake City, Utah 84119.

● **FRESH FROZEN MEATS, POULTRY AND FISH - DJJ** – Competitive Sealed Bids – PIN# 857901050 – AMT: \$3,597.00 – TO: M. Slavin and Sons, LTD, 800 Food Center Drive, Bronx, NY 10474.

d24

■ VENDOR LISTS

Goods

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

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

Application for inclusion on the above enumerated Acceptable Brand Lists for foods shall be made in writing and addressed to: Purchase Director, Food Unit, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-4207.

jy17-j4

EQUIPMENT FOR DEPARTMENT OF SANITATION –

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

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

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

jy17-j4

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

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

jy17-j4

CULTURAL AFFAIRS

■ SOLICITATIONS

Goods & Services

PATRON EDGE TICKETING SOFTWARE FOR DTW – Sole Source – Available only from a single source - PIN# 1260009875 – DUE 01-15-10 AT 5:00 P.M. – The Dept. of Cultural Affairs intends to enter into negotiations with Blackbaud, Inc., for the sole source procurement of Patron Edge for RE Users, including software licenses and implementation.

The agency has determined that it is in the best interest of the City to utilize the sole source method of source selection because, based on market research, it appears that Blackbaud, Inc. is the only source for the Patron Edge

software. Any firm which believes it can also provide this category of service and would like to be considered, are invited to contact the Dept. of Cultural Affairs, 31 Chambers Street, 2nd Floor, New York, NY 10007, Attn: Louise Woehrl, Agency Chief Contracting Officer (212) 513-9310, or lwoehrl@culture.nyc.gov, no later than January 15, 2010.

d18-24

DESIGN & CONSTRUCTION

AGENCY CHIEF CONTRACTING OFFICER

■ INTENT TO AWARD

Construction / Construction Services

LNCEA09MP, LIBRARY SERVICE CENTER - PHASE 2, TO PAY FOR DESIGN AND CONSTRUCTION MANAGEMENT SERVICES, FURNITURE AND EQUIPMENT, MANHATTAN, THE BRONX, AND STATEN ISLAND – Sole Source – Available only from a single source - PIN# 8501010LN0002P – DUE 01-06-10 AT 4:00 P.M. – The Department of Design and Construction intends to enter into a sole source contract with the New York Public Library (NYPL) for the above project. The contract is for design and construction management services, furniture and equipment for the interior build-out of the space. Any firm which believes that it is qualified to provide these services is invited to indicated by letter to: Department of Design and Construction, 30-30 Thomson Avenue, 5th Floor, Long Island City, New York 11101. Steven Wong, Program Director, (718) 391-2550, wongs@ddc.nyc.gov

d22-29

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) 442-3863.

j1-d31

■ SOLICITATIONS

Goods

KLS MARTIN SURGICAL INSTRUMENTS – Sole Source – Available only from a single source - PIN# 231-10-036SS – DUE 12-30-09 AT 10:00 A.M. – The North Brooklyn Health Network (NBHN) intends to enter into a sole source contract for surgical instruments with KLS Martin L.P., 112319-1 St. Johns Ind. Pkway S., Jacksonville, FL 32246. Any other supplier who is capable of providing these products for the NBHN may express their interest in doing so by writing to Abraham Caban, Procurement Analyst, 100 North Portland Avenue, Rm. C-32, Brooklyn, NY 11205, or Abraham.Caban@nychhc.org on or before 10:00 A.M., Tuesday, December 29, 2009.

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.

North Brooklyn Health Network, 100 North Portland Avenue, C-32, Brooklyn, NY 11205. Abraham Caban (718) 260-7593 abraham.caban@nychhc.org

d22-29

VARIOUS SIZES OF SHEATHS, WIRES, AND CATHETERS FOR CARDIAC CATHETER LAB – Competitive Sealed Bids – PIN# 11110083 – DUE 01-08-10 AT 1:00 P.M. – Same as or equal to St. Jude Medical.

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.

Bellevue Hospital Center, Purchasing, 462 First Avenue, Room# 12 East 34, New York, NY 10016.
Wilda Suarez (212) 562-3950,
wilda.suarez@bellevue.nychhc.org

d24

Goods & Services

REPLACEMENT TUBE BUNDLE – Competitive Sealed Bids – PIN# RB10-391843R – DUE 01-06-10 AT 3:00 P.M. – For Serial #C026670 Patterson-Kelly Series, and to replace 8" steam Bonnet for PK #C0266670 Part #HB-0000-0120. Unit to be ASME Code constructed and provided with a complete set of gaskets, nuts and bolts.

● **ROTARY VEE BALL FISHER 6" V150# FLANGED VEE BALL WITH FIELDQ** – Competitive Sealed Bids – PIN# RB10-412361R – DUE 01-06-10 AT 3:00 P.M. – QS600 Spring return rack and pinion actuator and 3710 pneumatic positioner and air filter regulator mounted on the valve.

For copy of bid package you may e-mail rup.bhowmick@nychhc.org

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.

Kings County Hospital Center, 451 Clarkson Avenue, Brooklyn, NY 11203. Rup Bhowmick (718) 245-2122, rup.bhowmick@nychhc.org
The Support Office Building, 591 Kingston Avenue, Room 251, Brooklyn, NY 11203.

d24

Construction Related Services

REMOVE AND REPLACE EXISTING DOORS – Competitive Sealed Bids – PIN# RB10-428852 – DUE 01-08-10 AT 3:00 P.M. – 4-single doors; 1-double door in the D-Building Lobby. Bid security is required for any bid proposal; for twenty-five thousand dollars (\$25,000) or more and shall be in the form of a certified check in the amount of 2 percent of the bid price or a bid bond in the amount of 10 percent of the bid price.

Two pre-bid meetings are scheduled for December 30, 2009 and January 6, 2010 at 10:30 A.M. which will be followed by a walk thru. Vendors to meet in the Purchasing Dept. The Support Office Building, 591 Kingston Avenue, Brooklyn, NY 11203, Room 251 at 10:00 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.

Kings County Hospital Center, 451 Clarkson Avenue, Brooklyn, NY 11203. Rup Bhowmick (718) 245-2122.
The Support Office Building, 591 Kingston Avenue, Room 251, Brooklyn, NY 11203.

d24

HEALTH AND MENTAL HYGIENE

■ SOLICITATIONS

Services (Other Than Human Services)

NEW YORK CITY DRUG DISCOUNT CARD – Request for Proposals – PIN# 11HM000700R0X00 – DUE 02-18-10 AT 2:00 P.M. – The Department is seeking to reduce the cost of drugs for NYC residents by sponsoring a "City of New York" drug discount card. As such, the Department is seeking an appropriately qualified concessionaire to serve as a Pharmacy Benefit Manager. There will be one (1) three-year term, with one (1) three-year option to renew, exercisable at the Department's sole discretion. No longer term will be considered. This concession will be operated pursuant to a License issued by the Department; no other leasehold or other proprietary right is offered.

A pre-proposal conference is scheduled for January 6, 2010 at 10:00 A.M. at 161 William Street, 6th Floor, New York, New York 10038.

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, 225 Broadway, 17th Floor New York, NY 10007. Eric Zimiles (212) 442-6506, ezimiles@health.nyc.gov

d17-31

■ INTENT TO AWARD

Goods

UPGRADE KITS FOR THE SMART CYCLERS – Sole Source – Available only from a single source - PIN# 10LB058601R0X00 – DUE 01-04-10 AT 4:00 P.M. – The NYC DOHMH intends to enter a Sole Source contract with Cepheid, Inc. to provide upgrade kits for the Smart Cyclers. The term of this contract will be from 1/1/2010 to 1/10/2011. Any vendor that believes it can also provide these services for such procurement in the future is invited to indicate an expression of intent by letter.

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, 455 First Avenue, 12th Floor New York, NY 10016. Geri Bell (212) 447-2588 gbell@health.nyc.gov

d22-29

Services (Other Than Human Services)

MAINTENANCE OF IBM MACHINES – Sole Source – Available only from a single source - PIN# 10MI067801R0X00 – DUE 12-30-09 AT 4:00 P.M. – The Department intends to award a contract to International Business Machines Corporation (IBM) for maintenance of IBM equipment (annual IBM maintenance renewal). The contract term will be from 7/1/09 to 6/30/12. Any vendor that believes they can also provide these services for such procurement in the future is invited to indicate an expression of intent by letter which must be received no later than December 30, 2009 at 4:00 P.M. to the above officer.

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

Health and Mental Hygiene, 22 Cortlandt Street, 28th Fl., New York, NY 10013. Lisa Grace (212) 313-5108 lgrace@health.nyc.gov

d22-29

PICK UP DELIVERY SERVICES FOR SPECIMENS – Sole Source – Available only from a single source - PIN# 10LB051501R0X00 – DUE 01-04-10 AT 4:00 P.M. – The NYC DOHMH intends to enter a Sole Source contract with Federal Express Corporation to provide services for transportation of Infectious substances. The term of this contract will be from March 3, 2010 to March 1, 2014.

Any vendor that believes it can also provide these services for such procurement in the FUTURE is invited to indicate an expression of intent by letter.

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, 455 First Avenue, 12th Floor, New York, NY 10016. Geri Bell (212) 447-2588, gbell@health.nyc.gov

d21-28

AGENCY CHIEF CONTRACTING OFFICER

■ AWARDS

Human / Client Service

NY/NY III CONGREGATE SUPPORTIVE HOUSING FOR HOMELESS FAMILIES – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 08PO076313R0X00 – AMT: \$2,099,637.00 – TO: Community Lantern Corporation, 690 Eighth Avenue, 6th Floor, New York, NY 10036.

● **APPLICATION/SYSTEM SERVICES, SUPPORT AND MAINTENANCE** – Intergovernmental Purchase – Available only from a single source -

PIN# 09MI060701R0X00 – AMT: \$1,000,000.00 – TO: JYACC, Inc., 22 Cortlandt Street, 18th Floor, New York, NY 10007.

☛ d24

HOMELESS SERVICES

OFFICE OF CONTRACTS AND PROCUREMENT

■ SOLICITATIONS

Human/Client Service

TRANSITIONAL RESIDENCES FOR HOMELESS/DROP-IN CENTERS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-25-10 AT 10:00 A.M. – The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

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

*Department of Homeless Services, 33 Beaver Street
13th Floor, New York, NY 10004.*

Marta Zmoira (212) 361-0888, mzmaira@dhs.nyc.gov

j12-24

HOUSING AUTHORITY

■ SOLICITATIONS

Construction/Construction Services

BUILDING ENTRANCE IMPROVEMENTS AT EAST 173RD ST. / VYSE AVENUE – Competitive Sealed Bids – PIN# GR9012062 – DUE 01-12-10 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

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

*Housing Authority, 90 Church Street, 11th Floor
New York, NY 10007. Gloria Guillo, MPA, CPPO
(212) 306-3121, gloria.guillo@nycha.nyc.gov*

d18-24

HOUSING PRESERVATION & DEVELOPMENT

DIVISION OF MAINTENANCE

■ AWARDS

Construction/Construction Services

LEAD ABATEMENT IN PRIVATELY OWNED BUILDINGS – Competitive Sealed Bids – PIN# 806099708274 – AMT: \$779,711.00 – TO: Linear Environmental Corp., 10-25 44th Avenue, Long Island City, NY 11101.

☛ d24

JUVENILE JUSTICE

■ SOLICITATIONS

Human/Client Service

PROVISION OF NON-SECURE DETENTION GROUP HOMES – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 13010DJ000 – DUE 06-30-11 AT 2:00 P.M. – The Department of Juvenile Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 2:00 P.M. on 6/30/11.

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

*Department of Juvenile Justice, 110 William Street
14th Floor, New York, NY 10038.*

Chuma Uwechia (212) 442-7716, cuwechia@djj.nyc.gov

jy1-d16

PARKS AND RECREATION

REVENUE AND CONCESSIONS

■ SOLICITATIONS

Services (Other Than Human Services)

OPERATION OF THREE (3) MOBILE FOOD UNITS AND THE RENOVATION, OPERATION, AND MANAGEMENT OF A PARKING LOT, SNACK BAR, AND BEACH SHOP – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# B251-SB,PL – DUE 01-22-10 AT 3:00 P.M. – At Manhattan Beach, Brooklyn.

Parks will hold an on-site proposer meeting and site tour on Thursday, January 7, 2010 at 11:00 A.M. at the parking lot entrance at Oriental Blvd. and Irwin Street in Brooklyn. All interested parties are urged to attend.

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

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

*Parks and Recreation, The Arsenal-Central Park
830 Fifth Avenue, Room 407, New York, NY 10021.*

Joel Metlen (212) 306-1397, joel.metlen@parks.nyc.gov

d17-31

RENOVATION, OPERATION AND MAINTENANCE OF A MARINA AND OPTIONAL FOOD SERVICE FACILITY – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# R79-M – DUE 01-29-10 AT 3:00 P.M. – At Lemon Creek Park, Staten Island. Parks will hold an on-site proposer meeting and site tour on Thursday, January 14, 2010 at 11:00 A.M. We will be meeting at Lemon Creek Park along Lemon Creek, which is situated just off of Raritan Bay and Johnson Terrace between Seguine Avenue and Bayview in the parking lot off of Seguine Avenue. All interested parties are urged to attend.

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

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

*Parks and Recreation, The Arsenal-Central Park
830 Fifth Avenue, Room 407, New York, NY 10021.*

Sandra Huber (212) 360-1397, sandra.huber@parks.nyc.gov

d18-j4

SANITATION

AGENCY CHIEF CONTRACTING OFFICER

■ SOLICITATIONS

Construction/Construction Services

RESINOUS FLOORING INSTALLATION MECHANIC GARAGE, QUEENS 7 ANNEX AT (30-19 122ND STREET, QUEENS, NY 11354) – Competitive Sealed Bids – PIN# 82709RR00055 – DUE 01-28-10 AT 11:00 A.M. – Bid Estimate - \$265,000. There is a \$40.00 refundable fee for this bid document, postal money order only, please make payable to “Comptroller, City of New York.”

Optional pre-bid conference 01/06/10 at 10:30 A.M. Last day for questions is 01/15/10 at 3:00 P.M., please contact Frank Mitchell at (917) 237-5542, or e-mail at fmitchell@dsny.nyc.gov.

In accordance with Schedule A of the bid document, if your bid is over \$500,000, you must submit a certified check or money order equal to 5 percent of the Bid amount or Bid Bond with Penal Sum equal to 10 percent of the Bid amount. “This Procurement is subject to Local Law 129.”
VSD#: 65527.

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 Sanitation, 51 Chambers Street, Room 806,
New York, NY 10007. ACCO, (917) 237-5358, (917) 237-5357.*

☛ d24

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction/Construction Services

FLOOD ELIMINATION – Competitive Sealed Bids – PIN# SCA10-12031D-1 – DUE 01-11-10 AT 11:00 A.M. – JHS 10 (Queens). Project Range: \$1,090,000.00 to \$1,151,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order only. Make checks payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

*School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Rookmin Singh (718) 752-5843
rsingh@nycsca.org*

d21-28

STUDENT TOILET RENOVATION – Competitive Sealed Bids – PIN# SCA10-12030D-1 – DUE 01-12-10 AT 11:00 A.M. – P.S. 40 (Queens). Project Range: \$1,200,000.00 to \$1,264,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

*School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Anthony Largie (718) 752-5842
alargie@nycsca.org*

d23-30

BUREAU OF CONTRACTS AND SERVICES

■ SOLICITATIONS

Construction/Construction Services

PARAPETS AND ROOFS – Competitive Sealed Bids – PIN# SCA10-12793D-1 – DUE 01-14-10 AT 11:00 A.M. – PS 184 (Manhattan). Formerly known as PS 137. Project Range: \$1,150,000.00 to \$1,212,000.00. Non-refundable document fee \$100.00.

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, rforde@nycsca.org

☛ d24-31

PROCUREMENT

■ SOLICITATIONS

Construction/Construction Services

PARAPETS/EXTERIOR MASONRY – Competitive Sealed Bids – PIN# 10-13040D-1 – DUE 01-07-10 AT 10:30 A.M. – PS 55 (Queens). Project Range: \$3,491,000.00 - \$3,700,000.00. Pre-bid meeting 12/28/09 at 10:00 A.M. Non-

refundable bid document charge: \$100.00, certified check or money order only. Make payable to The New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

*School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Iris Vega (718) 472-8292,
ivega@nycsca.org*

d21-28

PLAYGROUND AND TCU REMOVALS – Competitive Sealed Bids – PIN# 10-12751D-1 – DUE 01-15-10 AT 10:30 A.M. – PS 34 (Queens). Project Range: \$1,240,000.00 - \$1,310,000.00. Pre-bid meeting 1/5/10 at 10:00 A.M. at 104-12 Springfield Blvd, Queens Village, NY 11428. Meet at the Custodian's office. Bidders are strongly urged to attend. Non-refundable bid document charge: \$100.00, certified check or money order only. Payable to New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

*School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Iris Vega (718) 472-8292
ivega@nycsca.org*

☛ d24-31

AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

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

DESIGN & CONSTRUCTION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, January 7, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Design and Construction of the City of New York and LiRo Engineers, Inc., 3 Aerial Way, Syosset, NY 11791, for PW348-54, Construction Management/Design/Build for Removal/ Upgrade/Replacement of City-Owned Petroleum Storage Tanks, Citywide. The contract amount shall be \$15,000,000.00. The contract term shall be 1,095 Consecutive Calendar Days from the date of registration with one renewal option of 365 Consecutive Calendar Days for \$3,000,000. PIN#: 8502009VP0041P.

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

A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Professional Contracts Section, 30-30 Thomson Avenue, Fourth Floor, Long Island City, New York 11101, from December 24, 2009 to January 7, 2010, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M. Contact Kareem Alibocas at (718) 391-3038.

IN THE MATTER of a proposed contract between the Department of Design and Construction of the City of New York and Louis Berger & Associates, P.C., 199 Water Street, 23rd Floor, New York, NY 10038, for PW311GEN1, Requirements Contract for Environmental Services for Various Projects, Boroughs of Brooklyn and Queens. The contract amount shall be \$2,000,000.00. The contract term shall be 1,095 Consecutive Calendar Days from the date of written notice to proceed with one renewal option of 730 Consecutive Calendar Days for up to \$1,000,000.00. PIN#: 8502009PW0005P.

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

A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Professional Contracts Section, 30-30 Thomson Avenue, Fourth Floor, Long Island City, New York 11101, from December 24, 2009 to January 7, 2010, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M. Contact Carlo Di Fava at (718) 391-1541.

IN THE MATTER of a proposed contract between the Department of Design and Construction of the City of New York and The New York Academy of Medicine, 1216 Fifth Avenue, New York, NY 10029, for HL82NYAMD, New York Academy of Medicine - Education and Conference Center Upgrade, Borough of Manhattan. The contract amount shall be \$5,550,000. The contract term shall be 365 Consecutive Calendar Days from the date of registration. PIN#: 8502008HL0008P.

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

A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Professional Contracts Section, 30-30 Thomson Avenue, Fourth Floor, Long Island City, New York 11101, from December 24, 2009 to January 7, 2010, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M. Contact Hemwattie Roopnarine at (718) 391-1375.

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HEALTH AND MENTAL HYGIENE

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, January 7, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Health and Mental Hygiene and the Contractor listed below, to provide a Consultant for City Environmental ULURP Applications. The contract term shall be from December 1, 2009 to November 30, 2014.

Contractor/Address

The Louis Berger Group, Inc.
199 Water Street, 23rd Floor New York, NY 10038

PIN# 100O005801R0X00 **Amount** \$1,080,412.00

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

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, NY 10013, from December 24, 2009 to January 7, 2010, excluding Weekends and Holidays, from 10:00 A.M. to 4:00 P.M.

IN THE MATTER of a proposed contract between the Department of Health and Mental Hygiene and the Contractor listed below, for evaluation and training on the Carrera Adolescent Pregnancy Prevention Program Integrated In-School Model. The contract term shall be from July 1, 2009 to June 30, 2010.

Contractor/Address

The Children's Aid Society
105 East 22nd Street, New York, NY 10010

PIN# 10FN061501R0X00 **Amount** \$121,350

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

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, NY 10013, from December 24, 2009 to January 7, 2010, excluding Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 P.M.

Anyone who wishes to speak at this Public Hearing should request to do so in writing. The written request must be received by the Department within 5 business days after the publication of this notice. Written requests to speak should be sent to Joyce Scott, 93 Worth Street, Room 812, New York, NY 10013, or to jscott1@health.nyc.gov. If DOHMH does not receive any written requests to speak within the prescribed time, DOHMH reserves the right not to conduct the Public Hearing.

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HOUSING PRESERVATION & DEVELOPMENT

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, January 7, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Housing Preservation and Development of The City Of New York and the American Red Cross In Greater New York, 520 West 49th Street, New York, NY 10019, for Disaster Relief Services, Citywide. The contract amount shall be \$8,500,000. The contract term shall be from December 1, 2009 to November 30, 2014 with one one-year option to renew from December 1, 2014 to November 30, 2015. PIN#: 806099020002.

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

A draft copy of the proposed contract is available for public inspection at the Department of Housing Preservation and Development, 100 Gold Street, 8th Floor, Room 8-S6, New York, NY 10038, on business days, excluding Holidays, from December 24, 2009 to January 7, 2010, from 10:00 A.M. to 4:00 P.M. Contact Ms. Angela Blake Fields at Room# 8-S6, (212) 863-6655.

IN THE MATTER of a proposed contract between the Department of Housing Preservation and Development and Brooklyn Housing & Family Services, Inc., 415 Albemarle Road, Brooklyn, NY 11218, for the provision of Community Consultant Services in all Community Districts, Borough of Brooklyn. The contract amount shall be \$115,506.78. The contract term shall be from July 1, 2009 to June 30, 2010. PIN#: 806100000020.

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

A draft copy of the proposed contract is available for public inspection at the Department of Housing Preservation and Development, 100 Gold Street, 8th Floor, Room 8-S6, New York, NY 10038, on business days, from December 24, 2009 to January 7, 2010, excluding Holidays, from 10:00 A.M. to 4:00 P.M. Contact Ms. Angela Blake Fields at Room# 8-S6, (212) 863-6655.

IN THE MATTER of a proposed contract between the Department of Housing Preservation and Development and the Center for New York City Neighborhoods, 74 Trinity Place, Suite 1302, New York, NY 10006, for the provision of a Mortgage Foreclosure Prevention Program, Citywide. The

contract amount shall be \$500,000. The contract term shall be from July 1, 2009 to June 30, 2010. PIN#: 806100000056.

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

A draft copy of the proposed contract is available for public inspection at the Department of Housing Preservation and Development, 100 Gold Street, 8th Floor, Room 8-S6, New York, NY 10038, on business days, from December 24, 2009 to January 7, 2010, excluding Holidays, from 10:00 A.M. to 4:00 P.M. Contact Ms. Angela Blake Fields at Room# 8-S6, (212) 863-6655.

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HUMAN RESOURCES ADMINISTRATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, January 7, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Human Resources Administration of the City of New York and the Contractor listed below, for the provision of pick up, destruction and disposal of confidential HRA documents, Citywide. The contract term shall be from January 9, 2010 to January 8, 2013.

Contractor/Address

New York State Industries for the Disabled, Inc.
11 Columbia Circle Drive, Albany, NY 12203
PIN# 069-10-310-0006 **Amount** \$198,576.00

The proposed contractor has been selected by means of a Required Method of Source Selection (Preferred Source), pursuant to Section 1-02 (d) (1) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Human Resources Administration of the City of New York, Office of Purchasing and Materials Management, 180 Water Street, 7th Floor, New York, NY 10038, on business days, from December 24, 2009 to January 7, 2010, from 10:00 A.M. to 4:00 P.M.

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POLICE

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, January 7, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Police Department of the City of New York and MorphoTrak, Inc., 3 Washington Square, Albany, New York 12205, for the maintenance of the NYPD's Automated Fingerprint Identification System (AFIS). The contract amount shall be \$3,941,375. The contract term shall be from July 1, 2009 to June 30, 2014 with two two-year options to renew from July 1, 2014 to June 30, 2016 and from July 1, 2016 to June 30, 2018. PIN#: 056090000683.

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

A draft copy of the proposed contract is available for public inspection at the New York City Police Department, Contract Administration Unit, 51 Chambers Street, Room 310, New York, New York 10007, on business days, excluding Holidays, from December 24, 2009 to January 7, 2010, from 9:30 A.M. to 4:30 P.M. Please contact the Contract Administration Unit at (646) 610-5753 to arrange a visitation.

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SMALL BUSINESS SERVICES

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, January 7, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of two (2) proposed contracts between the Department of Small Business Services (SBS) and the Contractors listed below, to provide consulting and worker training programs, Citywide. The contract term for each contract shall be from July 1, 2009 to June 30, 2010.

Contractor/Address

1. Non-Traditional Employment for Women
243 West 20th Street New York, NY 10011
Amount \$190,000 **PIN#** 801-SBS100056

2. Consortium for Worker Education
275 7th Avenue New York, NY 10001

Amount \$2,284,000 **PIN#** 801-SBS100057

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

Draft copies of the proposed contracts are available for public inspection at the Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, from December 24, 2009 to January 7, 2010, excluding Weekends and Holidays, from 9:00 A.M. to 5:00 P.M.

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TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, January 7, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Transportation of the City of New York and Hardesty & Hanover, LLP, 1501 Broadway, New York, NY 10036, for the provision of Total Design and Construction Support Services for Component Rehabilitation of 9 Bridges, Boroughs of Brooklyn, Bronx, Manhattan and Queens, Contract No. HBCR02A. The contract amount shall be \$2,676,900.50. The contract term shall be 1,825 Consecutive Calendar Days from Date of Written Notice to Proceed until final completion of the construction contract. PIN#: 84109MBBR375.

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

A draft copy of the proposed contract is available for public inspection at the Department of Transportation, Office of the Agency Chief Contracting Officer, 55 Water Street, New York, NY 10041, from December 24, 2009 to January 7, 2010, excluding Saturdays, Sundays and Legal Holidays, from 9:00 A.M. to 5:00 P.M.

IN THE MATTER of a proposed contract between the Department of Transportation of the City of New York and Greenman - Pedersen, Inc., 325 W. Main Street, Babylon, NY 11702, for the provision of Engineering Service Agreement (ESA) for Resident Engineering Inspection and Other Related Services, Citywide, Contract No. HBESA09A. The contract amount shall be \$5,000,000.00. The contract term shall be 1,461 Consecutive Calendar Days from the Date of Written Notice to Proceed with one option to renew for an additional 1,461 Consecutive Calendar Days under the same contract terms and conditions at the sole discretion of the City. PIN#: 84109MBBR391.

The proposed consultant has been selected by means of a Required Method of Source Selection, pursuant to Section 1-02 (d) (1) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Transportation, Office of the Agency Chief Contracting Officer, 55 Water Street, New York, NY 10041, from December 24, 2009 to January 7, 2010, excluding Saturdays, Sundays and Legal Holidays, from 9:00 A.M. to 5:00 P.M.

IN THE MATTER of a proposed contract between the Department of Transportation of the City of New York and HNTB New York Engineering & Architecture, PC, 5 Penn Plaza, 6th Floor, New York, NY 10001, for the provision of Engineering Service Agreement (ESA) for Design and Other Related Services, Citywide, Contract No. HBESA09C. The contract amount shall be \$5,000,000.00. The contract term shall be 1,461 Consecutive Calendar Days from the Date of Written Notice to Proceed with one option to renew for an additional 1,461 Consecutive Calendar Days under the same contract terms and conditions at the sole discretion of the City. PIN#: 84109MBBR393.

The proposed consultant has been selected by means of a Required Method of Source Selection, pursuant to Section 1-02 (d) (1) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Transportation, Office of the Agency Chief Contracting Officer, 55 Water Street, New York, NY 10041, from December 24, 2009 to January 7, 2010, excluding Saturdays, Sundays and Legal Holidays, from 9:00 A.M. to 5:00 P.M.

IN THE MATTER of a proposed contract between the Department of Transportation of the City of New York and Weidlinger Associates Consulting Engineers, P.C., 375 Hudson Street, New York, NY 10014, for the provision of Engineering Service Agreement (ESA) for Design and Other Related Services, Citywide, Contract No. HBESA09D. The contract amount shall be \$5,000,000.00. The contract term shall be 1,461 Consecutive Calendar Days from the Date of Written Notice to Proceed with one option to renew for an additional 1,461 Consecutive Calendar Days under the same contract terms and conditions at the sole discretion of the City. PIN#: 84109MBBR394.

The proposed consultant has been selected by means of a Required Method of Source Selection, pursuant to Section 1-02 (d) (1) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Transportation, Office of the Agency Chief Contracting Officer, 55 Water Street, New York, NY 10041, from December 24, 2009 to January 7, 2010, excluding Saturdays, Sundays and Legal Holidays, from 9:00 A.M. to 5:00 P.M.

IN THE MATTER of a proposed contract between the Department of Transportation of the City of New York and LiRo Engineers, Inc., 3 Aerial Way, Syosset, NY 11791, for the provision of Engineering Service Agreement (ESA) for Resident Engineering Inspection and Other Related Services, Citywide, Contract No. HBESA09B. The contract amount shall be \$5,000,000.00. The contract term shall be 1,461 Consecutive Calendar Days from the Date of Written Notice to Proceed with one option to renew for an additional 1,461 Consecutive Calendar Days under the same contract terms and conditions at the sole discretion of the City. PIN#: 84109MBBR392.

The proposed consultant has been selected by means of a Required Method of Source Selection Process, pursuant to Section 1-02 (d) (1) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Transportation, Office of the Agency Chief Contracting Officer, 55 Water Street, New York, NY 10041, from December 24, 2009 to January 7, 2010, excluding Saturdays, Sundays and Legal Holidays, from 9:00 A.M. to 5:00 P.M.

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AGENCY RULES

ENVIRONMENTAL CONTROL BOARD

■ NOTICE

Notice of Promulgation of Rule

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board (ECB) by section 1049-a of the New York City Charter, and in accordance with section 1043(b) of the Charter, that the Environmental Control Board hereby promulgates the following rule. The rule was published in The City Record on October 19, 2009 and a Public Hearing was held on November 19, 2009.

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

Section 1. The Air Code Penalty Schedule found in Section 3-102 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to add the following material immediately after the Heading entitled "PERCHLOROETHYLENE DRY CLEANING FACILITIES" to read as follows:

SECTION	DESCRIPTION	1st	1st	2ND/3RD	2ND/3RD	DEFAULT
		OFF.	STIP.	&SUBSQ.	&SUBSQ.	
15 RCNY 12-04(a)	Installation of perc dry cleaning machine in residential building after 7/13/06	750	No	875	No	875
15 RCNY 12-04(b)	Failure to eliminate perc use in specified machines by 7/13/09	750	No	875	No	875

Section 2. The Air Code Penalty Schedule found in Section 3-102 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to add the following material immediately after the entry in that penalty schedule for 15 RCNY 12-14(a)(2), "Failure to have operator certification," to read as follows:

SECTION	DESCRIPTION	1st	1st	2ND/3RD	2ND/3RD	DEFAULT
		OFF.	STIP.	&SUBSQ.	&SUBSQ.	
15 RCNY 12-14(e)	Failure to attend required DEC training and hold valid DEC certificate	750	750	875	No	875

Section 3. The Air Code Penalty Schedule found in Section 3-102 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to change the material currently found in the entry in that penalty schedule for 15 RCNY 12, "Failure to comply with perc drycleaner rule," to read as follows:

SECTION	DESCRIPTION	1st	1st	2ND/3RD	2ND/3RD	DEFAULT
		OFF.	STIP.	&SUBSQ.	&SUBSQ.	
15 RCNY 12	[Failure to comply with perc drycleaner rule] Violation of perc dry cleaner rules	750	No	875	No	875

Statement of Basis and Purpose of Final Rule

The Environmental Control Board (ECB) held a Public Hearing on November 19, 2009 on amendments to the Air Code Penalty Schedule found in Section 3-102 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York. Neither written comments nor oral testimony were presented.

In sections 1 and 2 of this final rule, the Board has revised the Air Code Penalty Schedule found in Section 3-102 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York (RCNY) by adding two new charges for violations of section 15 RCNY 12-04 and one new charge for a violation of section 15 RCNY 12-14(e) respectively. These charges are being added to ECB's Air Code Penalty Schedule in light of recently promulgated amendments to 15 RCNY Chapter 12, Rules Governing and Restricting the Use of Perchloroethylene (perc) at Dry Cleaning Facilities in the City of New York. Those amendments were promulgated by the Department of Environmental Protection (DEP) to reflect changes in the national emissions standards for perc.

15 RCNY 12-04(a) prohibits the installation of perc dry cleaning machinery in a residential building after July 13, 2006. 15 RCNY 12-04(b) requires that by July 13, 2009, the use of perc be eliminated from dry cleaning machinery that was installed in residential buildings between December 21, 2005 and July 13, 2006. 15 RCNY 12-14(e) requires dry cleaning owners and/or managers and all machine operators of perc dry cleaning machines to attend sixteen hours of training, to pass a state-administered test and to hold valid DEC Owner/Manager Certifications and/or Operator Certificates. The penalties for these new sections are in line with those currently in effect for most violations of the Perc Dry Cleaner Rules.

In section 3, the Board has revised the description of 15 RCNY 12 for violations of perc dry cleaner rules not specifically set out in this penalty schedule.

Notice of Promulgation of Rule

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board (ECB) by section 1049-a of the New York City Charter, and in accordance with section 1043(b) of the Charter, that the Environmental Control Board hereby promulgates the following rule. The rule was published in The City Record on October 19, 2009 and a Public Hearing was held on November 19, 2009.

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

Section 1. The Water Penalty Schedule found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to add the following material immediately after the entry in that penalty schedule for section 24-339, "Distribution/Sale/Import/Installation of water wasting plumbing fixtures," to read as follows:

SECTION	DESCRIPTION	PENALTY	DEFAULT
A.C. 24-346(b)	Failed to comply with Commissioner's Order	750	1,000

Section 2. The Water Penalty Schedule found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to increase the penalty for violations of section 15 RCNY 20-04(e), "Failed to submit an annual test report for a backflow preventer," to read as follows:

SECTION	DESCRIPTION	PENALTY	DEFAULT
15 RCNY 20-04(e)	Failed to submit an annual test report for a backflow preventer	[350] 500 or mitigation pen. of \$0*	1,000

Section 3. The Water Penalty Schedule found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to revise the material currently found in the entry in that penalty schedule for 15 RCNY 29-05(i), "Meter not readily accessible," and 15 RCNY 20-05(i)(2-11), "Improper setting of meter," to read as follows:

SECTION	DESCRIPTION	PENALTY	DEFAULT
15 RCNY [29-05(i)] 20-05(i)(1)	Meter not readily accessible	250	1,000
15 RCNY [20-05(i)] (2-11) 20-05(i)(2-12)	Improper setting of meter	250	1,000

Section 4. The Water Penalty Schedule found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to revise the material currently found in the entry in that penalty schedule for 15 RCNY 20-05(p), "Inadequate protection of meter/remote receptacle," to read as follows:

SECTION	DESCRIPTION	PENALTY	DEFAULT
15 RCNY 20-05(p)	Inadequate protection of meter/remote receptacle/AMR transmitter/wiring	250	1,000

Section 5. The Water Penalty Schedule found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to add the following material immediately after the entry in that penalty schedule for section 15 RCNY 20-06, "A.C./refrigeration violation," to read as follows:

SECTION	DESCRIPTION	PENALTY	DEFAULT
15 RCNY 20-07(c)	Failed to submit self-certification of domestic water service pipe installation	250	1,000

Section 6. The Water Penalty Schedule found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to revise the material currently found in the entry in that penalty schedule for 15 RCNY 20-08(a)(5), "Lawn/garden watering prohibited time/manner," 15 RCNY 20-08(a)(6), "Sidewalk flushing prohibited time/manner" and 15 RCNY 20-08(a)(7), "Prohibited use of water for car washing," to read as follows:

SECTION	DESCRIPTION	PENALTY	DEFAULT
15 RCNY [20-08(a)5] 20-08(a)(6)	Lawn/garden watering prohibited time/manner	150	1,000
15 RCNY [20-08(a)6] 20-08(a)(7)	Sidewalk flushing prohibited time/manner	150	1,000
15 RCNY [20-08(a)8] 20-08(a)(9)	Prohibited use of water for car washing	150	1,000

Statement of Basis and Purpose of Final Rule

The Environmental Control Board (ECB) held a Public Hearing on November 19, 2009 on various amendments to the Water Penalty Schedule found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York. Neither written comments nor oral testimony were presented.

The Department of Environmental Protection (DEP) recently promulgated amendments to 15 RCNY Chapter 20, Rules Governing and Restricting the Use and Supply of Water. These amendments were promulgated in order to reflect changes in technology related to metering, water service and connections and permit tracking. As a result, ECB's Water Penalty Schedule, found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York has been revised. Other changes, reflecting current DEP rules and operations are included in this final rule.

In section 1 of the final rule, the Board has added a new charge for Failure to Comply with Commissioner's Orders. The Bureau of Water & Sewer Operations routinely issues Commissioner's Orders related to compliance with backflow prevention and other requirements. The addition of a penalty for this section to ECB's Water Penalty Schedule will enable DEP to better protect the City's water supply.

In section 2 of the final rule, the Board has increased the penalty for section 15 RCNY 20-04(e), "Failed to submit an annual test report for a backflow preventer" from \$350 to \$500. This change is needed because the lower penalty of \$350 was an insufficient incentive to achieve compliance by building owners because the cost of the test was more than the penalty.

In sections 3, 4 and 6 of the final rule, the Board has renumbered certain sections to conform to changes in DEP's amended rules.

In section 5 of the final rule, the Board has added a new charge for a violation of section 15 RCNY 20-07 (c), "Failure to submit self-certification of domestic water service pipe installation." This section provides that if DEP waives its right to conduct a non-mandatory inspection of domestic water service pipe installation, the Licensed Master Plumber must submit the tap location with certification that all work was performed in accordance with the water rules and all other applicable rules.

TRANSPORTATION

■ NOTICE

NOTICE OF ADOPTION of amendments to the rules relating to the ferry terminals and vessels under the jurisdiction of the New York City Department of Transportation.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Commissioner of Transportation by subdivision (c) of Section 2903 of the New York City Charter, and in accordance with the requirements of Section 1043 of the New York City Charter, that the Department of Transportation hereby adopts the amendments to Chapter 1 of Title 34 of the Official Compilation of the Rules of the City of New York. These rules were published in the City Record on October 30, 2009, and a public hearing was held on December 2, 2009. These rules shall take effect 30 days from the date hereof.

Matter underlined is new; matter in [brackets] is deleted.

Chapter 1 of Title 34 of the Rules of the City of New York is amended to read as follows:

§ 1-01 Definitions.

Commissioner. "Commissioner" means the Commissioner of [the Department of] Transportation or [the chief executive officer] his/her designee, or any successor in function to the Commissioner of any successor agency thereof.

Department. "Department" means the Department of Transportation of the City of New York and any successor agency thereof.

Ferry. "Ferry" means any vessel that transports passengers or vehicles pursuant to a regular schedule in either direction between the Borough of Manhattan and the Borough of Staten Island [which] and is owned and operated by the City of New York.

Manager. "Manager," with respect to the terminals (as defined herein), means the Chief Operating Officer, Executive Director of Safety and Security, Director of Terminal Operations, Director of Ferry Operations, Facility Security Officer, Ferry Terminal Manager, Safety Manager, Security Inspector and Ferry Terminal Supervisor as designated by the Department [of Transportation] to exercise the powers and functions vested in him/her by these rules in either terminal, and his/her duly designated representatives, and, with respect to the ferries, means the Captain designated by the Department of Transportation to exercise the powers and functions vested in him/her by these rules and general maritime law aboard any ferry, and his/her duly designated representatives.

Motor vehicle. "Motor vehicle" means any automobile, truck, bus, motorcycle, moped, or other vehicle that is propelled by [a motor] any power other than muscular power.

Owner. "Owner" means any person owning, operating, or having the use of a vehicle (as defined in § 159 of the New York Vehicle and Traffic Law), bicycle or any other personal property.

Permission. "Permission" means permission or authorization granted by the Commissioner or Manager except where otherwise specifically provided.

Permit. "Permit" means, unless otherwise herein provided, any written authorization issued by or under the authority of the Commissioner or Manager for a specialized privilege, permitting the performance of a specified act or acts in the terminals or on the ferries.

Person. "Person" means any natural person, corporation, society, organization, incorporated or unincorporated association, form, or partnership, and shall include any assignee, receiver, trustee, executor, administrator or similar representative appointed by a court, and shall mean the United States of America or any political subdivision thereof, or any foreign government or political subdivision thereof.

Person with a Disability. A person with a disability is an individual with a physical or mental impairment that, on a permanent or temporary basis, substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.

Personal audio device. "Personal audio device" means a portable sound reproduction device as normally and customarily used for personal purposes, including but not limited to a personal radio, phonograph, television receiver, tape recorder, cassette player, compact disc player, or mp3 player.

Police officer. "Police officer" means any member of the Police Department of the City of New York and any [other City employee who is a Special Patrolman appointed and sworn in by the Police Commissioner who performs special duty in or at the terminals or on the ferries] person designated as a peace officer pursuant to section 2.10 of the New York State Criminal Procedure Law when acting pursuant to his/her special duty in or at the terminals or on the ferries.

Rule. "Rule" means, unless otherwise herein provided, any rule promulgated pursuant to § 2903(c) of the New York City Charter and in compliance with the requirements of Chapter 45 of the New York City Charter.

Service animal. A "service animal" is any animal that is [individually] specifically trained [or able] to provide assistance to a person with a disability, or any animal shown by documentation to be necessary for the emotional well being of a passenger].

Sound reproduction device. "Sound reproduction device" means any device intended primarily for the production or reproduction of sound, including, but not limited to, any radio receiver, phonograph, television receiver, musical instrument, tape recorder, [cassette or disc player, speaker device] or [system and any] electronic sound [amplifier] amplifying system.

Storage. "Storage" means the use of space on the ferries or in the ferry terminals to keep materials or possessions.

Terminals. "Terminals," used in the plural, includes both the ferry terminal located at Whitehall Street in the Borough of Manhattan and the ferry terminal located at St. George in the Borough of Staten Island. "Terminals" shall also include the other ferry terminals and landings owned and/or operated by the Department. Each terminal may also be referred to herein by its specific location, in which case

“terminal” shall mean only the terminal referred to. Each terminal [will] may have a different Manager. “Terminal” includes [the vehicular queuing] areas approaching the ferry slips and all other city-owned real property upon which the terminal building is situated, and the surrounding grounds thereof as designated on the city map.

§ 1-02 [Rules of Conduct] Prohibited Uses.

(a) Permission to use terminals and ferries is conditional. Any permission granted by the Department directly or indirectly, expressly or by implication, to any person to enter upon or use the terminals or ferries, or any part thereof, is conditioned upon acceptance of and compliance with this chapter, as from time to time may be amended, and entry upon or into the terminals or ferries by any person shall be deemed to constitute an agreement by such person to comply with such rules; provided, however, that such rules shall not apply to premises or spaces occupied or used under the provisions of a written agreement made with the Department unless provision is made therein for the application of such rules.]

(b) Use of terminals or ferries may be denied persons violating laws or rules. The Manager shall have the authority to deny use of the terminals or ferries to any individual violating Department rules or laws, ordinances or regulations of the United States government, the State of New York, or the City of New York, which relate to conduct in public places or in the terminals or the ferries.]

(c) Restricted areas and times. Permission to enter certain areas of the terminals or ferries is restricted as follows:]

(1) No person, except a person assigned to duty therein, shall enter without permission any area of the terminals or ferries posted as being closed to the public.]

(2) In the event that portions of the terminals are closed to all members of the general public except passengers, any person shall, when entering or remaining in such portions of the terminals, if requested by the Manager or a police officer, exhibit such authorization as shall be prescribed by the Commissioner.]

(d) Unattended property. No person shall leave any property unattended in the terminals or on the ferries. Property shall be deemed abandoned if left unattended for a period longer than one hour. Bicycles shall be stowed at the designated bicycle areas for each Class of ferry. Bicycles left on racks will be removed and may be transferred to the Property Clerk of the New York City Police Department pursuant to the New York City Administrative Code. Owners of reclaimed property may be assessed a removal and/or storage fee.]

(e) (a) Gambling prohibited. No person shall gamble or conduct or engage in any game of chance in the terminals or on the ferries unless such game of chance is permitted by local, state or federal law and has been approved by the Commissioner.

(f) Permission required to post or distribute commercial signs, advertisements, etc. No person shall, for commercial purposes, post, distribute or display commercial signs, advertisements, circulars or printed or written material in the terminals or on the ferries without permission of the Commissioner.]

(g) Refuse to be deposited in appropriate receptacles. No person shall throw, discharge or deposit trash, garbage, waste, oil or other petroleum products or any other waste material into the harbor or into or upon any portion of the terminals or ferries except by depositing such material in receptacles provided therefor. The placement of all such receptacles shall be subject to the approval of the Manager.]

(h) (b) Defacing or damaging terminals or ferries or property therein prohibited. No person shall deface, mark, break, or otherwise damage any part of the terminals or ferries or any property thereat. No person shall remove, alter or deface any barricade, fence or sign in the terminals or on the ferries.

(i) Distribution of noncommercial printed material and carrying of placards.]

(1) Any person who wishes to engage in the noncommercial distribution of leaflets, the setting up of card tables to aid in that distribution, the carrying of placards or the posting or displaying of noncommercial signs in the terminals or on the ferries shall apply to the Commissioner for a permit. No leaflets or other material shall be distributed by leaving them unattended in the terminals or on the ferries.]

(2) The Commissioner may delay or postpone the issuance of any permit or may temporarily suspend any permit already granted in the event of emergencies, such as snowstorms, traffic accidents, power failures, transportation strikes or other conditions which affect the traffic flow in any of the areas covered by the permit such that conduct of the activities would create a dangerous condition or would interfere with traffic in the terminals or on the ferries.]

(j) (c) Creation of obnoxious odors, noxious gases, smoke or fumes prohibited. No person shall create, or permit any vehicle or machine of which he/she is in charge to create obnoxious odors, noxious gases, or excessive smoke or fumes in the terminals or on the ferries.

(k) Sale of merchandise, solicitation of trade, entertainment or solicitation of contributions.]

(1) No person, unless duly authorized by the Commissioner shall, in or upon any area, platform, stairway, waiting room or any other appurtenance of the terminals or ferries.]

(i) sell or offer for sale any article of merchandise, or]

(ii) solicit any business or trade, including the carrying of baggage for hire, the shining of shoes or bootblacking.]

(2) Any person who wishes to engage in]

(i) the entertainment of persons by singing, dancing or playing any musical instrument or]

(ii) the solicitation of contributions in the terminals or on the ferries shall apply to the Commissioner for a permit. Solicitation of contributions, for the purposes of this subdivision (k), does not include panhandling.]

(l) Panhandling prohibited. Panhandling is prohibited in the terminals and on the ferries.]

(m) (d) Bathing prohibited. No person shall bathe, shower, shave, launder or change clothes or remain undressed in any public restroom, sink, washroom or any other area in the terminals or on the ferries.

(n) Animals barred. No person, except a police officer or another person authorized by the Manager, shall enter the terminals or ferries with any animal except a service animal or an animal properly caged for transport. No person shall feed any animal, including unconfined squirrels and birds, within the ferry terminals or on any vessel.]

(o) Passage through boarding doors restricted. No person shall pass through the boarding doors to the ferries except:]

(1) persons employed by or doing business with a concessionaire whose duties require such passage;]

(2) authorized representatives of the Department of Transportation;]

(3) persons having permission; and]

(4) passengers immediately prior to boarding a ferry or immediately after leaving a ferry.]

(p) Photography and filming. No person may make drawings or take still photographs for commercial use in the terminals or on the ferries without permission from the Commissioner. No person may make motion pictures for commercial use in the terminals or on the ferries without a permit for such activity from the Mayor's Office of Film, Theatre and Broadcasting, which permit shall be granted in coordination with the Department of Transportation's Bureau of Transit Operations.]

(q) Alcoholic beverages. No person shall drink or carry any open alcoholic beverage in any part of the terminals, except within a concession if permitted therein by the concessionaire.]

(r) Carrying of firearms or other weapons. No person, shall, without the permission of the Manager, bring into or carry in the terminals or on the ferries any firearms or other weapons; provided, however, that this subdivision (r) shall not apply to persons authorized by federal or state law to carry firearms or other weapons in the terminals or on the ferries.]

(s) Permission required to bring into or carry explosives, acids, inflammables, compressed gases, etc. No person shall bring into or carry in the terminals or on the ferries any explosives, acids, inflammables, compressed gases or articles or materials having or capable of producing strong offensive odor, or articles or materials likely to endanger persons or property, except with permission of the Manager. No person shall bring or cause to be brought into or kept in the terminals any signal flare or any container filled with or which has been emptied or partially emptied of oil, gas, petroleum products, paint or varnish, except with permission of the Manager. Bringing into the terminals or on the ferries without special permission gasoline or other motor fuel contained in tanks permanently attached to vehicles and not under pressure shall not be an infraction of this regulation.]

(t) (e) Smoking or carrying lighted cigars, cigarettes, pipes, etc. in certain areas prohibited. No person shall smoke or carry lighted cigars, cigarettes, pipes, matches or any naked flame in areas of the terminals or ferries where smoking is prohibited by the Department [in posted areas] or by law, ordinance, rules or regulations of the United States government, the State of New York or the City of New York.

(u) Unauthorized interference with or use of terminal or ferry systems or equipment prohibited. No person shall do or permit to be done anything which may interfere with the effectiveness or accessibility of any means of escape, the fire protection system, sprinkler system, drainage system, alarm system, telephone system, public announcement and intercommunication system, plumbing system, air-conditioning system, ventilation system, fire hydrants, hoses, fire extinguishers, or other mechanical system, facility or equipment installed or located in the terminals or on the ferries; including closed circuit television cameras and monitors, signs and notices; nor shall any person operate, adjust or otherwise handle or manipulate, without permission, any of the aforesaid systems or portions thereof, or any machinery, equipment or other devices installed or located at the terminals or on the ferries. Tags showing date of last inspection attached to units of fire extinguishing equipment shall not be removed therefrom nor shall any person plug a television, radio or other electrical device into any outlet or connect any device to any utility at or in the terminals or on the ferries.]

(v) (f) Noxious conduct. No person shall urinate or defecate in any part of the terminals or ferries other than in a urinal or toilet intended for that purpose. No person shall spit upon the public surfaces of the terminals or ferries including the floors and furniture.

(w) (g) Lying down prohibited; sitting restricted. No person shall lie down in any place, including benches or seating facilities, within the terminals or on the ferries. No person shall be seated in the terminals or on the ferries except upon seating facilities provided for that purpose. No person shall occupy more than one seat. No person shall place [P]personal belongings [shall not be placed] on seating facilities so as to interfere with their use by other persons.

(x) (h) No skateboarding, rollerskating, rollerblading or bicycle riding. No person shall skateboard, roller skate, roller blade or ride a bicycle, scooter or any other vehicle or device [(except a wheelchair or other similar device used to assist a person with a disability and/or required for transit)] on or through any part of the terminals or ferries. Bicycles and non-motorized scooters must be walked through the terminals and ferries.

(y) (i) Noise. No person shall make, continue, cause or permit to be made or continued any unreasonable noise in the terminals or on the ferries [such as would cause public inconvenience, annoyance or harm]. Unreasonable noise shall mean any excessive or unusually loud sound that disturbs the peace, comfort or repose of a reasonable person of normal sensitivities, injures or endangers the health or safety of a reasonable person of normal sensitivities, or which causes injury to plant or animal life, or damage to property or business. Unreasonable noise shall include, but shall not be limited to sound that exceeds the following prohibited noise levels:

(1) Sound attributable to the source measured at a level of 7dB(A) or more above the ambient sound level at or after 10:00 P.M. and before 7:00 A.M., as measured at any point within a receiving property, as defined in section 24-203 of the Administrative Code of the City of New York, or as measured at a distance of 15 feet or more from the source in a terminal or on a ferry.

(2) Sound attributable to the source measured at a level of 10dB(A) or more above the ambient sound level at or after 7:00 A.M. and before 10:00 P.M., as measured at any point within a receiving property, as defined in section 24-203 of the Administrative Code of the City of New York, or as

measured at a distance of 15 feet or more from the source in a terminal or on a ferry.

(3) Sound attributable to a personal audio device with personal earphones such that sound from such earphones is plainly audible to another individual at a distance of five feet or more from the source.

(z) Fire. No person shall cook, light a fire or otherwise create a fire in any part of the terminals or ferries.]

(j) Disorderly behavior. No person shall engage in disorderly behavior in the terminals or on the ferries, such as, but not limited to the following:

(1) fighting or assaulting any person; or

(2) interfering with, encumbering, obstructing or rendering dangerous any part of the ferry or terminal; or

(3) obstructing pedestrian or vehicular traffic; or

(4) climbing upon any wall, fence, shelter or any structure not specifically intended for climbing purposes; or

(5) engaging in any form of sexual conduct, as that term is defined in section 130.00 of the New York State Penal Law; or

(6) engaging in a course of conduct or committing acts that endanger the safety of others; or

(7) engaging in any other course of conduct or committing acts disruptive to crew members, which obstructs or impairs their ability to carry out their duties; or

(8) engaging in any other course of conduct or committing acts against other passengers, which disturbs the peace, comfort or repose of a reasonable person of normal sensitivities, injures or endangers the health or safety of a reasonable person of normal sensitivities; or which causes injury to plant or animal life, or damage to property or business.

(k) Controlled substances. No person shall possess, distribute, sell or solicit or consume any controlled substance or marihuana, as those terms are defined in section 220.00 of the New York State Penal Law, on any ferry or in any terminal.

(l) Loitering. No person shall engage in loitering as defined in sections 240.36 or 240.37 or subdivisions 2.4, 5 or 6 of section 240.35 of the New York State Penal Law on any ferry or in any terminal.

(m) Unlawful exposure. No person shall appear in public on any ferry or in any terminal in such a manner that his/her genitalia are unclothed or exposed.

(n) Fishing. No person shall fish from any ferry or terminal.

(aa) Storage. Storage of materials or possessions of any kind either on the ferries or in the ferry terminals is strictly prohibited at all times. Any materials or possessions stored on the ferries or ferry terminals will be disposed of promptly. This provision shall not apply to any authorized storage by a lessee, concessionaire or contractor pursuant to an agreement with the Department.]

(bb) No sound reproduction devices. Except with prior permission of the Commissioner, no person shall operate or use any personal radio, television, phonograph, tape recorder or other sound reproduction device in the terminals or on the ferries in such a manner that the sound emanating from such sound reproduction device is audible to another person.]

(cc) Use of lighting or sound reproduction equipment. No person shall without specific authorization from the Commissioner operate or use or cause to be operated or used any lighting or sound reproduction device for commercial or business advertising purposes or for the purpose of attracting attention to any performance, show, sale or display of merchandise, or any business enterprise, in front or outside of any building, place or premises in the terminals or on the ferries.]

(dd) Distribution of food, clothing, packages, or other non-printed items. Any person who wishes to engage in the distribution of any food, clothing, packages, or any other non-printed items, or in the setting up of card tables to aid in that distribution in the terminals or on the ferries shall apply to the Commissioner for a permit. No such items shall be distributed by leaving them unattended in the terminals or on the ferries.]

§ 1-03 Regulated Uses.

(a) Permission to use terminals and ferries is conditional. Any permission granted by the Department directly or indirectly, expressly or by implication, to any person to enter upon or use the terminals or ferries, or any part thereof, is conditioned upon acceptance of and compliance with this chapter, as from time to time may be amended, and entry upon or into the terminals or ferries by any person shall be deemed to constitute an agreement by such person to comply with such rules; provided, further, that such rules shall apply to premises or spaces occupied or used under the provisions of a written agreement made with the Department unless provision is made therein that such rules do not apply.

(b) Permits.

(1) When any provision of this section requires a permit as a condition to the performance of an act or activity, no such act or activity shall be implemented or commenced prior to the receipt of written authorization from the Commissioner.

(2) A permit may be granted upon such terms and conditions as the Commissioner shall reasonably impose and shall authorize the permitted acts or activities only insofar as they are performed in strict accordance with the terms and conditions thereof.

(3) Permits shall be applied for on forms prepared and provided by the Department, which forms shall require such information as the Department may deem appropriate for the review and evaluation of the permit application. Applications must be received at least two business days prior to the requested date of the act or activity.

(4) No person shall conduct any activity for which a permit is required unless:

(i) such permit has been issued;

(ii) all terms and conditions of such permit have been complied with; and

(iii) the permit is kept on site, so it is available for inspection

by Department employees or a police officer.

(5) Upon application, the Commissioner may deny a permit if:

(i) an applicant was previously granted a permit and on that prior occasion, knowingly violated a material term or condition of the permit, these rules or applicable law;

(ii) the date, time, and/or location requested have been previously allotted; or

(iii) the issuance of the permit would cause the existence of a dangerous condition or a condition that would interfere with operations or traffic in the terminals or on the ferries.

(6) If a permit application is denied, the applicant may, within three business days of such denial, appeal the determination by written request filed with the designated appeals officer who may reverse, affirm or modify the original determination and provide a written explanation of his or her finding. However, if a permit application is denied three business days or less prior to the requested date of the act or activity, the applicant shall have one day from the date such denial is mailed or otherwise delivered to the applicant to appeal such denial. The Department shall render a decision on such appeal as soon as is reasonably practicable.

(7) The Commissioner may, after giving the permittee reasonable notice and an opportunity to be heard, revoke or refuse to renew a permit (i) for failure to comply with the terms and conditions of such permit, these rules or other applicable law in carrying out the activity for which the permit was issued; (ii) whenever there has been any false statement or any misrepresentation as to material fact in the permit application or accompanying documents upon which the issuance of the permit is based; or (iii) whenever a permit has been issued in error contrary to paragraph 5 of subdivision b of this section.

(8) The Commissioner may delay or postpone the issuance of any permit or may temporarily suspend any permit already granted in the event of emergencies, such as snowstorms, traffic accidents, power failures, transportation strikes or other conditions which affect the traffic flow in any of the areas covered by the permit such that conduct of the activities would create a dangerous condition or would interfere with traffic in the terminals or on the ferries.

(c) Use of terminals or ferries may be denied persons violating laws or rules. The Manager shall have the authority to deny use of the terminals or ferries to any individual violating Department rules or laws, ordinances or regulations of the United States government, the State of New York, or the City of New York, which relate to conduct in public places or in the terminals or the ferries.

(d) Restricted areas and times. Permission to enter certain areas of the terminals or ferries is restricted as follows: (1) No person, except a person assigned to duty therein or a police officer, shall enter, without permission, any area of the terminals or ferries posted as being restricted to the public. If permission to enter a restricted area is granted, such permittee shall be monitored and/or escorted at all times in accordance with the Maritime Transportation Security Act.

(2) In the event that portions of the terminals are closed to all members of the general public, any person shall, when entering or remaining in such portions of the terminals, exhibit such authorization as shall be prescribed by the Commissioner. Effective September 25, 2008 and in accordance with the Maritime Transportation Security Act, all individuals in restricted areas must display at all times a Transportation Worker Identification Credential or other authorized identification credential, including those issued to police officers.

(e) Unattended property.

(1) No person shall leave any property unattended in the terminals or on the ferries.

(2) Unattended property will be removed and transferred to the Staten Island Ferry's Lost and Found.

(3) Bicycles shall be stowed at the designated bicycle areas. Bicycles left on racks at the terminal for longer than 48 hours shall be deemed abandoned and will be removed and may be transferred to the Property Clerk of the New York City Police Department or other appropriate location.

(4) Owners of reclaimed property may be assessed a removal and/or storage fee.

(f) Distribution of commercial printed materials. No person shall, for commercial purposes, post, distribute or display signs, advertisements, circulars or printed or written material in the terminals or on the ferries without having been granted a permit by the Commissioner.

(g) Distribution of noncommercial printed material and carrying of placards. No person shall engage in the noncommercial distribution of leaflets, the setting up of card tables to aid in that distribution, the carrying of placards or the posting or displaying of noncommercial signs in the terminals or on the ferries without having been granted a permit by the Commissioner. No person shall distribute leaflets or other materials by leaving them unattended in the terminals or on the ferries.

(h) Distribution of food, clothing, packages, or other non-printed items. No person shall engage in the distribution of any food, clothing, packages, or any other non-printed items, or in the setting up of card tables to aid in that distribution in the terminals or on the ferries without having been granted a permit by the Commissioner. No person shall distribute such items by leaving them unattended in the terminals or on the ferries.

(i) Sale of merchandise, solicitation of trade, entertainment or solicitation of contributions.

(1) No person, unless duly authorized by the Commissioner shall, in or upon any area, platform, stairway, waiting room, appurtenance, or any other area of the terminals or ferries,

(i) sell or offer for sale any article of merchandise, or

(ii) solicit any business, service or trade, including the carrying of baggage for hire or the shining of shoes.

(2) No person shall engage in (i) the entertainment of persons by singing, dancing or playing any musical instrument or (ii) the solicitation of contributions in the terminals or on the ferries without having been granted a permit by the Commissioner.

(j) Assemblies, meetings, exhibitions.

(1) No person shall hold or sponsor any assembly, meeting, exhibition or other event without written approval from the Commissioner or his/her designee. A gathering of 10 or more people shall constitute an assembly or meeting.

(2) No person shall erect any structure, stand, booth, platform or exhibit in connection with any assembly, meeting, exhibition or other event without written approval from the Commissioner or his/her designee.

(k) Refuse to be deposited in appropriate receptacles. No person shall throw, discharge or deposit trash, garbage, waste, oil or other petroleum products or any other waste material into the harbor or into or upon any portion of the terminals or ferries except by depositing such material in receptacles provided therefor. The placement of all such receptacles shall be subject to the approval of the Manager. No person shall remove refuse or other material from such receptacles except as authorized by the Manager.

(l) Animals barred. No person, except a police officer or another person authorized by the Manager, shall enter the terminals or ferries with any animal except a service animal or an animal properly restrained for transport subject to the discretion of the Manager. No person shall feed any animal, including unconfined squirrels and birds, within the terminals or on any ferry.

(m) Passage through boarding doors restricted. No person shall pass through the boarding doors to the ferries except:

(1) persons employed by or doing business with a concessionaire whose duties require such passage;

(2) authorized representatives of the Department of Transportation;

(3) persons having permission;

(4) police officers;

(5) firefighters and emergency medical technicians employed by the New York City Fire Department; and

(6) passengers immediately prior to boarding a ferry or immediately after leaving a ferry.

(n) Photography or filming.

(1) For purposes of this subdivision, "photography or filming" shall include the taking of photographs; the making of motion pictures; the use and operation of television cameras, transmitting television equipment, or radio remotes; or load-ins or load-outs supporting indoor performances.

(2) A permit from the Mayor's Office of Film, Theatre and Broadcasting (MOFTB) and a separate permit from the Commissioner are both required in circumstances under which a permit from MOFTB is required by its rules.

(3) As is the case with photography or filming on City streets, sidewalks or other pedestrian passageways, a permit is not required in those instances where a handheld device (with or without a tripod) is used, except when the use of such handheld device (with or without a tripod) unreasonably interferes with the use of the ferry terminal or ferry. For purposes of this subdivision, "unreasonable interference" means the assertion of exclusive use by any means, including physical or verbal, of an area that consists of a radius greater than five feet from where the individual engaged in photography or filming is located. Where such exclusive use is asserted, the individual engaged in photography or filming shall obtain a permit from the Commissioner.

(4) For purposes of this subdivision, standing in a ferry terminal or on a ferry while using a handheld device (with or without a tripod) and not otherwise asserting exclusive use by any means, including physical or verbal, of an area that consists of a radius greater than five feet from where the individual engaged in photography or filming is located, is not activity that requires a permit from MOFTB or the Commissioner.

(o) Fire. No person shall cook, light a fire or otherwise create a fire in any part of the terminals or ferries, except as authorized by the Commissioner.

(p) Alcoholic beverages. No person shall drink or carry any open alcoholic beverage in any part of the terminals, except on the premises of a concession or retail establishment duly licensed for the sale of alcoholic beverages if permitted therein by the concessionaire or leasee. Alcoholic beverages may be purchased and consumed from the concessionaire aboard a ferry in accordance with all federal, state and local laws and rules. It shall be a violation of these rules for any person to enter and/or remain in the terminals and/or aboard a ferry under the influence of alcohol, to the degree that he or she may endanger himself or herself, other persons or property, or unreasonably annoy persons in his or her vicinity.

(q) Carrying of firearms or other weapons. No person, shall, without the permission of the Manager, bring into or carry in the terminals or on the ferries any firearms or other weapons; provided, however, that this subdivision shall not apply to police officers and other persons authorized by federal, state or local law to carry firearms or other weapons.

(r) Permission required to bring into or carry explosives, acids, inflammables, compressed gases, etc. No person shall bring into or carry in the terminals or on the ferries any explosives, acids, inflammables, compressed gases or articles or materials having or capable of producing strong offensive odor, or articles or materials likely to endanger persons or property, except with permission of the Chief Operating Officer or the Executive Director of Safety and Security. No person shall bring or cause to be brought into or kept in the terminals any signal flare or any container filled with or which has been emptied or partially emptied of oil, gas, petroleum products, paint or varnish, except with permission of the Chief Operating Officer or the Executive Director of Safety and Security. Bringing into the terminals or on the ferries without special permission gasoline or other motor fuel contained in tanks permanently attached to vehicles and not under pressure shall not be an infraction of this regulation.

(s) Unauthorized interference with or use of terminal or ferry systems or equipment prohibited. No person shall do or permit to be done anything which may interfere with the effectiveness or accessibility of any means of escape, the fire protection system, sprinkler system, drainage system, alarm system, telephone system, public announcement and intercommunication system, plumbing system, air-conditioning system, ventilation system, fire hydrants, hoses, fire extinguishers, or other mechanical system, facility or equipment installed or located in the terminals or on the ferries; including closed circuit television cameras and

monitors, signs and notices; nor shall any person operate, adjust or otherwise handle or manipulate, without permission, any of the aforesaid systems or portions thereof, or any machinery, equipment or other devices installed or located at the terminals or on the ferries. Tags showing date of last inspection attached to units of fire extinguishing equipment shall not be removed therefrom nor shall any person plug a television, radio or other electrical device into any outlet or connect any device to any utility at or in the terminals or on the ferries.

(t) Storage. Storage of materials or possessions of any kind either on the ferries or in the ferry terminals is strictly prohibited at all times. Any materials or possessions stored on the ferries or ferry terminals will be disposed of promptly. This provision shall not apply to any authorized storage by a lessee, concessionaire or contractor pursuant to an agreement with the Department.

(u) No sound reproduction devices. Except with prior permission of the Commissioner, no person shall operate or use any sound reproduction device in the terminals or on the ferries, other than a personal audio device with personal earphones such that sound from such earphones is not plainly audible to another individual at a distance of five feet or more from the source.

(v) Use of lighting or sound reproduction equipment. No person shall without specific authorization from the Commissioner operate or use or cause to be operated or used any lighting or sound reproduction device for commercial or business advertising purposes or for the purpose of attracting attention to any performance, show, sale or display of merchandise, or any business enterprise, in front or outside of any building, place or premises in the terminals or on the ferries.

§ 1-0[3]4 Vehicles.

[(a) Vehicles not maintained, operated and registered in accordance with Department rules and applicable laws, ordinances or regulations may be denied access or removed. The Manager shall have authority to deny access to the terminals or ferries for any vehicle not maintained, operated and registered in accordance with this chapter, or which is otherwise in violation of the Department of Transportation rules or the laws, ordinances or regulations of the United States government, the State of New York, or City of New York; and shall have authority to require removal of any such vehicle from the terminals or ferries prior to departure. In the event the vehicle is not so removed, the Department of Transportation may remove it in accordance with these rules.]

[(b) Vehicles loaded, constructed, operated, equipped or maintained so as to endanger persons or property or obstruct traffic barred. No vehicle which is loaded in such a manner, or with such materials, or which is so constructed, operated, equipped or maintained so as to endanger or to be likely to endanger persons or property, or to obstruct traffic, shall be permitted in or upon the terminals or ferries.]

[(c) Vehicles with four or more axles. No vehicle with four or more axles will be permitted on the terminal vehicle bridges or on the ferries.]

[(d) Vehicular use of pedestrian ramps. Vehicular use of the pedestrian ramps at the Whitehall terminal will be limited to passenger cars, passenger vans and pickup trucks. Vehicles are permitted to use the ramps between midnight and 6:00 AM, subject to the approval of the Manager. No more than one vehicle will be permitted on a ramp at any given time.]

[(e) Vehicles lacking valid registration plate barred. No vehicle required by law to bear a registration plate shall be permitted on the ferries unless a currently effective registration plate duly issued by appropriate governmental authority is attached thereto.]

[(f) Persons driving motor vehicles upon ferries required to be duly licensed to operate such vehicles. No person shall drive any vehicle upon the ferries without a valid operator's or chauffeur's license issued by appropriate governmental authority permitting the driving by such person of the particular type of vehicle driven and valid within the State of New York.]

[(g) Procedures to be followed by driver in event of vehicular accident. The driver of any vehicle involved in an accident resulting in injury or death to any person or damage to any property shall immediately stop such vehicle at the scene of the accident, render such assistance as may be needed, and give his or her name, address and driver's license, and the registration number of the vehicle to the person injured and to the Manager or his representative. The driver, operator, or owner of such vehicle shall make a report of such accident in accordance with the law of the State of New York.]

[(h) Unauthorized tampering, starting, movement or interference with vehicles prohibited. No unauthorized person shall tamper with any vehicle, start the motor thereof, move the vehicle, or otherwise interfere with the operation thereof in the terminals or on the ferries.]

[(i) Prolonged sounding of vehicle horns prohibited. Prolonged sounding of the horns of vehicles on or approaching the ferries is prohibited.]

[(j) Compliance with authorized traffic orders, signals, signs or directions required. Drivers of vehicles in the terminals or on the ferries must at all times comply with any traffic order, signs or direction, given by voice or by hand, of an authorized representative of the Department. When traffic is controlled by traffic lights or signs or by mechanical or electrical signals, such lights, signs or signals shall be obeyed unless the Manager or his authorized representative directs otherwise. No person shall park or stand a vehicle in an officially designated ferry waiting line unless awaiting entry onto a ferry, and provided such vehicle is faced in the direction of traffic and is not left unattended.]

[(k) Removal of vehicles from ferries or terminals to be at owner's or operator's risk. In the event the Department is empowered to remove any vehicle from a ferry or move any vehicle within a terminal by any provision of the rules set forth herein, such removal shall be at the risk of the owner or operator of such vehicle, and the cost thereof shall be for the account of such owner or operator and payable to the Department on demand.]

No vehicles shall be permitted on the ferries except with permission from the Chief Operating Officer.

§ 1-0[4]5 Elevators, Escalators, and Loading Docks.

[(a) Elevator and escalator schedule. Elevators and escalators for passengers and freight handling service will be operated in accordance with an established schedule unless arrangements are made with the Manager for operation at other times.]

[(b)] (a) Freight prohibition. Passenger elevators and escalators may not be used to carry freight.

[(c)] Equipment control. The use of any escalator, elevator, private right-of-way or truck loading dock at the terminals will be subject to the direct control of the Manager.]

[(d)] (b) Causing an elevator or escalator to stop. No unauthorized person shall cause an elevator or escalator to stop by means of any emergency stopping device unless continued operation would appear to result in probable injury to a person or persons. Any such stoppage should be reported immediately to the Manager.

[(e)] (c) Truck loading docks. Truck loading docks located in the terminals are designed to accomplish the immediate transfer of merchandise between the freight elevators and trucks. All persons will confine their use of the docks to such purpose as directed by the Manager. No storage or holding of merchandise on the truck loading docks awaiting the arrival of trucks or awaiting transfer to premises or space at the terminals will be permitted.

§ 1-05 Staten Island Ferry Vehicular Fares.]

[(a)] Definitions.]

[Car pool vehicle. "Car pool vehicle" means a small vehicle with a total of 3 or more occupants including the driver.]

[Large Vehicle. "Large vehicle" means any bus, school bus, large truck or other vehicle having a length greater than twenty feet.]

[Motorcycle. "Motorcycle" means any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.]

[Semi-Trailer. "Semi-Trailer" is any trailer which is so designed that, when operated, the forward end of its body or chassis rests upon the body or chassis of the towing vehicle.]

[Senior Citizen. "Senior citizen" means any person who is sixty-five years of age or older.]

[Small Vehicle. "Small vehicle" means any passenger car, taxicab, van, small truck or other vehicle, as defined in the vehicle and traffic law, having a length of twenty feet or less.]

[Tractor-Trailer. "Tractor-Trailer" means the combination of a truck-tractor (cab) and a semi-trailer.]

[Trailer. "Trailer" means any vehicle not propelled by its own power, drawn behind a motor vehicle, but not including a semi-trailer or tractor trailer.]

[(b)] Vehicular fares.]

[(1)] Basic vehicular fares. Except as provided in paragraph (2) below, the one-way fare for any vehicle, not including its operator or passengers, to be transported on a ferry in either direction between the Borough of Manhattan and the Borough of Staten Island, shall be as follows:]

[(i)] one dollar and twenty-five cents for any motorcycle;]

[(ii)] three dollars for any small vehicle, except that the rate for any car pool vehicle shall be two dollars;]

[(iii)] six dollars for any large vehicle;]

[(iv)] an additional three dollars for any trailer;]

[(v)] no charge for any bicycle.]

[(2)] Vehicular fares for senior citizens/disabled persons. For any vehicle owned and operated by a senior citizen or disabled person, the one-way fare shall be one-half of the fare which would otherwise be charged for such vehicle pursuant to paragraph (1) above.]

[(c)] Operator and passenger fares.]

[(1)] Basic operator/passenger fare in direction of Manhattan. Except as provided in paragraph (3) below, the fare for any operator or passenger of a vehicle transported on a ferry from the Borough of Staten Island to the Borough of Manhattan shall be equal to the fare charged to foot passengers pursuant to § 19-304 of the Administrative Code, in addition to the vehicular fare charged pursuant to subdivision (b) above.]

[(2)] No operator/passenger fare in direction of Staten Island. There shall be no additional charge for operators or passengers of vehicles transported from the Borough of Manhattan to the Borough of Staten Island.]

[(3)] Operator/passenger fares for senior citizens/disabled persons. The fare for any operator or passenger of a vehicle transported on a ferry between the Borough of Manhattan and the Borough of Staten Island, when the operator or passenger of such vehicle is a senior citizen or disabled person, shall be one-half of the fare which would otherwise be charged pursuant to paragraphs (1) and (2) above, in addition to the vehicular fare charged pursuant to subdivision (b) above.]

§ 1-06 Student Passes.]

[(a)] Definitions. For the purposes of this Chapter, the following terms shall have the stated meanings:]

["Board" means the Board of Education of the City of New York.]

["Department" means the City Department of Transportation.]

[(b)] Issuance of passes. Passes may be issued by the Board to students who reside in the city, in accordance with any applicable rules or other legal authority of the Board. Presentation of such a pass shall entitle the student bearer who is a passenger to board the ferry in lieu of paying the ferriage fare.]

[(c)] Presentation of pass. In order to board the ferry without tendering the ferriage fare, a pass-holder shall present his or her pass to the Department agent in the coin booth and shall enable the agent to see the pass clearly.]

[(d)] Completion of pass. All entries on the face of the pass must be properly filled in for the pass to be valid. Failure to do so constitutes misuse, which is punishable as provided below.]

[(e)] Hours of validity. Passes shall be valid from 5:30 A.M. to 7:00 P.M., only on days when school is in session. A student pass may be used only twice a day, once in either direction.]

[(f)] Misuse. A pass may be confiscated by an employee of the Department if the pass has been altered without

authorization or misused. Any person who uses or attempts to use an altered pass or who misuses or attempts to misuse a pass to board a ferry shall be deemed to have committed criminal trespass and shall be subject to the applicable sanctions provided therefor in the New York State Penal Law. For the purposes of these rules, "misuse" shall constitute any use of a pass not authorized by these rules or the rules of the Board.]

§ 1-06 Penalty.

Failure to comply with these rules or the terms or conditions of any permit issued shall be punishable as provided in the administrative code of the city of New York.

STATEMENT OF BASIS AND PURPOSE OF PROPOSED RULE

The Commissioner of Transportation is authorized to promulgate rules regarding ferries and their related facilities in the City pursuant to Section 2903(c) of the New York City Charter.

Chapter 1 of Title 34 of the Rules of the City of New York (RCNY) is being amended to update and revise the current rules regarding the ferry terminals and vessels under the jurisdiction of the Department. In the past few years, the ferry terminals and vessels have undergone some operational changes and enhancements, including the United States Coast Guard-approved Staten Island Ferry Combined Facility and Vessel Security Plan. As a result, certain rules are now obsolete while other rules are in need of being updated or established.

Specifically, the Ferry Rules of Conduct as currently codified in Section 1-02 of the RCNY are posted on the Staten Island Ferry vessels and throughout the St. George and Whitehall ferry terminals to ensure the safety, security, and comfort of passengers and employees. The Staten Island Ferry carries approximately 65,000 passengers a day. The Department wishes to continue to prohibit unsafe and disruptive behavior and to maintain good order, as required under general maritime law. In addition, the proposed rule would apply the Rules of Conduct to City-owned ferry landings and terminals. The definition in section 1-01 of the current rules excludes the City-owned ferry landings and terminals, which host the operations of several of the City's private ferries. Private ferry operators transport approximately 25,000 passengers a day and are an important component of the City's mass transportation system. As is the case with the Staten Island Ferry terminals, it is important to maintain a safe and secure environment in all of the City-owned ferry facilities.

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LATE NOTICES

CITYWIDE ADMINISTRATIVE SERVICES

■ JOINT PUBLIC HEARING

NOTICE OF A JOINT PUBLIC HEARING of the Franchise and Concession Review Committee and the New York City Department of Citywide Administrative Services to be held on Monday, January 11, 2010 at 22 Reade Street, Borough of Manhattan, commencing at 2:30 P.M. relative to:

INTENT TO AWARD as a concession the operation of an employee parking lot, consisting of approximately 11,055 square feet of waterfront property identified as Block 966, p/o Lot 999, Borough of Manhattan, located on Marginal Street south of the pedestrian walkway for the 34th Street Ferry Landing and north of the Heliport on the East River, to New York University School of Medicine, on behalf of the New York University Langone Medical Center. The Occupancy Permit provides for a term of one-year, commencing on March 1, 2010 and terminating on February 28, 2011, with two (2) one-year renewal options, exercisable at the City's sole discretion. Compensation to the City, as established by a fair market appraisal, will be \$103,320 for the first year. In the event the renewal option(s) are exercised, the charge shall in each instance be increased by five percent 5% of the previous year's charge.

INTENT TO AWARD as a concession the operation of an employee parking lot, consisting of approximately 25,098 square feet of waterfront property identified as Block 962, p/o Lot 999, Borough of Manhattan, located on Marginal Street under the FDR Drive approximately 365 feet south of the southwest corner of E. 34th Street and Marginal Street to New York University School of Medicine, on behalf of the New York University Langone Medical Center. The Occupancy Permit provides for a term of one-year, commencing on March 1, 2010 and terminating on February 28, 2011, with two (2) one-year renewal options, exercisable at the City's sole discretion. Compensation to the City, as established by a fair market appraisal, will be \$400,800 for the first year. In the event the renewal option(s) are exercised, the charge shall in each instance be increased by five percent 5% of the previous year's charge.

LOCATION: A draft copy of the Occupancy Permit may be reviewed or obtained at no cost, commencing Monday, January 4, 2010 through Monday, January 11, 2010, between the hours of 9:00 A.M. and 5:00 P.M., excluding weekends and holidays, at the Department of Citywide Administrative Services, Division of Real Estate Services, located at 1 Centre Street, 19th floor North, New York, NY 10009.

Individuals requesting Sign language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, New York 10007, (212) 788 - 7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

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

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PARKS AND RECREATION

■ JOINT PUBLIC HEARING

NOTICE OF A JOINT PUBLIC HEARING of the Franchise and Concession Review Committee and the New York City Department of Parks and Recreation to be held on Monday, January 11, 2010 at 22 Reade Street, Borough of Manhattan, commencing at 2:30 P.M. relative to:

INTENT TO AWARD as a concession the renovation, operation, and maintenance of an outdoor café at Mineral Springs in Central Park, Manhattan, for a permit term of twelve (12) years, to PQ Mineral Springs, Inc., whose address is 434 Broadway, 3rd Floor, New York, New York, 10013. Compensation to the City will be as follows: in each operating year of the permit, permittee shall pay the City a permit fee consisting of the higher of a minimum annual fee (for gross receipts up to \$1,099,999: \$150,000 plus, beginning in year 2, 5% compounded annually ; if gross receipts are \$1,100,000 - \$1,199,999: \$180,000 plus, beginning in year 2, 5% compounded annually; if gross receipts are \$1,200,000 - \$1,299,999: \$210,000 plus, beginning in year 2, 5% compounded annually; if gross receipts are \$1,300,000 - \$1,399,999: \$240,000 plus, beginning in year 2, 5% compounded annually; if gross receipts are \$1,400,000 - \$1,499,999: \$270,000 plus, beginning in year 2, 5% compounded annually; if gross receipts are \$1,500,000: \$300,000 plus, beginning in year 2, 5% compounded annually), or twenty (20) percent of gross receipts derived from the operation of the permitted premises if gross receipts exceed \$1,500,000 for that year.

INTENT TO AWARD as a concession the operation and maintenance of a food and beverage concession in the Pavilion at Peter Minuit Plaza, Battery Park, Manhattan, for a permit term of seven (7) years, with eight (8) one-year renewal options, exercisable at the City's sole discretion, to TBC, whose address is One New York Plaza, Concourse, New York, NY 10004. In lieu of a license fee, TBC shall provide, or cause to be provided, services for the maintenance and/or improvement of the licensed premises ("Services") to the reasonable satisfaction of the Commissioner. Such Services shall include keeping and maintaining the Licensed Premises in good condition and repair, in accordance with the provisions of the Agreement. All such work will be under the supervision of the Director of Operations for TBC. It is currently estimated that the value of such Services is close to \$468,000 per year. As more fully provided in Section 12 of the Agreement, any proceeds that TBC receives from the operation of the Concession shall be used by TBC for Services at the Licensed Premises. If the proceeds from the sublicensing of the Concession at the Pavilion exceed the lesser of (x) annual Eligible Service Costs (as defined in the Agreement) or (y) \$468,000 (the currently estimated annual cost of maintaining the Licensed Premises), escalated as provided in Section 12 of the Agreement, such funds will be paid by TBC directly to Parks for the City's General Fund.

INTENT TO AWARD as a concession the renovation, operation, and maintenance of a snack bar at Orchard Beach, Pelham Bay Park, Bronx, for a permit term of five (5) seasons, to Beach Side Cafe Inc., whose address is 92-29 Queens Boulevard, Suite 1F, Rego Park, New York, 11374. Compensation to the City will be as follows: in each operating season of the permit, permittee shall pay the City a permit fee consisting of a guaranteed seasonal fee (Season 1: \$273,000 Season 2: \$287,000 Season 3: \$301,000 Season 4: \$316,000 Season 5: \$332,000), plus a percentage of gross receipts derived from the operation of the permitted premises for that season (Season 1: 15% of gross receipts over \$1,499,000 Season 2: 15% of gross receipts over \$1,499,000 Season 3: 20% of gross receipts over \$1,597,000 Season 4: 20% of gross receipts over \$1,597,000 Season 5: 20% of gross receipts over \$1,597,000).

LOCATION: Draft copies of these license's agreement may be reviewed or obtained at no cost, commencing Monday, November 30, 2009 through Monday, December 7, 2009, between the hours of 9:00 A.M. and 5:00 P.M., excluding weekends and holidays, at the NYC Department of Parks and Recreation, located at 830 Fifth Avenue, Room 313, New York, NY 10065.

Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

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TRANSPORTATION

■ JOINT PUBLIC HEARING

NOTICE OF A JOINT PUBLIC HEARING of the Franchise and Concession Review Committee and the New York City Department of Transportation to be held on Monday, January 11, 2010, at 22 Reade Street, Borough of Manhattan, commencing at 2:30 P.M. relative to:

INTENT TO AWARD as a concession a Sole Source Concession Agreement ("Agreement") to ABC Concessions, Inc. ("ABC"), whose address is 21-79 Steinway Street, Astoria, NY 11105, to provide for the operation and maintenance of a food court and outdoor public square located on the property bounded by East Fordham Road, 189th Street, Park Avenue and Third Avenue known as Fordham Plaza in the Borough of the Bronx ("Licensed Area"). The Agreement will provide for a term of one-year, commencing upon Notice to Proceed, with three (3) six-month renewal options, exercisable at the sole discretion of DOT. During the initial term, annual compensation to the City shall be approximately \$150,000. Thereafter, should DOT choose to exercise its renewal option(s), monthly compensation to the City shall be in the amount of \$11,025 per month for the first two renewal terms, which shall be subject to a 2.5% increase for each additional six months of the Agreement.

LOCATION: A draft copy of the Agreement may be reviewed or obtained at no cost, commencing January 4, 2010, through January 11, 2010, between the hours of 10:00 A.M. and 4:00 P.M., excluding weekends and holidays, at the NYC Department of Transportation, Office of Franchises, Concessions and Consents, 55 Water Street, 9th Floor, NY, NY 10041.

Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

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