



THE CITY RECORD

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THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

MARTHA K. HIRST, Commissioner, Department of Citywide Administrative Services.
ELI BLACHMAN, Editor of The City Record.

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

CITY COUNCIL

PUBLIC HEARING

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

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 9:30 A.M. on Tuesday, December 15, 2009:

DELURY SQUARE PARK TEXT AMENDMENT MANHATTAN CB - 1 N 090509 ZRM

Application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution of the City of New York, concerning Section 91-063 (Modification of use and bulk regulations for zoning lots fronting upon DeLury Square Park) in the Special Lower Manhattan District, Borough of Manhattan.

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is old, to be deleted;
* * * indicates where unchanged text appears in the Zoning Resolution

ARTICLE IX: SPECIAL PURPOSE DISTRICTS

Chapter 1: Special Lower Manhattan District

* * *
91-07

Modification of use and bulk regulations for zoning lots fronting upon DeLury Square Park

Where the #lot line# of a #zoning lot# coincides with, or is within 20 feet of the boundary of DeLury Square Park, such #lot line# shall be considered to be a #street line# for the purposes of applying all #use# and #bulk# regulations of this Resolution.

CITYWIDE 20105211 GFY Authorizing Resolution for the granting of franchises for the installation of public pay telephones and associated equipment on, over, and under the inalienable property of the City

WHEREAS, by Executive Order 25, dated August 23, 1995, the Mayor has designated the Department of Information Technology and Telecommunications (the "Department") as the responsible agency for the granting of telecommunications franchises; and

WHEREAS, pursuant to Section 363 of the Charter (the "Charter") of the City of New York (the "City"), the Commissioner of the Department of Information Technology and Telecommunications (the "Commissioner") has made the initial determination of the need for franchises for public pay telephone service in the City of New York; and

WHEREAS, pursuant to Section 1072 of the Charter, the Department has proposed an authorizing resolution for franchises for public pay phones in the City of New York;

The Council hereby resolves that:

A. The Council authorizes the Department, or any successor thereto, to grant non-exclusive franchises for the installation of public pay telephones and associated equipment on, over and under the inalienable property of the City.

B. "Public pay telephone" shall be defined as set forth Section 23-401(f) of the Administrative Code of the City of New York (the "Code") or any successor provision thereto.

C. For purposes of this resolution, "inalienable property of the City" shall mean property designated as inalienable in Section 383 of the Charter.

D. For purposes of this resolution, "Street" shall be defined by subdivision 13 of Section 1-112 of the Code, or any successor provision thereto.

E. The public service to be provided pursuant to this resolution shall be public pay telephone service.

F. The authorization to grant franchises pursuant to this resolution shall expire on the fifth anniversary of the date on which this resolution is adopted by the Council (the "Expiration Date"). No franchises shall be granted pursuant to this resolution by the Department, nor approved by the Franchise and Concession Review Committee or the Mayor, after the Expiration Date.

G. Prior to the grant of such a franchise, a Request For Proposals ("RFP") or other solicitation shall be issued by the Department or any successor thereto. Prior to issuing any such RFP or other solicitation, all necessary environmental and land use review shall be conducted in accordance with the New York State Environmental Quality Review Act ("SEQRA"), the regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et. seq., the City Environmental Quality Review process ("CEQR") (Chapter 5 of Title 62 and Chapter 6 of Title 43 of the Rules of the City of New York), and Section 197-c of the Charter.

H. Any such RFP or other solicitation shall contain siting criteria (the "criteria") which shall be utilized by the Department in approving or designating locations for the placement of public pay telephones and associated equipment on, over and under the inalienable property of the City. Said criteria shall address, but shall not be limited to, the following factors to the extent permitted by law:

(1) proximity to water, sewer, electrical or other pipes, conduits or other structure(s);

(2) visual impacts, if any, on vehicular traffic;

(3) proximity to other existing structures including but not limited to traffic lights, traffic and other signs, newsstands, fire hydrants, underground vaults, bus stop shelters, public pay toilets, enclosed and unenclosed sidewalk cafes, building entrances and exits, and curb cuts; (provided that in no event shall a pedestal or other structure which holds one or more public pay telephones be located less than fifty (50) feet from any other such pedestal or structure on any one "block" (the term "block" being defined as that portion of the sidewalk on one side of a street which is between the lot line and the curb and which is between two points, each of which is ten (10) feet from the corner of said street and its intersecting street, in conformity with the City's sidewalk corner clearance policy generally);

(4) adequate sidewalk clearance to assure reasonable pedestrian flow;

(5) whether the proposed location is adjacent to a curb or adjacent to a building or other structure; and

(6) impacts, if any, on landmarks or historic districts so designated by the Landmarks Preservation Commission ("LPC") or any successor thereto.

In no event however, shall the Department include any criteria in any such RFP or other solicitation which the City would be preempted, pursuant to federal law, from thus including; and in no event shall the Department apply any criteria to be included in any such RFP or other solicitation in a manner which the City would be preempted, pursuant to federal law, from thus applying.

I. The criteria to be used by the Department to evaluate responses to any such RFP or other solicitation shall, include, but not be limited to, the following, if and to the extent permitted by law:

(1) the financial, legal, technical and managerial experience and capabilities of the applicant(s);

(2) the adequacy and nature of the proposed compensation to be paid to the City; and

(3) the ability of the applicant(s) to maintain the property of the City in good condition throughout the term of the franchise.

In no event however, shall the Department include any criteria in any such RFP or other solicitation which the City would be preempted, pursuant to federal law, from thus including; and in no event shall the Department apply any criteria to be included in any such RFP or other solicitation in a manner which the City would be preempted, pursuant to federal law, from thus applying.

J. Any franchise granted pursuant to this resolution shall be by written agreement and shall include, but not be limited to, terms and conditions consistent with the following to the extent permitted by law (provided however, that no term or condition, whether or not listed hereinafter, shall be included in a written franchise agreement if the City is preempted, by federal law, from including such a term or condition in such agreement, and provided that no term or condition, whether or not listed hereinafter, shall be included in a written agreement in a form or manner which the City is preempted by federal law from using with respect to such agreement):

(1) The term of such franchise shall not exceed fifteen (15) years.

(2) The compensation paid to the City shall be adequate and shall not be considered in any manner to be in the nature of a tax, but such payments shall be made in addition to any and all taxes of whatsoever kind and description which are now or may at any time hereafter be required to be paid pursuant to any local law of the City, law of the State of New York, or law of the federal government.

(3) Such franchise may be terminated or canceled by the Department in the event of a franchisee's failure to comply with the terms and conditions of this agreement.

(4) Such franchise shall include provisions for the franchisee to provide security to the City securing the performance of the franchisee's duties and obligations.

(5) The City shall have the right to inspect the facilities of the franchisee that are located on the City's inalienable property and to order the relocation or removal of such facilities at the direction of the Department.

(6) There shall be requirements for adequate insurance and indemnification to protect the interests of the public and the City.

(7) The franchisee shall be required to maintain complete and accurate records and books of account that shall be made available for audit by the City for the purpose of auditing performance of the franchisee's duties and obligations under such franchise.

(8) There may be provisions to allow the franchisee to sell or lease advertising space on its public pay telephones, but in no event shall such advertising be permitted in zoning districts other than commercial and/or manufacturing zoning districts (defined as zoning districts where commercial and/or manufacturing uses are permitted as of right), and provided that in the event that a franchisee authorizes such advertising the franchise shall require that prior to the installation of any such advertising, the franchisee shall (i) submit to the Commissioner a list of each location where advertising is sought to be sold or leased; (ii) indicate the zoning designation for each such location; and (iii) certify, in writing, that each location complies with the zoning district requirements of this paragraph (8).

(9) In the event that a franchisee is authorized to, and does, sell or lease advertising space on its public pay telephones, then: (i) advertising for tobacco products shall be prohibited; (ii) there shall be a requirement for the provision of free advertising space for public service announcements, (iii) said space for public service announcements shall represent at least two percent (2%) of total advertising space; (iv) the Department shall be responsible for informing all agencies of City government of such free advertising space for public service announcements; and (v) in order to ensure wide and fair distribution of such free advertising space, the Department shall maintain and implement a plan for coordinating requests by said agencies for use of such space.

(10) There shall be provisions requiring that all work involved in the installation, construction, operation, maintenance, repair, upgrade, removal or deactivation of the equipment and facilities of the franchisee on, over and under the inalienable property of the City shall be performed in a safe, thorough and reliable manner using materials of good and durable quality and that such work will be done in accordance with any rules promulgated under Section 23-403 of the Code (or any successor provision thereto) in relation thereto; additionally, the installation of public pay telephones on distinctive sidewalks shall be prohibited.

(11) The franchisee shall comply with all applicable sections of the buildings and electrical codes of the City of New York and, where the nature of any work to be done in connection with the installation, construction, operation, maintenance, repair, upgrade, removal or deactivation of such public pay telephones and associated equipment on, over and under the inalienable property of the City requires that such work be done by an electrician, the franchisees shall employ and utilize only licensed electricians.

(12) There shall be provisions containing the agreements required pursuant to paragraph 6 of subdivision (h) of Section 363 of the Charter relating to collective bargaining and other matters.

(13) There shall be provisions requiring the franchisee to comply with all applicable City, state and federal laws, regulations and policies.

(14) There shall be provisions to ensure the adequate oversight by the City of the franchisee's performance of its obligations under such franchise.

(15) There shall be provisions to restrict the assignment or other transfer of such franchise without the prior written consent of the City and provisions to restrict changes in control of the franchisee without the prior written consent of the City.

(16) There shall be provisions to require the franchisee to comply with the applicable provisions of the Americans with Disabilities Act and any additional applicable federal, state and local laws relating to accessibility for persons with disabilities, and at least twenty-five (25) percent of each franchisee's telephones shall be equipped with volume control equipment to enable hearing impaired persons to access and utilize telecommunications services (such volume control-equipped telephones to be distributed reasonably evenly among the telephones installed by the franchisee).

(17) There shall be remedies to protect the City's interests in the event of the franchisee's failure to comply with the terms and conditions of the agreement.

(18) There shall be provisions to protect the City's interest in the event of the subsequent invalidity of any portion of the agreement and in the event of any change in applicable law.

(19) The franchisee shall have been subject to, prior to commencement of the term of such franchise, review pursuant to the City's Vendor Information Exchange System ("VENDEX") or any successor system.

(20) The franchisee shall obtain all necessary licenses and permits from and comply with all rules and regulations of the New York State Public Service Commission, the Federal Communications Commission and any other governmental body having jurisdiction over the franchisee.

(21) The franchisee shall obtain the permit(s) required by Section 23-402 and defined by Section 23-401(d) of the Code, or any successor provision thereto, and the fees paid to obtain said permits shall not be considered in any manner to be compensation or in the nature of a tax.

(22) The franchisee shall establish and maintain prompt and efficient complaint handling procedures.

(23) There shall be provisions for inspecting and cleaning the public pay telephones and associated equipment and for the prompt removal of graffiti, which inspection, cleaning and graffiti removal shall occur a minimum of two times per month.

(24) The franchisee shall establish and maintain a program, accessible by the City, to monitor the operability of its equipment at all times at all locations.

(25) In the event of an outage, the source of which is under the direct control of the franchisee(s), the franchisee(s) shall be required to restore service within twenty-four (24) hours at all locations so affected, and if the source of the outage is not under the direct control of the franchisee(s) then the franchisee(s) shall notify the responsible party and the Commissioner within twenty-four (24) hours.

(26) The franchisee shall ensure that not more than ten percent (10%) of its public pay telephones are out of service at any given time.

(27) There shall be provisions preserving the right of the City to perform public works or public improvements in and around those areas subject to such franchise.

(28) There shall be provisions requiring the franchisee to protect the property of the City and the delivery of other public services from damage or interruption of operation resulting from the installation, construction, operation, maintenance, repair, upgrade, removal or deactivation of the equipment or facilities related to the franchisee.

(29) There shall be provisions designed to minimize the extent to which the public use of the streets of the City is disrupted in connection with the installation, construction, operation, maintenance, repair, upgrade, removal or deactivation of the equipment and facilities related to such franchise.

(30) There shall be provisions requiring that emergency calling to the 911 emergency number, to the certified operator service provider and to any other appropriately authorized emergency access number be in accordance with

the rules and regulations promulgated by the New York State Public Service Commission.

(31) There shall be a provision, consistent with such regulations as have been or may be promulgated by the New York State Public Service Commission, requiring that each public pay telephone clearly and legibly (i) identify the owner and/or operator of such public pay telephone, (ii) indicate that the owner and/or operator has been franchised by the City of New York and (iii) provide such telephone numbers as may be required by the Department where complaints regarding the telephone may be directed.

(32) There shall be provisions incorporating the MacBride Principles.

K. The Department shall maintain a process for consultation with Council Members and Community Boards with respect to the siting of public pay telephones on the Streets and complaints regarding same including requests for removal and relocation. This process shall include, but not be limited to:

(1) allowing Council Members and Community Boards to submit to the Department a prioritized list of areas requiring additional service, reduced service, or a change in service;

(2) requiring the Department to make available for public review proposed locations for new public pay telephones on the Streets; and

(3) requiring the Commissioner to respond in writing to complaints and requests received from Council Members and Community Boards regarding installation, change of service, removal or relocation of public pay telephones on the Streets pursuant to the Commissioner's authority under the Code.

L. The Department shall file the following documents with the Council:

(1) within fifteen (15) days of filing or receipt, a copy of all documents, including but not limited to forms, applications, reports and correspondence, regarding SEQRA, CEQR and ULURP;

(2) within fifteen (15) days of issuance, a copy of each RFP or other solicitation issued pursuant to this resolution;

(3) within fifteen (15) days of approval by the Mayor, a copy of the agreement for each franchise granted pursuant to this resolution and any subsequent modification thereof; and

(4) on or before July 1 of each year, for the preceding calendar year, a report detailing the revenues received by the City from each franchise granted pursuant to this resolution.

M. This Resolution repeals and replaces in their entirety Resolution No. 1043 of 2003 and Resolution No. 502 of 2004.

GREENTREE

BRONX CB - 8 20095681 TCX
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 5693 Restaurant Corp., d/b/a Greentree, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café at 5693 Riverdale Avenue.

ROSIE O'GRADY'S

MANHATTAN CB - 5 20105193 TCM
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Trel Restaurant Inc., d/b/a Rosie O'Grady's, for a revocable consent to establish, maintain and operate an unenclosed small sidewalk café at 800 Seventh Avenue.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matter in the Council Chambers, City Hall, New York City, New York 10007, commencing at 11:00 A.M. on Tuesday, December 15, 2009:

250 BALTIC STREET EXCHANGE

BROOKLYN CB's - 5 and 6 20105215 PPK
Application pursuant to §72-h of the New York State General Municipal Law, by the Department of Citywide Administrative Services, concerning the proposed exchange of city-owned property located at 250 Baltic Street for state-owned property located at 338 Forbell Street, Borough of Brooklyn, Council Districts nos. 39 and 37.

HERMAN A. SCHLEICHER MANSION

QUEENS CB - 7 20105203 HKQ (N 100137 HKQ)
Designation (List No. 420/LP-2321) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of the Herman A. Schleicher Mansion, located at 11-41 123rd Street (Block 3997, Lot 40), as an historic landmark.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the Council Chambers, City Hall, New York City, New York 10007, commencing at 1:00 P.M. on Tuesday, December 15, 2009:

SUNSET PARK 197-A PLAN

BROOKLYN CB - 7 N 080396 NPK
A plan concerning Community Board 7 in Brooklyn, submitted by Community Board 7, for consideration pursuant to Section 197-a of the New York City Charter. The proposed plan for adoption is called "New Connections/New Opportunities - Sunset Park 197-a Plan".

MADISON/PUTNAM

BROOKLYN CB - 3 20105XXX HAK
Application submitted by the New York City Department of Housing Preservation and Development for Council approval, pursuant to Article 16 of the General Municipal Law, for a modification to a previously approved Urban Development Action Area Project and 924 and 928 Madison Street and 1023, 1013, 1007, 1052 and 1054 Putnam Avenue, Borough of Brooklyn, Council District no. 41.

HOPKINSON/PARK PLACE

BROOKLYN CB - 16 C 100067 HAK
Application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 1612 Park Place (Block 1468, Lot 56); and 404 A, 408, 414, and 416 Hopkinson Avenue (Block 1468, Lots 58, 60, 63, and 64), as an Urban Development Action Area; and

- b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate development of a residential building, tentatively known as Hopkinson/Park Place, with approximately 25 units to be developed under the Department of Housing Preservation and Development's New Foundations Program.

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CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF REAL ESTATE SERVICES

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT A REAL PROPERTY PUBLIC HEARING ON ACQUISITIONS AND DISPOSITIONS, in accordance with Section 824 of the New York City Charter, will be held at 10:00 A.M. on December 22, 2009 in the second floor conference room, 22 Reade Street, in Manhattan.

IN THE MATTER OF a proposed amendment of the lease for The City of New York, as Tenant, of approximately 317,317 rentable square feet of space on the 14th-16th, 18th-20th, 22nd, 24th-26th, 28th, 33rd, 34th, 35th, 36th, 37th, 38th, and ground floor in a building located at 59 Maiden Lane (Block 67, Lot 1), in the Borough of Manhattan for the Department of Finance, Department of Information Technology and Telecommunications, Department of Transportation, and the Department of Citywide Administrative Services to use as an office, or for such other use as the Commissioner of the Department of Citywide Administrative Services may determine.

The proposed amendment of the lease shall be from date of Landlord's execution to August 31, 2021 for 271,169 square feet occupied by the Department of Finance on the 18th-20th, 22nd, 24th-26th and 28th floor, the Department of Information Technology and Telecommunications on the 14th and 33rd floor and the 14th floor mezzanine, and the Department of Transportation on the 34th-37th floor at an annual rent of \$10,464,411.00 (\$38.59 per square foot) from date of Landlord's execution to August 31, 2011, \$11,321,305.00 (\$41.75 per square foot) for the period September 1, 2011 to August 31, 2016, and \$12,180,911.00 (\$44.92 per square foot) for the period September 1, 2016 to August 31, 2021, payable in equal monthly installments at the end of each month.

The proposed amendment of the lease shall also be from date of Landlord's execution to August 31, 2021 for 17,423 square feet occupied by the Department of Information Technology and Telecommunications on the 15th floor at an annual rent of \$672,353.57 (\$38.59 per square foot) from date of Landlord's execution to August 31, 2011, \$727,410.25 (\$41.75 per square foot) for the period September 1, 2011 to August 31, 2016 and \$782,641.16 (\$44.92 per square foot) for the period September 1, 2016 to August 31, 2021, payable in equal monthly installments at the end of each month.

The proposed amendment of the lease shall also be from date of Landlord's execution to August 31, 2021 for 11,160 square feet occupied by the Department of Information Technology and Telecommunications on the 16th floor at an annual rent of \$263,376.00 (\$23.60 per square foot) from date of Landlord's execution to November 30, 2011, \$296,856.00 (\$26.60 per square foot) for the period December 1, 2011 to November 30, 2016 and \$319,176.00 (\$28.60 per square foot) for the period December 1, 2016 to August 31, 2021, payable in equal monthly installments at the end of each month.

The proposed amendment of the lease shall also give the Tenant termination rights with respect to 17,126 square feet occupied by the Department of Citywide Administrative Services on the 38th floor effective at any time between June 30, 2010 and December 31, 2011 upon 120 days prior written notice. Provided Tenant does not exercise its termination right, the Base Rent shall be reduced to an annual rent of \$535,187.50 (\$31.25 per square foot) for the period January 1, 2012 to June 30, 2016, and \$586,565.50 (\$34.25 per square foot) for the period July 1, 2016 to August 31, 2021, payable in equal monthly installments at the end of each month.

The proposed amendment of the lease shall also be from date of Landlord's execution to August 31, 2021 for 439 square feet occupied by the Department of Citywide Administrative Services on the ground floor at an annual rent of \$12,401.75 (\$28.25 per square foot) from date of Landlord's execution to June 30, 2011, \$13,718.75 (\$31.25 per square foot) for the period July 1, 2011 to June 30, 2016, and \$15,035.75 (\$34.25 per square foot) for the period July 1, 2016 to August 31, 2021, payable in equal monthly installments at the end of each month.

Other than termination rights for the 38th floor, the Tenant will no longer have the right to terminate the lease at its discretion.

As additional rent, the Tenant shall pay to the Landlord \$12,000 per annum for its use of air-conditioner unit condenser water on the 33rd and 36th floors for the period from Landlord's execution to August 31, 2021.

IN THE MATTER OF a proposed amendment of the lease for The City of New York, as Tenant, of approximately 359,238 rentable square feet of space on the first through fourth and the seventh through thirteenth floors in a building located at 66 John Street (Block 67, Lot 1), in the Borough of Manhattan, for the Finance Business Center of the Department of Finance and the Division of Child Care and Head Start of the Administration for Children's Services to use as an office, or for such other use as the Commissioner of the Department of Citywide Administrative Services may determine.

The proposed amendment of the lease shall be from date of Landlord's execution to August 31, 2021 at an annual rent of \$11,585,425.50 (\$32.25 per square foot) from date of Landlord's execution to November 30, 2010, \$12,339,825.30 (\$34.35 per square foot) for the period of December 1, 2010 to November 30, 2015 and \$12,932,568.00 (\$36.00 per square foot) for the period December 1, 2015 to August 31, 2021, payable in equal monthly installments at the end of each month.

Further information, including public inspection of the proposed lease may be obtained at One Centre Street, Room 2000 North, New York, N.Y. 10007. To schedule an inspection, please contact Chris Fleming at (212) 669-7497.

Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, Room 915, New York, N.Y. 10007, (212) 788-7490, no later than FIVE (5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

TDD users should call VERIZON relay services.

NOTICE IS HEREBY GIVEN THAT A REAL PROPERTY PUBLIC HEARING ON ACQUISITIONS AND DISPOSITIONS, in accordance with Section 824 of the New York City Charter, will be held at 10:00 A.M. on December 22, 2009 in the second floor conference room, 22 Reade Street, in Manhattan.

IN THE MATTER OF a proposed lease for The City of New York, as Tenant, of approximately 940 rentable square feet of space on the first floor in a building located at 250 Baltic Street (Block 312, Lot 24), in the Borough of Brooklyn, for Community Board No. 6 to use as an office, or for such other use as the Commissioner of the Department of Citywide Administrative Services may determine.

The proposed lease shall be for a period of ten (10) years from the date of transfer of title to the building to the Landlord.

The Tenant shall pay rent, consisting solely of Tenant's share of operating expenses, at the rate of \$5,640.00 (\$6.00 psf) for the first year. Tenant's share of operating expenses shall then be increased on an annual basis by the annual CPI percentage rate for each subsequent year of the term.

In the event the Landlord transfers the building to a non-state entity, the Tenant shall have the right at any time after such transfer to terminate the Lease without penalty upon 60 days written notice.

The Tenant shall have the right to renew the lease for four (4) terms, each of ten (10) years duration on the same terms and conditions as stated above.

Further information, including public inspection of the proposed lease may be obtained at One Centre Street, Room 2000 North, New York, N.Y. 10007. To schedule an inspection, please contact Chris Fleming at (212) 669-7497.

Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, Room 915, New York, N.Y. 10007, (212) 788-7490, no later than FIVE (5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

TDD users should call VERIZON relay services.

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, December 16, 2009, commencing at 10:00 A.M.

BOROUGH OF MANHATTAN No. 1 HUDSON SQUARE BUILDING

CD 1 C 070223 ZSM
IN THE MATTER OF an application submitted by 145 Hudson Street Associates LP 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 111-103(b) (Additional use regulations) to allow loft dwellings to be located on the 7th – 10th floors of an existing 16-story building designed for non-residential use and erected prior to December 15, 1961, and where the lot coverage is greater than 5000 square feet, on property located at 145 Hudson Street (Block 214, Lots 1101 - 1144), in an M1-5 District, within the Special TriBeCa Mixed Use District (Area B2), within the TriBeCa West 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.

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

d3-16

CIVILIAN COMPLAINT REVIEW BOARD

■ PUBLIC MEETING

The Civilian Complaint Review Board's Monthly public meeting has been scheduled for Wednesday, December 9, 2009 at 10:00 A.M. at 40 Rector Street, 2nd Floor, New York, NY 10006.

The agency's Executive Director Report will be available online on Friday, December 4, 2009 at nyc.gov/crb.

d3-9

COMMUNITY BOARDS

■ PUBLIC HEARINGS

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 7 - Monday, December 14, 2009 at 7:00 P.M., Union Plaza Care Center, 33-23 Union Street, 1st Floor, Flushing, NY

Application pursuant to zoning resolution Section 72-01 to amend the previously issued resolution to include two additional objections. The first is that the proposed dwelling units are less than the required size, contrary to zoning resolution Section 23-23, the second is that the proposed side yard is contrary to zoning resolution Section 23-461(a).

d8-14

EMPLOYEES' RETIREMENT SYSTEM

■ MEETING

Please be advised that the next Investment Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Tuesday, December 15, 2009 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor Boardroom, Brooklyn, NY 11201-3751.

d8-15

Please be advised that the next Regular Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Thursday, December 10, 2009 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor Boardroom, Brooklyn, NY 11201-3751.

d3-9

EQUAL EMPLOYMENT PRACTICES COMMISSION

■ PUBLIC MEETING

The next meeting of the Equal Employment Practices Commission will be held in the Commission's Conference Room/Library at 40 Rector Street (14th Floor), on Thursday, December 10, 2009 at 9:30 A.M.

d3-10

FRANCHISE AND CONCESSION REVIEW COMMITTEE

■ MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a Public Meeting at 2:30 P.M., on Wednesday, December 9, 2009 at 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan.

NOTE: 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 MEETING. TDD users should call Verizon relay service.

n30-d9

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

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, December 15, 2009**, 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 Landmarks, Landmark Sites and Historic District. 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 ITEMS

PUBLIC HEARING ITEM NO.1
LP-2370

DOLLAR SAVINGS BANK, 2792 Third Avenue (aka 495 Willis Avenue), Bronx
Landmark Site: Borough of The Bronx Tax Map Block 2307, Lot 54

PUBLIC HEARING ITEM NO. 2
LP-2399

ELI NADELMAN/PERCY R. PYNE HOUSE, 4715 Independence Avenue, Bronx
Landmark Site: Borough of The Bronx Tax Map Block 5926, Lot 76

PUBLIC HEARING ITEM NO. 3
LP-2396

GREYSON (WILLIAM E. and SARAH T. HOADLEY DODGE, JR., ESTATE) GATE HOUSE, 4695 Independence Avenue, Bronx
Landmark Site: Borough of The Bronx Tax Map Block 5924, Lot 480

PUBLIC HEARING ITEM NO. 4
LP-2400

NOONAN PLAZA APARTMENTS, 105-145 West 168th Street (aka 105-149 West 168th Street; 1231-1245 Nelson Avenue; 1232-1244 Ogden Avenue), Bronx
Landmark Site: Borough of The Bronx Tax Map Block 2518, Lot 1

PUBLIC HEARING ITEM NO. 5
LP-2382

6 PLOUGHMAN'S BUSH BUILDING, 6 Ploughman's Bush (aka 665 West 246th Street), Bronx
Landmark Site: Borough of The Bronx Tax Map Block 5924,

Lot 518 in part, consisting of that portion of said lot bounded by the northeasterly lot line, and starting from the southeasterly corner of said lot at Ploughman's Bush and West 246th Street, running northeasterly for approximately 237.27 feet along the Ploughman's Bush boundary of said lot, southwesterly at an angle of approximately 90 degrees through said lot approximately 54.66, southerly at an angle of approximately 135 degrees through said lot approximately 124.04 to the lot line at West 246th Street, easterly along the West 246th Street boundary of said lot for approximately 208.82 feet to the point of beginning.

PUBLIC HEARING ITEM NO. 6
LP-2388

HAFFEN BUILDING, 2804 Third Avenue, Bronx
Landmark Site: Borough of The Bronx Tax Map Block 332, Lot 4

PUBLIC HEARING ITEM NO. 7
LP-2401

(Former) UNION REFORMED CHURCH OF HIGHBRIDGE now HIGHBRIDGE COMMUNITY CHURCH, 1272 Ogden Avenue (aka 1270 Ogden Avenue), Bronx
Landmark Site: Borough of The Bronx Tax Map Block 2518, Lot 14

PUBLIC HEARING ITEM NO. 8
LP-2402

PROPOSED OCEAN ON THE PARK HISTORIC DISTRICT EXTENSION, Borough of Brooklyn

Boundary Description

The proposed Ocean on the Park Historic District Extension is bounded by a line beginning at a point on the eastern curblin of Ocean Avenue on a line extending westerly from the southern property line of 185 Ocean Avenue, easterly along said line and the southern property line of 185 Ocean Avenue, northerly along the eastern property line of 185 Ocean Avenue, westerly along the northern property line of 185 Ocean Avenue to the eastern curblin of Ocean Avenue, and southerly along the eastern curblin of Ocean Avenue to the point of beginning.

n30-d14

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, **December 15, 2009 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 BRONX 10-3819 - Block 2281, lot 10-431-445 East 136th Street - Bertine Block Historic District
Two rows of Renaissance Revival style tenements, designed by Harry T. Howell, and built in 1897-98 and 1898-99. Application is to install barrier free access at the areaway and windows.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4370 - Block 41, lot 15-60 Pine Street - Down Town Association Building- 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 constructed in 1910-11. Application is to construct a rooftop addition and a courtyard addition and install barrier-free access. Zoned C5-5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-2481 - Block 644, lot 41-827 Washington Street - Gansevoort Market Historic District
A neo-Grec style market building designed by Joseph M. Dunn, built in 1880, and altered in 1940. Application is to install signage and lighting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-3725 - Block 530, lot19-25 Great Jones Street - NoHo Historic District Extension
A partially constructed building. Application is to approve revisions to the design of the facades. Zoned M1-5B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-9482 - Block 588, lot 1-86 Bedford Street - Greenwich Village Historic District
A house and stable built in 1831 and altered in the 20th century. Application is to reconstruct and raise the height of the rear portion of the building.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4135 - Block 615, lot 66-22 Jane Street- Greenwich Village Historic District
A Romanesque-Revival style stable designed by Charles H. Demarest and constructed in 1868. Application is to reconstruct the front façade.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4023 - Block 849, lot7502-7 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 10-3463 - 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 09-7885 - Block 1124, lot 27-115 Central Park West - Majestic Apartments-Individual Landmark, Upper West Side/Central Park West Historic District
An Art Deco style towered apartment building designed by Irwin S. Chanin and built in 1930-31. Application is to amend Certificate of Appropriateness 91-0008 for a window master plan.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-3317 - Block 1217, lot 21-129 West 86th Street - Upper West Side/Central Park West Historic District

A Northern Renaissance Revival/Queen Anne style rowhouse designed by John G. Prague and built in 1887. Application is to alter the basement entrance and to install an areaway fence.

BINDING REPORT
BOROUGH OF MANHATTAN 10-4184 - Block 2179, lot 625
41 Margaret Corbin Drive - Fort Tryon Park- Scenic
Landmark
A concession building, designed by Clarence E. Howard and built c. 1933, within a picturesque public park, designed in the eighteenth-century English naturalistic romantic landscape tradition by Olmsted Brothers and built in 1931-1935. Application is to install a barrier free access ramp.

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 c.1828-41. Application is to excavate the cellar.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-3211 - Block 1070, lot 19-
800 Carroll Street - Park Slope Historic District
A rowhouse built c. 1889. Application is to alter the rear yard extension, install a deck and to excavate beneath the cellar.

d2-15

TAXI AND LIMOUSINE COMMISSION

MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION will hold a Commission Meeting on Thursday, December 17th, 2009 at 1:30 P.M., at the offices of the New York City Taxi and Limousine Commission, located at 40 Rector Street, 5th Floor, New York, New York.

d9

YOUTH AND COMMUNITY DEVELOPMENT

NOTICE

The New York City Commission for Lesbian, Gay, Bisexual, Transgender and Questioning (LGBTQ) Runaway and Homeless Youth is charged with devising strategies to address the unique needs of LGBTQ youth. On October 5, 2009, Mayor Michael R. Bloomberg established the Commission and appointed 25 civic leaders as Commission Members. The Commission will address the root causes of homelessness among LGBTQ runaway youth and develop a blueprint for innovative, evidence-based solutions, including strategies to improve existing services and foster healthy communication among young people and their families. The Commission is conducting its first hearing to solicit input from the public on Thursday, December 17, 2009 from 2:00 to 5:00 P.M. at Spector Hall, 22 Reade Street, corner of Elk Street, New York, New York 10007.

You can register in advance to testify by emailing the Commission at LGBTQCommission@dycd.nyc.gov or via phone, fax or mail: Department of Youth and Community Development, Office of External Relations, 156 William Street, 6th Floor, New York, New York 10038, (212) 676-0278 phone or (212) 442-5894 fax.

Speakers will be called in the order in which they register, with testimony limited to three minutes. Written comments may also be submitted.

d4-17

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

SALE BY SEALED BID

SALE OF: TWO YEAR CITYWIDE CONTRACT TO REMOVE CRT/FLAT SCREEN MONITORS AND COMPUTER PROCESSING UNITS FROM JANUARY 1, 2010 TO DECEMBER 31, 2011.

S.P.#: 10010

DUE: December 10, 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.
DCAS, Division of Municipal Supply Services, 18th Floor, Bid Room, Municipal Building, New York, NY 10007.
For sales proposal contact Gladys Genoves-McCauley (718) 417-2156.

n25-d10

SALE OF: 4 LOTS OF MISCELLANEOUS EQUIPMENT AND SUPPLIES, USED/UNUSED.

S.P.#: 10009

DUE: December 15, 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.
DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.
For sales proposal contact Gladys Genoves-McCauley (718) 417-2156.

d2-15

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."

CHIEF MEDICAL EXAMINER

AGENCY CHIEF CONTRACTING OFFICER

INTENT TO AWARD

Goods

CONSUMABLES, REAGENTS AND SUPPLIES FOR VENTANA BENCHMARK LT FULL SYSTEMS AND NEXES SPECIAL STAIN-STAINING MODULE – Sole Source – Available only from a single source - PIN# 81610ME0015 – DUE 12-14-09 AT 3:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Office of Chief Medical Examiner, 520 First Avenue
New York, NY 10016. Luis Rodriguez (212) 323-1733
lrodriguez@ocme.nyc.gov

d7-11

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

AWARDS

Goods

GROCERIES - DJJ – Competitive Sealed Bids – PIN# 8571000161 – AMT: \$29,399.06 – TO: Universal Coffee, Corp., 123 47th Street, P.O. Box 320187, Brooklyn, NY 11232.

● **GROCERIES - DJJ** – Competitive Sealed Bids – PIN# 8571000161 – AMT: \$63,317.16 – TO: Alter Distributors, Inc., 1004 Cortelyou Rd., Brooklyn, NY 11218.

● **RES - Q - POD IMPEDANCE THRESHOLD DEVICE - BRAND SPECIFIC** – Competitive Sealed Bids – PIN# 857901197 – AMT: \$1,046,250.00 – TO: Bound Tree Medical, LLC, 5000 Tuttle Crossing Blvd., Dublin, OH 43016.

d9

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

COMPTROLLER

VENDOR LISTS

Services (Other Than Human Services)

PREQUALIFIED LIST-CPA FIRMS – NOTICE OF INVITATION TO APPLY FOR PREQUALIFIED LIST - CPA FIRMS

The New York City Office of the Comptroller maintains a LIST OF PREQUALIFIED CPA FIRMS to provide auditing services and other services to City agencies. Agencies are required to solicit external CPA audit services from firms on this list.

In order to be considered for placement on the List, firms must:

1. Be registered with the New York State Education Department to practice in the State of New York, under the firm's current organizational status.
2. Have had a System peer review of the firm's auditing practice within the last 3 years, in accordance with CPA Standards, and received an unmodified opinion.
3. Submit completed City Vendex Vendor and Principal Questionnaires to both the Comptroller's Office and Mayor's Office of Contract Services.

Applications to be considered for placement on the List may be downloaded from the New York City Office of the Comptroller's website at <http://www.comptroller.nyc.gov/bureaus/audit/cpaquestionnaire.shtm> (Application for the CPA List). You may also contact Mr. Dennis J. Hochbaum, Director Quality Assurance, at (212) 669-8887, or write to his attention at: The City of New York, Office of the Comptroller Bureau of Audit, One Centre Street, Room 1100 North, New York, NY 10007.

PPB Rule Section 3-10 (E)(K).

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.
Comptroller's Office, 1 Centre Street, New York, NY 10007.
Dennis J. Hochbaum (212) 669-8887,
dhochba@comptroller.nyc.gov

d7-11

BUREAU OF ASSET MANAGEMENT

INTENT TO AWARD

Services (Other Than Human Services)

CUSTODIAL SERVICES FOR SHORT TERM ASSETS OF THE NEW YORK CITY RETIREMENT SYSTEMS AND CERTAIN OTHER NEW YORK CITY FUNDS – Negotiated Acquisition – Available only from a single source - PIN# 015-1085400 CB – DUE 12-14-09 AT 10:30 A.M. – This is a negotiated acquisition extension contract with State Street Bank and Trust Company, N.A. The services will provide custody for short term investment assets of the City of New York and certain other city related entities including the New York City Retirement Systems.

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.
Comptroller's Office, 1 Centre Street, Room 650
New York, NY 10007. Evelyn Dresler (212) 669-8235
bamcontracts@comptroller.nyc.gov

d4-10

ECONOMIC DEVELOPMENT CORPORATION

CONTRACTS

SOLICITATIONS

Goods & Services

CONSULTANT SERVICES, NYC CAPITAL ACCESS REVOLVING LOAN GUARANTEE PROGRAM – Request for Proposals – PIN# 36290007 – DUE 01-25-10 AT 4:00 P.M. – Companies who have been certified with the New York City Small Business Services as Minority and Women Owned Business Enterprises ("M/WBE") are strongly encouraged to apply. To find out more about M/WBE certification, please call 311 or go to www.nyc.gov/getcertified. Respondents may submit questions and/or request clarifications from NYCEDC no later than 4:00 P.M. on Friday, January 8, 2010. Questions regarding the subject matter of this RFP should be directed to capitalaccess@nycfedc.com. For all questions that do not pertain to the subject matter of this RFP, please contact NYCEDC's Contracts Hotline at (212) 312-3969. Answers to all questions will be posted by Thursday, January 14, 2010, to www.nycfedc.com/RFP.

An optional informational session will be held on Wednesday, January 6, 2010, 12:00 P.M., at NYCEDC. Those who wish to attend must RSVP by email to capitalaccess@nycfedc.com on or before January 4, 2010.

The RFP is available for in-person pick-up between 9:30 A.M. and 4:30 P.M., Monday through Friday. To download a copy of the solicitation documents please visit www.nycfedc.com/RFP. Responses are due no later than 4:00 P.M. on Monday, January 25, 2010. Please submit ten (10) sets of your proposal to NYCEDC.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Economic Development Corp., 110 William Street, 6th Floor
New York, NY 10038. Maryann Catalano (212) 312-3969
capitalaccess@nycfedc.com

d9

NYC URBAN TECHNOLOGY INNOVATION CENTER – Request for Proposals – PIN# 37860001 – DUE 02-25-10 AT 4:00 P.M. – For the creation and maintenance of a NYC Building Technology Innovation Center, seeking responses from capable academic or non-profit institutions.

Companies that have been certified with the New York City Department of Small Business Services as Minority and Women Owned Business Enterprises ("M/WBE") are strongly encouraged to apply. To learn more about M/WBE certification and NYCEDC's M/WBE program, please visit www.nycfedc.com/mwbeprogram.

An optional pre-proposal meeting will be held on Monday, January 25, 2010 at 11:00 A.M. at NYCEDC. Those who wish to attend must RSVP by email to UTICrfp@nycfedc.com on or before Friday, January 22, 2010 at 12:00 P.M.

Respondents may submit questions regarding the substance of the RFP to UTICrfp@nycfedc.com no later than 5:00 P.M. on Wednesday, January 27, 2010. For purely procedural questions, respondents may also use NYCEDC's Contracts Hotline at (212) 312-3969. Answers to all questions will be posted by Friday, February 5, 2010, on www.nycfedc.com/RFP.

For in-person pick-up, copies will be available between 9:30 A.M. and 4:30 P.M.; for downloading copies, please visit www.nycfedc.com/RFP. Please submit five (5) copies of your responses to NYCEDC.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Economic Development Corp., 110 William Street, 6th Floor
New York, NY 10038. Maryann Catalano (212) 312-3969
UTICrfp@nycfedc.com

d9

FINANCIAL INFORMATION SERVICES AGENCY

CONTRACTS UNIT

INTENT TO AWARD

Services (Other Than Human Services)

SOLE SOURCE SERVICES – Sole Source – Available only from a single source - PIN# 12710CA00058 – DUE 12-15-09 AT 1:00 P.M. – CORRECTION: Sole Source Services Agreement with Independent Consultant Cooperative, Inc.; 750 Squaw Brook Road, North Haledon, NJ 07508-3059.

The ACCO has made a determination that there is only one source available that is able to provide the expert consulting services required to fulfill this Agreement. The Agreement demands the services of a highly skilled individual with many years of experience with and a deep and historical expertise in the unique processing rules of the city's Payroll Management System (PMS), the Pension Payroll System (PPMS) and interfaces with the city's Financial Management System (FMS) and timekeeping systems.

Qualified vendors may express interest in this and future related opportunities by contacting Robert Aboulafia, raboulafia@fisa.nyc.gov; no later than Monday, December 21st at 1:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Financial Information Services Agency, 450 West 33rd Street, 4th Floor, New York, NY 10001-2603.
Robert Aboulafia (212) 857-1516, raboulafia@fisa.nyc.gov

d8-14

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

AVOXIMETER MODEL 1000E – Competitive Sealed Bids – PIN# QHN2010-1052EHC – DUE 12-28-09 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.
Queens Health Network, 82-68 164th Street, "S" Building
Jamaica, NY 11432. Boris Goltzman (718) 883-6000
goltzmb@nychhc.org

d9

Services (Other Than Human Services)

BOILER TUBE CLEANING SERVICE – Competitive Sealed Bids – PIN# 000041210015 – DUE 01-07-10 AT 3:00 P.M. – Pre-bid meetings/site tours are scheduled at Goldwater Memorial Hospital, 1 Main Street, Roosevelt Island, New York, NY 10044 on December 29, 2009 in Conference Room A at 10:00 A.M. or December 30, 2009 in Medical Board Room at 10:00 A.M., 2nd Floor between C and D Buildings.

Attendance is mandatory, if not, bid will be disqualified. Technical questions must be submitted in writing by mail or fax no later than (5) calendar days before bid opening date to Starr Kollore. Fax (212) 318-4253. For bid results, please call after 4:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Coler-Goldwater Memorial Hospital, 1 Main Street, Roosevelt Island, New York, NY 10044. Starr Kollore (212) 318-4260
starr.kollore@nychhc.org

d9

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, mzmoira@dhs.nyc.gov

j12-24

HOUSING AUTHORITY

SOLICITATIONS

Goods & Services

TREE PRUNING FOR VARIOUS SITES – Competitive Sealed Bids – DUE 12-29-09 – RFQ-3075 - Staten Island Due at 1:00 P.M. RFQ-17075 - Bronx Due at 1:05 P.M. RFQ-17076 - Brooklyn Due at 1:10 P.M. RFQ-17077 - Queens Due at 1:15 P.M. RFQ-17078 - Manhattan Due at 1:20 P.M.

Tree Pruning/Various sites in Staten Island - Clearance for line of Sight for NYPD Staff in Viper Rooms Surveying Developments Property for possible criminal activity for overall protection of NYCHA Residents, Staff, Visitors and all passers by.

RFQ Document(s) may be obtained and submitted respectively via Electronic Filing (no fee) at www.nyc.gov/nychaprocurement; vendors electing to request and submit paper/hard copy documents may do so for a non-refundable fee of \$25.00 payable to NYCHA by certified check or US postal money order for each set of RFQ document(s) requested.

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, 12th Fl., New York, NY 10007. Sabrina Steverson (212) 306-6676, sabrina.steverson@nycha.nyc.gov

d9

Construction / Construction Services

REQUIREMENT CONTRACT FOR WATER METERS, BACKFLOW, PREVENTERS, AND WATER PUMPS AT VARIOUS DEVELOPMENTS, BROOKLYN EAST – Competitive Sealed Bids – PIN# PL9008711 – DUE 01-05-10 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

d9-15

JUVENILE JUSTICE

SOLICITATIONS

Human / Client Service

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

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

jy1-d16

PARKS AND RECREATION

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction/Construction Services

RECONSTRUCTION OF THE LANDSCAPE ALONG THE GRAND CENTRAL PARKWAY – Competitive Sealed Bids – PIN# 8462008Q084C01 – DUE 01-14-10 AT 10:30 A.M. – Between Utopia Parkway and 188th Street, Queens, known as Contract #Q084-106M. Vendor Source ID#: 65275. A pre-bid meeting is scheduled for Tuesday, December 22, 2009, Bid Room (Rm. 60) at 11:00 A.M.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center, from 8:00 A.M. to 3:00 P.M. The fee is payable by company check or money order to the City of NY, Parks and Recreation. A separate check/money order is required for each project. The Company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Parks and Recreation, Olmsted Center, Room 64
Flushing Meadows Corona Park, Flushing, NY 11368.
Juan Alban (718) 760-6771, Juan.Alban@parks.nyc.gov

■ AWARDS

Construction/Construction Services

ELECTRICAL WORK IN CONNECTION WITH THE CONSTRUCTION OF A COMFORT STATION – Competitive Sealed Bids – PIN# 8462009X126C02 – AMT: \$165,228.96 – TO: ARCO Electrical Construction Corp., 104-22 100th Street, Ozone Park, NY 11417. In Ferry Point Park, The Bronx, known as Contract #X126-206MA.

REVENUE AND CONCESSIONS

■ SOLICITATIONS

Services (Other Than Human Services)

DEVELOPMENT, MAINTENANCE, AND OPERATION OF AN INDOOR TENNIS AND SPORTS FACILITY – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M144-IT – DUE 02-24-10 AT 3:00 P.M. – At East River Park in Manhattan. Parks will hold an on-site proposer meeting and site tour on Wednesday, January 13, 2010 at 11:00 A.M. at the proposed concession site (Block #316, Lot #200), which is approximately at Delancey Street, just north of the Williamsburg Bridge in East River Park, Manhattan. We will be meeting in front of the tennis courts.

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

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

SCHOOL CONSTRUCTION AUTHORITY

BUREAU OF CONTRACTS AND SERVICES

■ SOLICITATIONS

Construction/Construction Services

EXTERIOR MASONRY, PARAPETS AND ROOFS – Competitive Sealed Bids – PIN# SCA10-12771D-1 – DUE 12-18-09 AT 11:30 A.M. – PS 219 (Brooklyn). Project Range: \$2,580,000.00 to \$2,715,000.00. 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

PROCUREMENT

■ SOLICITATIONS

Construction/Construction Services

REINFORCE CINDER CONCRETE SLABS, FLOORS – Competitive Sealed Bids – PIN# SCA10-12598D-1 – DUE 01-04-10 AT 10:30 A.M. – PS 121 (Queens). Project Range: \$2,250,000.00 – \$2,370,000.00. Pre-bid meeting 11/21/09 at 10:00 A.M. Non-refundable bid documents charge: \$100.00, certified check or money order only. 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

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. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by adding the following material immediately after the entry in that penalty schedule for 1-01(c), "Failure of Asbestos Handler Supervisor to comply with all provisions of Asbestos Rules," to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION		2ND VIOLATION	
		Penalty	STIP.	Penalty	STIP.
1-01(H)	Unprofessional conduct	1200	1000	2400	1500

Section 2. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by revising the entries for 1-16 (A) and 1-16 (F) found under the heading "ASBESTOS INVESTIGATION CERTIFICATE," and by adding a new section 1-16 (A) (3), to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION		2ND VIOLATION	
		Penalty	STIP.	Penalty	STIP.
1-16(A)(1)	[Conducting] Conduct of building survey and hazard assessment without DEP certification	2400	1500	4800	3000
1-16(A)(3)	<u>Failure to collect bulk samples as specified</u>	2400	1500	4800	3000
1-16(F)(H)	[Failed] Failure to sign/affix valid investigations seal to plan report as required	1200	1000	2400	1500

Section 3. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by deleting the entries for sections 1-22 (C), 1-22(D), 1-23(B), and 1-23(D) found under the heading "NOTIFICATION," and by revising the entry for 1-23(C) also found under the heading "NOTIFICATION," to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION		2ND VIOLATION	
		Penalty	STIP.	Penalty	STIP.
[1-22(C)]	[Failed] Failure to file required DEP notification w/Buildings Department application	[2400]	[1500]	[4800]	[3000]
[1-22(D)]	[Failed] Failure to notify DEP in writing of change in project notification	[1200]	[1000]	[2400]	[1500]
[1-23(B)]	[Failed] Failure to notify DEP in writing of change in project notification	[1200]	[1000]	[2400]	[1500]
1-23(C)	[Failed] Failure to submit DEP Asbestos inspection report to NYC Department of Buildings] <u>Failure to file required Asbestos Assessment Report (ACP-5) with Buildings Dept</u>	2400	1500	4800	3000
[1-23 (D)]	[Failed] Failure to notify DEP in writing of any change in project notification	[1200]	[1000]	[2400]	[1500]

Section 4. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by revising the entries for sections 1-26 (B) and 1-26(C) found under the heading "NOTIFICATION," and by adding new material entitled Permitting immediately thereafter, to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION		2ND VIOLATION	
		Penalty	STIP.	Penalty	STIP.
1-26(Z)(B)	[Failed] Failure to immediately notify DEP of emergency project as required	2400	1500	4800	3000
1-26(Z)(C)	[Failed] Failure to notify DEP in writing of emergency project within 48 hours	2400	1500	4800	3000

PERMITTING

1-26(A)	Failure to obtain asbestos abatement permit when required	4800	3000	9600	6000
1-26(C)(3)	Failure to maintain/provide record of final inspection	2400	1500	4800	3000
1-26(E)	Failed to terminate asbestos abatement permit within 1 yr of issuance	4800	3000	9600	6000
1-26(F)	Failure to maintain required insurance during work-permitted work	1200	1000	2400	1500
1-26(H)	Commencement of permitted work prior to permit issuance	1200	1000	2400	1500

Section 5. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by revising the entries for section 1-27 (A) through 1-27(E) found under the heading "RECORDKEEPING REQUIREMENTS FOR INVESTIGATOR," and by adding new material immediately thereafter, to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION		2ND VIOLATION	
		Penalty	STIP.	Penalty	STIP.
1-27(Z)(A)	[Failed] Failure to maintain permanent records of Asbestos surveys as required	2400	1500	4800	3000
1-27(Z)(B)	[Failed] Failure to compile complete records of Asbestos survey as required	1200	1000	2400	1500

1-27(Z)(C)	[Failed] Failure to properly record work by non-certified individual as required	1200	1000	2400	1500
1-27(Z)(D)	[Failed] Failure to maintain records of Asbestos surveys for 30 years	1200	1000	2400	1500
1-27(Z)(E)	[Failed] Failure to make Asbestos survey records available for inspection by DEP	2400	1500	4800	3000

PROJECT RECORD & PROJECT SUMMARY

1-29(A)	Failure to properly maintain project record	1200	1000	2400	1500
1-29(B)	Failure to properly maintain project summary	1200	1000	2400	1500
1-29(C)	Failure to make project record or project summary available for inspection in a timely manner	1200	1000	2400	1500

Section 6. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by revising the current entries for section 1-36 (A) through 1-36 (D) found under the heading "AIR MONITORING," and by adding new material, to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION		2ND VIOLATION	
		Penalty	STIP.	Penalty	STIP.
1-36(A)	[Employed unqualified/uncertified Air Monitor] Failure to retain independent third party Air Monitor	4800	3000	9600	6000
1-36(B)	Failure to have technician present during air sample collection	1200	1000	2400	1500
1-36(B)(C)	Use of lab without required qualifications to perform bulk sample analysis	2400	1500	4800	3000
1-36(C)(D)	Use of lab without required qualifications to perform air sample analysis	2400	1500	4800	3000
1-36(D)(E)	[Employed] Employment of unqualified analyst to perform air sample analysis (TEM)	2200	1500	4800	3000

Section 7. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by adding the following material immediately after the entry in that penalty schedule for 1-37(C), "Failed to utilize area Air sampling equipment for TEM as required," to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION		2ND VIOLATION	
		Penalty	STIP.	Penalty	STIP.
1-37(D)	Failure to use appropriate air sampling pump calibrated by rotometer	1200	1000	2400	1500
1-37(E)	Failure to properly inspect air sampling equipment	1200	1000	2400	1500
1-37(F)	Failure to create/maintain air sampling log	2400	1500	4800	3000

Section 8. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by revising the current entry for section 1-41 (D), "Failed to conduct Post-Abatement air sampling as required," and by revising the current entry for section 1-42(A), "Utilized unrepresentative sampling zone for indoor air samples," located immediately after the entry for section 1-41 (C), "Failed to conduct air sampling during abatement as required," to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION		2ND VIOLATION	
		Penalty	STIP.	Penalty	STIP.
1-41(D)	[Failed] Failure to conduct Post-Abatement air sampling as required	[1200]	[1000]	[2400]	[1500]
		2400	1500	4800	3000
1-42(A)	[Utilized unrepresentative sampling zone for indoor Air samples] Utilization of improperly located air samplers	1200	1000	2400	1500

Section 9. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by adding the following material immediately after section 1-61 (I), "Failed to use UL listed and approved electrical equipment" and by revising the entry for section 1-61(J), "Failed to obtain DEP approval for substitute equipment/material," found immediately thereafter, to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION		2ND VIOLATION	
		Penalty	STIP.	Penalty	STIP.
1-61(J)	Failure to use non-carcinogenic/non-toxic chemicals	4800	3000	9600	6000
1-61(K)	Failure to use non-combustible/fire-retardant materials	4800	3000	9600	6000
1-61((J))(L)	[Failed] Failure to obtain DEP approval for substitute equipment/material	1200	1000	2400	1500

Section 10. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by revising the entries for sections 1-81(B) through (T), immediately after section 1-81 (A), "Failed to post notice of Asbestos project as specified," and by adding new sections, 1-81 (B), 1-81 (J), 1-81 (O) (4) through(5), 1-81 (T), 1-81 (U), 1-81 (V), 1-81 (W), 1-81(Z) and the deletion of section 1-81 (P), to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION		2ND VIOLATION	
		Penalty	STIP.	Penalty	STIP.
1-81(B)	Failure to post floor plan as specified	1200	1000	2400	1500
1-81((B))(C)	[Failed] Failure to vacate work place prior to and during abatement activities	4800	3000	9600	6000
1-81((C))(D)	[Failed] Failure to provide power from outside the work area thru GFI at source	4800	3000	9600	6000
1-81((D))(E)	[Failed] Failure to install worker [and/or waste] decon in required sequence	4800	3000	9600	6000
1-81((E))(F)	[Did not] Failure to limit disturbance of ACM before erecting partition as required	2400	1500	4800	3000
1-81((F))(G)	[Failed] Failure to lockout/isolate heating/ventilation/air conditioning system	4800	3000	9600	6000
1-81((G))(H)	[Commenced] Commencement of abatement prior to completion of work place preparation	4800	3000	9600	6000
1-81((H))(I)	[Failed] Failure to properly pre-clean and remove moveables and/or cover carpet	1200	1000	2400	1500
1-81(J)	Failure to remove flammables/extinguish ignition sources	2400	1500	4800	3000
1-81((I))(K)	[Failed] Failure to properly pre-clean and plasticize fixed objects in work area	1200	1000	2400	1500
1-81(L)	Failure to use temporary emergency lighting when required	1200	1000	2400	1500
1-81((J))(M)	[Failed] Failure to properly pre-clean the work area prior to plasticizing	2400	1500	4800	3000
1-81((K))(N)	[Failed] Failure to install isolation barriers over all openings to work place	4800	3000	9600	6000
1-81((L))(O) (1)-(3)	[Did not] Failure to segregate work area from work site with partitions as required	4800	3000	9600	6000
1-81((L) (O)(4)-(5)	Failure to construct partitions to ensure unobstructed means of egress	4800	3000	9600	6000

SECTION	DESCRIPTION	1ST VIOLATION Penalty	1ST VIOLATION STIP.	2ND VIOLATION Penalty	2ND VIOLATION STIP.
1-81(M)(P)	[Failed] Failure to properly seal floors and walls with 2 layers of 6-mil plastic	4800	3000	9600	6000
1-81(N)(Q)	[Failed] Failure to remove/clean ceiling-mounted objects not previously sealed	1200	1000	2400	1500
1-81(O)(R)	[Removed] Removal of contaminated ceiling tiles prior to full work area preparation	2400	1500	4800	3000
1-81(Q)(S)	[Failed] Failure to lock entrances not used for workers or as emergency exits	2400	1500	4800	3000
1-81(T)	Failure to properly maintain/check exits	4800	3000	9600	6000
1-81(P)	[Failed] Failure to establish and maintain emergency/fire exits from work area	[4800]	[3000]	[9600]	[6000]
1-81(U)	Failure to post/maintain exit signs in work area	1200	1000	2400	1500
1-81(V)	Failure to post/maintain no smoking signs in work place	1200	1000	2400	1500
1-81(W)	[Failed] Failure to properly seal and/or cover floor drains, pits, sumps, etc.	1200	1000	2400	1500
1-81(X)	[Did not] Failure to maintain, secure, lockout elevators running thru work area	4800	3000	9600	6000
1-81(Y)	[Failed] Failure to provide adequate toilet facilities in vicinity of clean room	1200	1000	2400	1500
1-81(Z)	Failure to have fire extinguishers in work place	1200	1000	2400	1500

Section 11. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by adding the following material immediately after the entry in that penalty schedule for 1-83(C), "Failed to properly construct alternative worker waste decon for small project," to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION Penalty	1ST VIOLATION STIP.	2ND VIOLATION Penalty	2ND VIOLATION STIP.
COMBINED WORKER/WASTE DECON—SMALL PROJECT					
1-84(A)	Failure to properly construct alternative worker/waste decon for small project	4800	3000	9600	6000
1-84(B)	Failure to properly utilize alternative worker/waste decon for small project	4800	3000	9600	6000

Section 12. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by adding the following material immediately after the entry in that penalty schedule for 1-91(A), "Failed to utilize negative pressure ventilation equipment," to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION Penalty	1ST VIOLATION STIP.	2ND VIOLATION Penalty	2ND VIOLATION STIP.
1-91(A)(1)	Failure to use manometer to document pressure differential	1200	1000	2400	1500

Section 13. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by adding the following material immediately after the entry in that penalty schedule for 1-91(E), "Failed to use dedicated power supply for negative Air units," and by revising the entries for sections 1-91 (F) through 1-91 (N) to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION Penalty	1ST VIOLATION STIP.	2ND VIOLATION Penalty	2ND VIOLATION STIP.
1-91(F)	Failure to utilize/locate negative air cutoff switch	4800	3000	9600	6000
1-91(F)(G)	[Failed] Failure to follow procedures for loss of power to negative air units	4800	3000	9600	6000
1-91(G)(H)	[Failed] Failure to provide [one] required air changes [every 15 mins.] in work area	2400	1500	4800	3000
1-91(H)(I)	[Failed] Failure to make openings for negative air units airtight	1200	1000	2400	1500
1-91(I)(J)	[Used] Use of negative air units not in compliance w/ANSI 9.2 Standards	4800	3000	9600	6000
1-91(J)(K)	[Operated] Operation of negative air system contrary to EPA report 560/5-85 (1985)	4800	3000	9600	6000
1-91(K)(L)	[Failed] Failure to exhaust negative air units to outside as required	2400	1500	4800	3000
1-91(L)(M)	[Failed] Failure to properly use second negative air unit in series as required	2400	1500	4800	3000
1-91(N)(O)	[Failed] Failure to smoke test/inspect/monitor ducts to ensure no fiber release	1200	1000	2400	1500

Section 14. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by deleting the entry in that penalty schedule for 1-102(G), immediately following the entry for 1-102 (F), "Failed to remove all visible ACM residue from abated surfaces," to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION Penalty	1ST VIOLATION STIP.	2ND VIOLATION Penalty	2ND VIOLATION STIP.
1-102(G)	[Failed] Failure to encapsulate abated surfaces with pigmented encapsulant	[2400]	[1200]	[4800]	[2400]

Section 15. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by revising the entry in that penalty schedule for 1-103(A), "Failed to repair damaged insulation w/proper replacement material" as follows:

SECTION	DESCRIPTION	1ST VIOLATION Penalty	1ST VIOLATION STIP.	2ND VIOLATION Penalty	2ND VIOLATION STIP.
1-103(A)	[Failed to repair damaged insulation w/proper replacement material] Failure to utilize proper material for encapsulation/repair of ACM	1200	1000	2400	1500

Section 16. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by adding the following material after the entry in that penalty schedule for 1-105(B)15, "Failed to properly wet/bag, dispose of waste from glovebag procedure," to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION Penalty	1ST VIOLATION STIP.	2ND VIOLATION Penalty	2ND VIOLATION STIP.
1-105(D)	Failure to utilize glovebag within containment as specified	1200	1000	2400	1500

Section 17. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by revising the entries for sections 1-106(C) through (M), immediately after section 1-106(B), "Failed to properly install and/or construct tent," and by adding of new sections, 1-106 (C), 1-106(O), 1-107(a) through 1-107 (p), 1-108(b) through 1-108(k), 1-109(a) through 1-109(d), and 1-110 (a) through 1-110(c), to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION		2ND VIOLATION	
		Penalty	STIP.	Penalty	STIP.
1-106(C)	Failure to install airtight tent entrance when required	2400	1500	4800	3000
1-106(C)(D)	[Failed] Failure to wear appropriate personal protective equipment during tent procedure	[2400]	[1500]	[4800]	[3000]
1-106(D)(E)	[Failed] Failure to attach tent to surface to produce an airtight seal	2400	1500	4800	3000
1-106(E)(F)	[Failed] Failure to provide/maintain proper negative air in tent	1200	1000	2400	1500
1-106(F)(G)	[Failed] Failure to use required wet removal methods during tent procedures	2400	1500	4800	3000
1-106(G)(H)	[Failed] Failure to place ACM removed in tent procedures in leaktight container	2400	1500	4800	3000
1-106(H)(I)	[Failed] Failure to properly clean/encapsulate enclosed surfaces in tent	2400	1500	4800	3000

1-106(I)(J)	[Failed] Failure to clean/encapsulate surfaces after tent failure/termination	2400	1500	4800	3000
1-106(J)(K)	[Failed] Failure to properly clean/double bag ACM for disposal as specified	2400	1500	4800	3000
1-106(K)(L)	[Failed] Failure to follow specified procedures for worker exit from tent	2400	1500	4800	3000
1-106(L)(M)	[Failed] Failure to have [6] 4 air changes after abatement but before tent to collapse	2400	1500	4800	3000
1-106(M)(N)	[Did not] Failure to collapse tent or dispose of contaminated material as specified	2400	1500	4800	3000
1-106(O)	Failure to follow proper glovebag procedure during removal in tent	1200	1000	2400	1500

ROOFING REMOVAL PROCEDURES

1-107(a)	Failure to properly cordon off and restrict access to work area	1200	1000	2400	1500
1-107(b)	Failure to use proper foam or liquid during removal	2400	1500	4800	3000
1-107(c)	Failure to maintain blanket of foam or liquid during removal	2400	1500	4800	3000
1-107(d)	Failure to keep ACM wet during bagging process	1200	1000	2400	1500
1-107(e)	Failure to ensure that all persons in work area wear proper boots	1200	1000	2400	1500
1-107(f)	Carrying out of abatement during adverse weather conditions	1200	1000	2400	1500
1-107(g)	Failure to properly locate worker/waste decons	1200	1000	2400	1500
1-107(h)	Failure to remove or plasticize movable objects	1200	1000	2400	1500
1-107(i)	Failure to properly seal openings/ensure adequate air supply	1200	1000	2400	1500
1-107(j)	Failure to plasticize fixed objects as specified	1200	1000	2400	1500
1-107(k)	Failure to blanket roofing material w/foam before removal	2400	1500	4800	3000
1-107(l)	Failure to use HEPA filters on power tools used in removal	1200	1000	2400	1500
1-107(m)	Failure to properly conduct cleanup procedures	1200	1000	2400	1500
1-107(n)	Failure to conduct proper visual inspection	1200	1000	2400	1500
1-107(o)	Failure to remove all plastic sheeting after visual inspection	1200	1000	2400	1500

1-107(p)	Failure to conduct required air monitoring	1200	1000	2400	1500
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FLOORING REMOVAL PROCEDURES

1-108(b)	Failure to use proper foam or liquid during removal	2400	1500	4800	3000
1-108(c)	Failure to maintain blanket of foam or liquid during removal	2400	1500	4800	3000
1-108(d)	Failure to keep ACM wet during bagging process	1200	1000	2400	1500
1-108(e)	Failure to ensure that all persons in work area wear proper boots	1200	1000	2400	1500
1-108(f)	Failure to plasticize baseboards and walls as specified	1200	1000	2400	1500
1-108(g)	Failure to provide negative pressure ventilation	1200	1000	2400	1500
1-108(h)	Failure to properly conduct cleanup procedures	1200	1000	2400	1500
1-108(i)	Failure to conduct proper visual inspection	1200	1000	2400	1500
1-108(j)	Failure to remove all plastic sheeting after visual inspection	1200	1000	2400	1500
1-108(k)	Failure to conduct required air monitoring	1200	1000	2400	1500

VERTICAL SURFACE REMOVAL PROCEDURES

1-109(a)	Failure to properly prepare work area	1200	1000	2400	1500
1-109(b)	Failure to construct decon within restricted area	1200	1000	2400	1500
1-109(c)	Failure to follow proper cleanup procedure	1200	1000	2400	1500
1-109(d)	Failure to conduct required air monitoring	1200	1000	2400	1500

CONTROLLED DEMOLITION PROCEDURES

1-110(a)	Demolition of building w/ACM in place w/no danger of collapse	4800	3000	9600	6000
1-110(b)	Failure to provide copy of condemnation letter to DEP	1200	1000	2400	1500
1-110(c)	Failure to perform demolition as per AC 28-215/58 NYCRR 11.5	2400	1500	4800	3000

Section 18. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by revising the entry in that penalty schedule for 1-111(A), "Failed to wet/clean up loose visible accumulations of ACM as required," by deleting the entries for section 1-111(B) and 1-111(F) and by revising the entries for section 1-111(C) through (D), to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION		2ND VIOLATION	
		Penalty	STIP.	Penalty	STIP.
1-111(A)	[Failed] Failure to wet/clean up loose visible accumulations of ACM as required] Failure to bag/wrap/containerize waste immediately upon removal	4800	3000	9600	6000
1-111(B)	[Failed] Failure to properly clean accumulations of dust off all surfaces daily	[2400]	[1500]	[4800]	[3000]
1-111(C)(B)	[Failed] Failure to properly clean waste decon on completion of waste removal	2400	1500	4800	3000
1-111(D)	[Failed] Failure to properly clean worker decon when required	2400	1500	4800	3000
1-111(E)(D)	[Failed] Failure to stop work and dispose of excess water in work area	1200	1000	2400	1500
1-111(F)	[Failed] Failure to clean spillage of ACM in elevator shaft as required	[4800]	[3000]	[9600]	[6000]

Section 19. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by revising

the entries for sections 1-112(C) through (L), immediately after section 1-112(B), "Failed to wet clean all surfaces in work area (first cleaning)," and by adding a new section, 1-112 1-112 (M), to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION		2ND VIOLATION	
		Penalty	STIP.	Penalty	STIP.
1-112(C)	[Dismantled isolation barriers/decons before final clean up completed] Failure to apply lockdown encapsulant as specified	[4800]	[3000]	[9600]	[6000]
1-112(D)	[Failed] Failure to follow required procedures for second cleaning] Failure to vacate area for 12 hrs after 1 st cleaning	1200	1000	2400	1500
1-112(E)	[Failed] Failure to follow required procedures for third cleaning] Failed to remove 1 st layer of surface barriers	1200	1000	2400	1500
1-112(F)	[Failed] Failure to verify absence of ACM prior to clearance air monitoring] Failure to properly perform 2 nd cleaning	2400	1200	4800	2400
1-112(G)(E)	[Failed] Failure to remove containerized waste from work area as required] Failure to follow required procedures for third cleaning	1200	1000	2400	1500
1-112(H)	Failure to remove 2 nd layer of surface barriers	1200	1000	2400	1500
1-112(I)(L)	[Failed] Failure to verify absence of ACM prior to clearance air monitoring	2400	1200	4800	2400
1-112(J)(L)	[Failed] Failure to remove containerized waste from work areas as required	1200	1000	2400	1500
1-112(K)(K)	[Failed] Failure to properly decontaminate or dispose of tools, equipment, etc.	1200	1000	2400	1500
1-112(L)(L)	[Removed] Removal of isolation barriers before successful clearance air monitoring	4800	3000	9600	6000
1-112(M)	Failure to submit project monitor's report within 21 days of project completion	2400	1500	4800	3000

Section 20. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by revising the entry in that penalty schedule for 1-125(M), "Failed to establish and maintain emergency/fire exits" to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION		2ND VIOLATION	
		Penalty	STIP.	Penalty	STIP.
1-125(M)	[Failed] Failure to establish and maintain [emergency/fire exits from work area] required means of egress	[2400]	[1500]	[4800]	[3000]

Section 21. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by deleting the entries in that penalty schedule for 1-127(A) through 1-127(D) and the caption "Lockdown encapsulation procedures", immediately following the entry for 1-126 (F), "Failed to remove ACM from street level floor last," to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION		2ND VIOLATION	
		Penalty	STIP.	Penalty	STIP.
[LOCKDOWN ENCAPSULATION PROCEDURES]					
1-127(A)	[Used unacceptable lockdown encapsulants]	[1200]	[1000]	[2400]	[1500]
1-127(B)	[Used encapsulant solvent or vehicle containing hydrocarbons]	[1200]	[1000]	[2400]	[1500]
1-127(C)	[Used unacceptable latex paint as a lockdown sealant on non-metal]	[1200]	[1000]	[2400]	[1500]
1-127(D)	[Failed to apply encapsulant with airless equipment as specified]	[1200]	[1000]	[2400]	[1500]

Section 22. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by revising the entries in that penalty schedule for 1-128(A) through 1-128 (E) and by deleting the entries for sections 1-128 (B) and 1-128(F), to read as follows:

SECTION	DESCRIPTION	1ST VIOLATION		2ND VIOLATION	
		Penalty	STIP.	Penalty	STIP.
1-128(A)	[Failed] Failure to properly wet/clean up loose visible accumulations of ACM] Failure to bag/wrap/containerize waste immediately upon removal	4800	3000	9600	6000
1-128(B)	[Failed] Failure to properly clean accumulations of dust off all surfaces daily	[2400]	[1500]	[4800]	[3000]
1-128(C)(B)	[Failed] Failure to properly clean waste decon on completion of waste removal	2400	1500	4800	3000
1-128(D)	[Failed] Failure to clean worker decon after shift/meal break as specified	2400	1500	4800	3000
1-128(E)(D)	[Failed] Failure to stop work and dispose of excess water in work area	1200	1000	2400	1500
1-128(F)	[Failed] Failure to clean spillage of ACM waste in elevator shaft as required	[2400]	[1500]	[4800]	[3000]

Section 23. ECB is amending the Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York by revising the entries in that penalty schedule for 1-129(A) through 1-129 (G) and by adding a new section 1-128 (H), to read as follows:

written comments nor oral testimony were presented. In the fall of 2007, Mayor Bloomberg convened the Construction, Demolition and Abatement Working Group, consisting of the Department of Environmental Protection, the Department of Buildings, the Fire Department, the Mayor's Office of Operations, and the Law Department.

The Working Group was created in the aftermath of the August 18, 2007 fire at the Deutsche Bank building in lower Manhattan, which killed two New York City firefighters. The building, which had been damaged on 9/11, was undergoing asbestos abatement at the time of the fire, and the containment structures erected as part of the abatement, combined with the smoky conditions caused by the fire, caused the firefighters to become disoriented and interfered with rescue efforts. In light of these events, the Working Group was assigned to make recommendations to improve the safety of construction, demolition and abatement operations for workers, first responders and the general public.

The Working Group identified 28 issues and developed 33 recommendations which were summarized in a July 2008 report to the Mayor entitled "Strengthening the Safety, Oversight and Coordination of Construction, Demolition and Abatement Operations". As a result of the Report, new provisions were added to the Air Pollution Control Code, requiring changes to the existing DEP Asbestos Rules found in Title 15, Chapter 1 of the Rules of the City of New York and the Environmental Control Board (ECB) Penalty Schedule found in Section 3-101, Subchapter G of Title 48 of the Rules of the City of New York entitled Air Asbestos Penalty Schedule.

In addition, numerous changes were needed in order to conform the Rules and this Penalty Schedule to the New York State Department of Labor rules (Industrial Code Rule 56), which were extensively revised in 2006. The updates to the DEP rules were initially published in the City Record on July 30, 2009. After the required public hearing, final publication took place on September 11, 2009. The revised DEP Rules will become effective on November 13, 2009.

In light of the new emphasis on building, fire and life-safety issues, the amount of the penalty for each charge was based on a determination as to the severity of an infraction in its effect on either (1) risk of exposure of any person to asbestos fibers or (2) risk of creation of building, fire or life-safety hazards.

The most significant changes to the penalty schedule track the changes in the Air Asbestos rules. These changes are:

Permitting Requirements and Recordkeeping: Subchapter C, which governs asbestos-related notifications, has been extensively revised. Asbestos projects which pose the greatest public-safety risks will now require an asbestos abatement permit, to be issued by DEP after approval of a Work Place Safety Plan, prepared by an engineer or architect, which addresses building and fire safety issues.

Section 1-26 is the new permitting section. The penalties for failing to obtain a permit when required (§ 1-26(a)) and failing to terminate a permit within one year of issuance (§ 1-26(e)) are set at \$4800, as these sections constitute the basic requirements of the new permitting scheme. The penalties for these changes appear in Section 4 of the proposed rule set forth above.

Section 1-29 has been added to conform to NYS Department of Labor rules. This section requires the long-term maintenance of records related to the project. The penalties for these changes appear in section 5 of the proposed rule and are set at the lowest level.

Egress: The Rules contain new provisions requiring that egress be maintained during abatement work. The penalties for these changes appear in Section 10 of the proposed rule. The rules also require daily checks and the recording of egress conditions in the project log book. The penalties for these changes appear in Section 5 of the proposed rule.

Fire Safety: The new penalty schedule encompasses changes to rules that strengthen the prohibition on smoking at abatement sites, require the use of fire-retardant plastic and fire-rated wood in the construction of containment structures, require the posting of a floor plan in the lobby and no smoking signs in the work place, and require that on certain projects a central cut-off switch be installed so that first responders can shut down negative air pressure units.

New subsections of Section 1-61, sub-section (j), related to the use of carcinogenic or toxic substances, and (k), related to the use of fire-safe materials, are assigned high-level penalties due to the hazards presented by these infractions.

Section 1-81 now contains several new work place preparation requirements related to fire-safety and egress issues. High-level penalties are proposed for §§ 1-81(o)(4-5) and 1-81(t), which relate to the maintenance of unobstructed means of egress.

A high-level penalty is proposed for new § 1-91(f), which requires installation of a central cutoff switch for negative air machines on some projects; this was an important recommendation of the Working Group. The penalties for these changes appear in Sections 9, 10 and 13 of the proposed rule.

Air Monitoring: Requirements relating to air monitoring have been changed to conform to New York State provisions. The penalties for these changes appear in Sections 2, 6, 7, and 8 of the proposed rule.

Small Projects: All rules related to work place preparation and decontamination units now apply to all asbestos projects, not just large projects as under the existing Rules. The penalties for these changes appear in Section 11 of the proposed rule.

Special Procedures: Four new sections have been added establishing special procedures for the removal of asbestos-containing roofing, flooring, and siding, as well as for controlled demolition of buildings with asbestos in place. In the past, these types of abatements were usually performed pursuant to standardized variances, and the new Rules for these procedures are based on the variance conditions which have been developed over the years. Most infractions under these new sections are assigned low-level penalties, as the asbestos materials involved are less likely to emit fibers when disturbed. The penalties for these changes appear in Section 17 of the proposed rule.

There are few significant deletions from the existing penalty schedule. A few subsections and one entire section (1-127) have been deleted as part of the Rules revision, in order to conform to the NYS Department of Labor Rules.

FINDING OF SUBSTANTIAL NEED FOR EARLIER IMPLEMENTATION

I hereby find, pursuant to Section 1043, subdivision e, paragraph 1(c) of the City Charter, and represent to the Mayor, that there is a substantial need for the implementation, immediately upon its final publication in the City Record, of a Final Environmental Control Board rule that makes numerous amendments to the Air Asbestos Penalty Schedule, including penalties for the new Rules which have been promulgated to enhance the safety of asbestos abatement projects for workers, first responders, and the general public. The Air Asbestos Penalty Schedule is found at Section 3-101 of Title 48 of the Rules of the City of New York.

After the fire at the Deutsche Bank building that killed two firefighters in August 2007, Deputy Mayor Edward Sklyer convened a Construction, Demolition & Abatement Working Group to recommend changes to strengthen the City's oversight and coordinated regulation of asbestos abatement operations. In July 2008 the Working Group recommended numerous changes to the DEP Asbestos Rules, 15 RCNY Chapter 1. As a result, extensive revisions to the DEP Asbestos Rules were promulgated and became effective on November 13, 2009. These revisions include a permitting

requirement for many asbestos projects, the use of fire-retardant materials in the construction of enclosures, and the maintenance of proper egress at abatement sites.

It is critical that DEP be able to fully enforce these new Rules as soon as possible. Since the new Rules are already in effect, it is important that the penalty schedule for these Rules be implemented upon publication of the Final Rule in the City Record, instead of waiting for the 30-day publication period to elapse. This will speed the Environmental Control Board's ability to adjudicate Notices of Violations issued under the Department of Environmental Protection's new Rules.

_____/s/
Roberto Velez
Chairperson
Environmental Control Board

APPROVED: _____/s/
Michael R. Bloomberg
Mayor

Date: 12/7/09



HOUSING PRESERVATION & DEVELOPMENT

NOTICE

OFFICE OF ENFORCEMENT & NEIGHBORHOOD SERVICES CERTIFICATION OF NO HARASSMENT UNIT

REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO LOCAL LAW 19 OF 1983

DATE OF NOTICE: December 9, 2009

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
132 West 45th Street, Manhattan	101/09	November 5, 2006 to Present
2450 Broadway, Manhattan	104/09	November 9, 2006 to Present
a/k/a 212 West 91st Street		
120 West 44th Street, Manhattan	105/09	November 13, 2006 to Present
345 West 122nd Street, Manhattan	106/09	November 20, 2006 to Present
589 Putnam Avenue, Brooklyn	102/09	November 6, 2006 to Present
413 52nd Street, Brooklyn	103/09	November 9, 2006 to Present

The Department of Housing Preservation and Development has received an application for a certification that during the inquiry period noted for the premises above, that no harassment has occurred at such premises in the form of threats, use of physical force, deprivation of essential services such as heat, water, gas or electric, or by any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy. Upon the issuance of a Certification, an owner can legally convert the premises to non-single room occupancy use.

Comments as to whether harassment has occurred at the premises should be submitted to the Anti-Harassment Unit, 100 Gold Street, 3rd Floor, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement please call (212) 863-8272.

CHANGES IN PERSONNEL

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 10/30/09

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
AARON	MOYJAE	56057	\$21693.0000	RESIGNED	YES	10/18/09
ACOSTA	EBLIN	K 56057	\$38000.0000	APPOINTED	YES	10/04/09
ANDRES	JENNIFER	56057	\$32237.0000	APPOINTED	YES	10/06/09
APONTE ACOSTA	JENNIFER	56073	\$44111.0000	RESIGNED	YES	09/25/09
BACKMON	JAMES	56056	\$27351.0000	APPOINTED	YES	09/09/09
BAIK	JEAN	12629	\$78291.0000	INCREASE	YES	10/13/09
BAINES	ANGEL	R 56057	\$32237.0000	APPOINTED	YES	10/14/09
BARTGES	SARAH	56056	\$19536.0000	APPOINTED	YES	09/08/09
BENJAMIN	RACHEL	06219	\$50.0500	DECREASE	YES	09/08/09
BRAVO	JANINE	51235	\$46391.0000	RESIGNED	YES	09/22/00
BROWN	STARLETT	I 56057	\$32237.0000	APPOINTED	YES	10/08/09
BROWNING	RAHMIN	C 56057	\$37072.0000	RESIGNED	YES	09/13/09
BRYANT	BENITA	C 56057	\$43301.0000	RESIGNED	YES	07/19/07
BURNS	SONJA	56057	\$37072.0000	INCREASE	YES	09/01/09
CALI	JANNETH	56057	\$39000.0000	APPOINTED	YES	09/10/09
CAMPBELL	VINCENT	10031	\$81000.0000	INCREASE	YES	07/01/09
CARABALLO	MARIA	C 56057	\$32237.0000	APPOINTED	YES	09/15/09
CARRICK	JOAN	M 10124	\$45000.0000	DECEASED	NO	09/27/09
CHEUNG	CHI YAN	13693	\$100361.0000	RESIGNED	YES	10/04/09
COHEN	MICHELLE	06217	\$60731.0000	INCREASE	YES	09/08/09
CUOZZO	PAULA	56057	\$32237.0000	APPOINTED	YES	09/30/09
DALAL	SHIKHA	56057	\$44011.0000	RETIRED	YES	10/06/09
DANDREA	KRISTYN	L 06217	\$60731.0000	APPOINTED	YES	09/08/09
DANTIGNAC	JAMES	R 56056	\$27351.0000	APPOINTED	YES	09/30/09
DE JESUS	JUAN	56056	\$15629.0000	APPOINTED	YES	10/07/09
DEC	ANNA	54483	\$35438.0000	APPOINTED	YES	10/18/09
DELGROSSO	JEAN	82901	\$100000.0000	APPOINTED	YES	10/18/09
DEROGATIS	KATHLEEN	A 06217	\$60731.0000	RESIGNED	YES	09/25/09
DIAZ	NTINA	N 56057	\$32237.0000	APPOINTED	YES	09/08/09
DIAZ RIVERA	ANGELA	1022A	\$38939.0000	INCREASE	YES	10/13/09
DIETSCH	HANNAH	C 10031	\$118274.0000	INCREASE	YES	07/15/09
EADIE	JESSICA	10062	\$115559.0000	INCREASE	YES	05/05/09
EDWARDS	ANGELA	82976	\$78398.0000	INCREASE	YES	07/01/09
EDWARDS	MICHAEL	13621	\$49676.0000	APPOINTED	YES	10/11/09
ENG	EDWARD	13632	\$80000.0000	APPOINTED	YES	10/18/09
FELIZ	NANCY	56056	\$27351.0000	APPOINTED	YES	10/04/09
FERIL	KHRISTIN	06219	\$60731.0000	APPOINTED	YES	10/11/09
FERNANDEZ	LORI	A 06217	\$62154.0000	INCREASE	YES	09/08/09
FLETCHER	DOROTHY	50910	\$56136.0000	RETIRED	YES	09/06/09
GABA	ELEONOR	M 06219	\$60731.0000	APPOINTED	YES	10/13/09

GANNON	DESIREE	K 06217	\$62154.0000	INCREASE	YES	09/08/09
GAYNOR	TAKIA	A 56057	\$42000.0000	APPOINTED	YES	09/23/09
GOLDMARK	KARIN	10062	\$150000.0000	APPOINTED	YES	10/04/09
GOMES	MYRNA	L 10251	\$29449.0000	APPOINTED	YES	08/16/09
GOMEZ	ARLENE	56056	\$31454.0000	APPOINTED	YES	10/06/09
GOMEZ	LUIS	91916	\$235.2000	RESIGNED	NO	09/25/09
GONZALEZ	SUJEIRY	56057	\$32237.0000	RESIGNED	YES	09/06/09
GORDON	ODELYN	L 50910	\$53031.0000	APPOINTED	YES	09/08/09
GREEN	DORRIEN	10250	\$28588.0000	APPOINTED	YES	10/04/09
GREENMAN	LAUREN	R 06217	\$60731.0000	APPOINTED	YES	09/08/09
GUZMAN	PABLO	56056	\$27351.0000	APPOINTED	YES	09/08/09
HALILI	MARY	60888	\$27349.0000	APPOINTED	YES	09/27/09
HARDY	TAREL	R 12158	\$48506.0000	INCREASE	NO	03/04/09
HERZOG	DANIEL	54503	\$29927.0000	DECREASE	YES	10/06/09
INNIS	CHARLAYN	56057	\$32237.0000	APPOINTED	YES	09/20/09
IYER RAGHAVAN	USHA	06217	\$62155.0000	INCREASE	YES	09/08/09
JABBIE	SYLVESTE	56056	\$27351.0000	APPOINTED	YES	10/14/09
JACOBS	DALIA	06217	\$60731.0000	APPOINTED	YES	09/23/09
JALOWAYSKI	NINA	C 56057	\$32237.0000	APPOINTED	YES	10/02/09
JONES	AMY	K 10031	\$127359.0000	APPOINTED	YES	07/01/09
JOSEPH HAWES	YVONNE	M 10025	\$95146.0000	RETIRED	NO	10/04/09
KOGAN	JULIA	06216	\$56094.0000	APPOINTED	YES	10/04/09
LACK	JOANNA	10031	\$81000.0000	INCREASE	YES	09/01/09
LAKSHMINARAYANA	SUDHIR	10050	\$115000.0000	APPOINTED	YES	10/14/09
LO	ELAINE	06219	\$60731.0000	INCREASE	YES	04/12/09
MANNING	DIONNEA	D 06218	\$56094.0000	APPOINTED	YES	10/04/09
MAR	ELAINE	06218	\$56094.0000	APPOINTED	YES	09/08/09
MARK	SHAWN	56056	\$27351.0000	APPOINTED	YES	10/13/09
MARKOWITZ	EDYTHE	56058	\$52322.0000	RESIGNED	YES	10/07/09
MIYASHIRO	KUULANU	M 56057	\$32237.0000	APPOINTED	YES	09/29/09
MOHRING-RACZKA	MARIA	06216	\$56094.0000	APPOINTED	YES	09/29/09
MONTES	JASMINE	56057	\$32237.0000	RESIGNED	YES	10/16/09
NELSON	RONALD	54503	\$29928.0000	RETIRED	YES	10/09/09
NEWMAN	AMY	06217	\$60731.0000	APPOINTED	YES	09/08/09
NOTTAGE	MARIETTA	10252	\$35968.0000	RETIRED	NO	10/15/09
OLIVER	PAUL	54513	\$36138.0000	DECREASE	YES	09/29/09
OMINTABOHS	DEBORAH	56056	\$27351.0000	APPOINTED	YES	09/08/09
ORTIZ	ANNA	56057	\$32237.0000	APPOINTED	YES	09/02/09
OTANO	JEANETTE	54503	\$25653.0000	APPOINTED	YES	10/08/09
PALUMBO	REGINA	M 10251	\$35490.0000	RETIRED	NO	10/01/09
PANG	OIYIN	06745	\$48604.0000	APPOINTED	YES	09/08/09
PARZIALE	LISA	56058	\$52322.0000	APPOINTED	YES	09/08/09
PENA	GERALDIN	13615	\$48484.0000	INCREASE	YES	09/24/09
PEREZ	DOLORES	10251	\$28588.0000	APPOINTED	YES	10/13/09
PIERRE	KASSANDR	56057	\$32237.0000	APPOINTED	YES	09/08/09
PISCIOTTA	CATHERIN	M 10026	\$80250.0000	RESIGNED	YES	10/18/09
RAMARATHNAM	BALAJI	13632	\$95000.0000	APPOINTED	YES	10/13/09
REED	AMBER	10031	\$81810.0000	RESIGNED	YES	10/16/09
REVANDER	JOSEPH	54503	\$25653.0000	DECREASE	YES	10/06/09