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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

QUEENS BOROUGH PRESIDENT

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Borough President of Queens, Helen Marshall, on **Thursday, July 16, 2009** at 10:30 A.M., in the Borough Presidents Conference Room located at 120-55 Queens Boulevard, Kew Gardens, New York 11424, on the following items:

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

CD13 - BSA #826-86 BZ IN THE MATTER of an application submitted by Eric Palatnik, P.C. on behalf of North Shore Tower Apartment, Inc. pursuant to Section 73-11 of the NYC Zoning Resolution, to waive the Rules of Practice and Procedure; to extend the time to obtain a Certificate of Occupancy; to extend the term of the special permit which expired on March 28, 2008; to permit not more than seventy-five (75) non-accessory radio towers and transmitting equipment on the roof of an existing thirty-three (33) story building and to eliminate the condition that a new certificate of occupancy be obtained located at **269-10 Grand Central Parkway** in an R3-2 district, Block 8489, Lot 1, Zoning Map 11d, Floral Park, Borough of Queens.

CD13 - BSA #827-86 BZ IN THE MATTER of an application submitted by Eric Palatnik, P.C. on behalf of North Shore Tower Apartment, Inc. pursuant to Section 73-11 of the NYC Zoning Resolution, to waive the Rules of Practice and Procedure; to extend the time to obtain a Certificate of Occupancy; to extend the term of the special permit which expired on March 28, 2008; to permit not more than seventy-five (75) non-accessory radio towers and transmitting equipment on the roof of an existing thirty-three (33) story building and to eliminate the condition that a new certificate of occupancy be obtained located at **270-10 Grand Central Parkway** in an R3-2 district, Block 8489, Lot 1, Zoning Map 11d, Floral Park, Borough of Queens.

CD13 - BSA #828-86 BZ IN THE MATTER of an application submitted by Eric Palatnik, P.C. on behalf of North Shore Tower Apartment, Inc. pursuant to Section 73-11 of the NYC Zoning Resolution, to waive the Rules of Practice and Procedure; to extend the time to obtain a Certificate of Occupancy; to extend the term of the special permit which expired on March 28, 2008; to permit not more than seventy-five (75) non-accessory radio towers and transmitting equipment on the roof of an existing thirty-three (33) story building and to eliminate the condition that a new certificate of occupancy be obtained located at **271-10 Grand Central Parkway** in an R3-2 district, Block 8489, Lot 1, Zoning Map 11d, Floral Park, Borough of Queens.

CD07 - BSA #177-09 BZ IN THE MATTER of an application submitted by Raymond H. Levin Esq. on behalf of FTC Residential Company III, L.P. pursuant to Section 73-66 of the NYC Zoning Resolution, for a special permit for modification of height regulations applying to areas around major airports to allow the continued construction of a mixed-

use development located at **40-22 College Point Boulevard/131-07 40th Road** in a C4-2 district, Block 5066, Lots 1 and 100, Zoning Map 10d, Flushing, Borough of Queens.

CD13 - ULURP #030129 ZMQ IN THE MATTER of an application submitted by Joseph P. Morsellino, Esq. on behalf of MCM Realty Associates, LLC. pursuant to Section 197-c of the NYC Charter, for an amendment to the Zoning Map from R3-2 to R6A, **an area bounded by the prolongation of the centerline of 72nd Avenue on the west, a line 500 feet south of and parallel to the Grand Central Parkway South Service Road to the south, the prolongation of the centerline of 247th Street to the east and Grand Central Parkway to the north**, Block 8401, Lots 550, 600, part of 620 and part of 1, Zoning Map 11d, Glen Oaks, Borough of Queens.

CD13 - ULURP #C060419 ZMQ IN THE MATTER of an application submitted by the New York City Police Department and Department of Citywide Administrative Services, pursuant to Section 197-c of New York City Charter, for an amendment to the Zoning Map by establishing a C1-3 commercial overlay within an existing R3-1 district, bounded by South Conduit Avenue, Lansing Avenue, a line perpendicular to the southwesterly street line of Lansing Avenue, distant 75 feet southeasterly from the point of intersection of the southerly street line of South Conduit Avenue and the southwesterly street line of Lansing Avenue, and a line 100 feet northeasterly of Edgewood Avenue, Block 13513 Lot 58, Zoning Map 19b, Brookville, Borough of Queens.

CD07 - ULURP #090403 PSQ IN THE MATTER of an application submitted by the New York City Police Department and Department of Citywide Administrative Services, pursuant to Section 197-c of New York City Charter, for site selection to facilitate the development of a modern academic complex to be operated by the NYPD which would consolidate facilities for recruits, civilians and active police officers that are currently spread across the City located at 28-11 28th Avenue, in M1-1 and M3-1 districts, Block 4301, part of Lot 1; Block 4321 Lot 48; Block 4323, Lot 1; Block 4325, Lot 1; Block 4326, Lot 1; Block 4327, part of Lot 1; Block 4328 part of Lot 1; Block 4329, Lots 1, 7, 10, 75; Block 4359, part of Lot 1; Block 4358, part of Lot 1; Block 4357, part of Lot 1; Block 4356, part of Lot 30; and Block 4354, Lot 50, Zoning Map 10a, College Point, Borough of Queens.

CD07 - ULURP #090470 PPQ IN THE MATTER of an application submitted by the New York City Department of Citywide Administrative Service, pursuant to Section 197-c of New York City Charter, for the disposition of a City-owned property in the College Point Corporate Park, in an M1-1 district, Block 4208 part of Lot 1, Zoning Map 10a, College Point, Borough of Queens.

jy10-16

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, July 22, 2009, commencing at 10:00 A.M.

BOROUGH OF THE BRONX

No. 1

FIVE STAR DAY CARE CENTER

CD 3 C 090324 PQX IN THE MATTER OF an application submitted by the Administration For Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property

located at 3261 Third Avenue (Block 2368, Lot 39) for continued use as a child care center.

BOROUGH OF BROOKLYN

No. 2

640 BROADWAY

C 090379 HAK

CD 1 IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 640 Broadway (Block 2270, Lots 10), site 6 within the Broadway Triangle Urban Renewal Area, as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of a five-story mixed-use building, tentatively known as 640 Broadway, with approximately 9 residential units and commercial space to be developed under the Department of Housing Preservation and Development's Participation Loan Program.

Nos. 3, 4 & 5
NAVY GREEN
No. 3

CD 2 C 090444 ZMK

IN THE MATTER OF an application submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d:

1. changing from an M1-2 District to an R8 District property bounded by Flushing Avenue, Vanderbilt Avenue, a line perpendicular to the westerly street line of Vanderbilt Avenue distant 85 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Vanderbilt Avenue and northerly street line of Park Avenue, and Clermont Avenue; and
2. establishing within the proposed R8 District a C2-4 District bounded by Flushing Avenue, Vanderbilt Avenue, a line perpendicular to the westerly street line of Vanderbilt Avenue distant 85 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Vanderbilt Avenue and northerly street line of Park Avenue, and Clermont Avenue;

as shown a diagram (for illustrative purposes only) dated June 1, 2009.

No. 4

CD 2 C 090445 ZSK

IN THE MATTER OF an application submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 78-312(d) of the Zoning Resolution to modify the height and setback requirements of Section 23-632 (Front Setbacks in districts where front yards are not required) to facilitate the construction of a mixed-use development on property located at 136-50 Flushing Avenue (Block 2033, Lot 1), in an R8/C2-4 District*, within a Large-Scale Residential Development.

*Note: The site is proposed to be rezoned from an M1-2 District to an R8/C2-4 District under a concurrent related application (C 090444 ZMK).

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

No. 5

CD 2 C 090446 HAK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 136-50 Flushing Avenue (Block 2033, Lot 1), as an Urban Development Action Area; and

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

to facilitate the development of a mixed-use development, tentatively known as Navy Green, with approximately 455 residential units, commercial and community facility space.

**Nos. 6, 7 & 8
470 VANDERBILT AVENUE
No. 6**

CD 2 C 090441 ZMK
IN THE MATTER OF an application submitted by Atara Vanderbilt, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c:

1. eliminating from an existing R6 District a C2-3 District bounded by Fulton Street, Vanderbilt Avenue, and a line 100 feet southeasterly of Fulton Street, and Clermont Avenue;
2. changing from an R6 District to a C6-3A District property bounded by Fulton Street, Vanderbilt Avenue, a line 100 feet southeasterly of Fulton Street, and Clermont Avenue; and
3. changing from an M1-1 District to a C6-3A District property bounded by a line 100 feet southeasterly of Fulton Street, Vanderbilt Avenue, Atlantic Avenue, and Clermont Avenue;

as shown on a diagram (for illustrative purposes only) dated June 1, 2009.

No. 7

CD2 N 090442 ZRK
IN THE MATTER OF an application submitted by the Atara Vanderbilt, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, **concerning Article II, Chapter 3 (Bulk regulations for Residential Buildings in Residence Districts), relating to the application of the Inclusionary Housing Program to R9A districts in Community District 2, Borough of Brooklyn,**.

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

* * *
23-144
In designated areas where the Inclusionary Housing Program is applicable

In #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratios# shall be as set forth in Section 23-942 (In Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

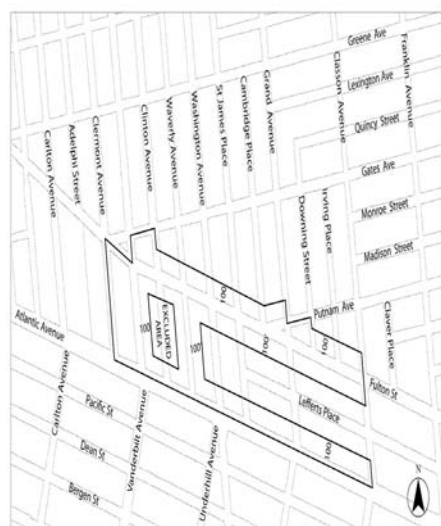
Community District	Zoning District
Community District 1, Brooklyn	R6 R6A R6B R7A
Community District 2, Brooklyn	R7A R9A
Community District 3, Brooklyn	R7D
Community District 6, Brooklyn	R7-2
Community District 7, Brooklyn	R8A
Community District 3, Manhattan	R7A R8A R9A
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A
Community District 2, Queens	R7X

* * *
23-922
Inclusionary housing designated areas

The Inclusionary Housing Program shall apply in the following areas:

- * * *
- (e) In Community District 2, in the Borough of Brooklyn, in the R7A and R9A Districts within the areas shown on the following Maps 7, 8 and 9:

* * *
Map 8
Portion of Community District 2, Brooklyn



Map 9
Portion of Community District 2, Brooklyn
(Revised Map - Applicable Inclusionary housing area expanded)

No. 8

CD 2 C 090443 ZSK
IN THE MATTER OF an application submitted by Atara Vanderbilt, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a) of the Zoning Resolution to modify the requirements of Section 23-145 (For residential buildings developed or enlarged pursuant to the Quality Housing Program), Section 23-852 (Inner court recess), and Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) to facilitate a mixed use development on property located at 470 Vanderbilt Avenue (Block 2009, Lots 1, 19, 20, 23, 26, 31-44), in a C6-3A*

District, within a General Large-Scale Development.
*Note: The site is proposed to be rezoned from R6/C2-3 and M1-1 Districts to a C6-3A District under a concurrent related application C 090441 ZMK.

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.

**BOROUGH OF MANHATTAN
Nos. 9 & 10
53 WEST 53RD STREET/MoMA
No. 9**

CD 5 C 090431 ZSM
IN THE MATTER OF an application submitted by W2005/Hines West Fifty-Third Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 81-212 and 74-79 of the Zoning Resolution to allow the transfer of 136,000 square feet of floor area from property located at 1 West 54th Street (Block 1270, Lot 34) that is occupied by a landmark building (University Club) to property located at 53 West 53rd Street (Block 1269, Lots 5, 6, 7, 8, 9, 11, 12, 13, 14, 20, 30, 58, 66, 69, and 165) to facilitate the development of an 85-story mixed use building, in C6-6, C5-P, C5-2.5 and C5-3 Districts, within the Special Midtown District (partially within the Preservation and Fifth Avenue Subdistricts).

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

No. 10

CD 5 C 090432 ZSM
IN THE MATTER OF an application submitted by W2005/Hines West Fifty-Third Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the following sections of the Zoning Resolution:

1. Section 74-711 - to allow the distribution of the total allowable floor area without regard to zoning district boundaries, to modify the height and setback regulations of Sections 81-90 (SPECIAL REGULATIONS FOR PRESERVATION SUBDISTRICT) and 33-432 (In other Commercial Districts), to modify the requirements of Sections 81-45 (Pedestrian Circulation Spaces) and 37-50 (Requirements for Pedestrian Circulation Space), and rear yard regulations of Section 23-532 (Required Rear Yard Equivalent); and
2. Section 81-277 - to modify the height and setback requirements of Section 81-27 (Alternative Height and Setback Regulations – Daylight Evaluation);

to facilitate the development of an 85-story mixed use building on property located at 53 West 53rd Street (Block 1269, Lots 5, 6, 7, 8, 9, 11, 12, 13, 14, 20, 30, 58, 66, 69, and 165), in C6-6, C5-P, C5-2.5 and C5-3 Districts, within the Special Midtown District (partially within the Preservation and Fifth Avenue Subdistricts).

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

NOTICE

On Wednesday, July 22, 2009, at 10:00 A.M., in Spector Hall, at the Department of City Planning, 22 Reade Street, in lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearings to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning special permit applications related to the 53 West 53rd Street/MoMA proposal.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 09DCP004M.

**BOROUGH OF QUEENS
No. 11
BRIARWOOD PLAZA REZONING**

CD 11 C 060551 ZMQ
IN THE MATTER OF an application submitted by Briarwood Organization LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 11a, by establishing within an existing R4 District a C2-2 District bounded by 36th Avenue, a line 150 feet northeasterly of Bell Boulevard, a line 200 feet northwesterly of 38th Avenue, and Bell Boulevard, as shown a diagram (for illustrative purposes only) dated June 1, 2009.

**BOROUGH OF STATEN ISLAND
No. 12
GOODHUE PARK**

CD 1 C 080192 MMR
IN THE MATTER OF an application, submitted by the Department of Parks & Recreation, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the establishment of Goodhue Park in an area generally bounded by Prospect Avenue to the north, Lafayette Avenue to the east, Brighton Avenue to the south, and North Randall Avenue and Allison Park to the west;
- the delineation of a sewer easement/corridor;
- the extinguishment of various record streets;
- and any acquisition or disposition of real property related thereto,

in accordance with Map No. 4210 dated November 15, 2008 and signed by the Borough President.

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

jy9-22

COMMUNITY BOARDS

PUBLIC HEARINGS

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

BOROUGH OF MANHATTAN

COMMUNITY BOARD NO. 7 - Wednesday, July 15, 2009, 7:00 P.M., 250 West 87th Street, New York, NY

C 090478ZSM
IN THE MATTER OF an application submitted by 76th and Broadway Owner LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow for an attended public parking garage with a maximum capacity of 194-spaces.

jy13-15

DESIGN COMMISSION

PUBLIC HEARINGS

The public hearing portion of the July 20 Design Commission meeting has been postponed until August 10.

jy15

EQUAL EMPLOYMENT PRACTICES COMMISSION

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, July 16, 2009 at 10:00 A.M.

jy9-16

LABOR RELATIONS

DEFERRED COMPENSATION PLAN

NOTICE

The New York City Deferred Compensation Plan Board will hold its monthly meeting on Thursday, July 16th, 2009 from 10:00 A.M. to 1:00 P.M. The meeting will be held at 40 Rector Street, 3rd Floor, NYC.

jy14-16

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on **Tuesday, July 21, 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 QUEENS 09-9481 - Block 1470, lot 1-82-06 - 82-10 37th Avenue - Jackson Heights Historic District A neo-Tudor style commercial building built in 1921-22. Application is to modify storefront alterations performed without Landmarks Preservation Commission permit(s).

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 09-8016 - Block 1009, lot 1-303 Manor Road, aka 240-03 33rd Avenue, 32-15 East Drive, 32-15 240th Street - Douglaston Historic District A Colonial Revival style freestanding house, designed by Hobart A. Walker and built in 1912. Application is to construct an addition, modify a driveway, replace retaining walls and a deck, and install HVAC equipment. Zoned R1-2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 10-0570 - Block 8094, lot 39-27 Cherry Street - Douglaston Historic District A Colonial Revival style house built circa 1920. Application is to demolish an existing garage and construct a new garage. Zoned R1-2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-0266 - Block 49, lot 1-81 Broadway - Trinity Church and Graveyard-Individual Landmark A Gothic Revival style church designed by Richard Upjohn and built in 1846. Application is to install signage.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-0267 - Block 87, lot 1-209 Broadway - St. Paul's Chapel and Graveyard-Individual Landmark A Georgian style church designed by Thomas McBean and built in 1764-66. Application is to install signage.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7873 - Block 174, lot 31-361 Broadway - James S. White Building - Individual Landmark A Classical Revival style commercial building designed by W. Wheeler Smith and built in 1881-82. Application is to replace portions of the cast iron facade with glass fiber reinforced concrete.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-8164 - Block 175, lot 18-39 White Street - Tribeca East Historic District A Greek Revival style converted dwelling with Italianate style additions, built in 1831-32 and 1860-61. Application is to construct a rooftop addition. Zoned C6-2A.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-8590 - Block 224, lot 27-464 Greenwich Street - Tribeca North Historic District A store and loft building designed by Charles S. Clark and built in 1892. Application is to construct rooftop bulkheads and to remove the fire escape.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-9127 - Block 522, lot 14-640 Broadway, aka 172 Crosby Street and 60-74 Bleecker Street - NoHo Historic District A Classical Revival style store, loft, and office building designed by DeLemos and Cordes, and built in 1896-97.

Application is to create a Master Plan governing the future installation of storefront infill.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7487 - Block 619, lot 77-79 Christopher Street - Greenwich Village Historic District
A house built in 1868. Application is to install a stoop gate.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-5869 - Block 588, lot 71-33-37 Grove Street - Greenwich Village Historic District
Three transitional Queen Anne/Romanesque Revival style apartment houses, designed by F. T. Camp and built in 1881. Application is to legalize modifications to the areaways without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-0533 - Block 591, lot 33-89 7th Avenue South, aka 16 Barrow Street - Greenwich Village Historic District
An apartment house designed by George F. Pelham, built in 1897 and altered in 1921. Application is to install storefront infill.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-8652 - Block 609, lot 75 - 159 West 13th Street - Greenwich Village Historic District
A residential building originally built in 1847-48 and altered in the 20th century. Application is to install windows and a cornice, and re-clad the brick facade.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7994 - Block 821, lot 21-33 West 19th Street, aka 28 West 20th Street - Ladies' Mile Historic District
A neo-Renaissance style store and loft building designed by H. Waring Howard and built in 1902-03. Application is to construct an addition and replace storefront infill. Zoned M1-6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-5612 - Block 1874, lot 52-2689-2693 Broadway, aka 230 West 103rd Street - Hotel Marseilles-Individual Landmark
A Beaux-Arts style apartment hotel designed by Harry Allen Jacobs and built in 1902-05. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 07-9246 - Block 1385, lot 7502-33 East 70th Street, aka 30 East 71st Street - Upper East Side Historic District
A neo-Federal style apartment house, designed by Schwartz and Gross and built in 1928-1929. Application is to establish a Master Plan governing the future installation of windows.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-0318 - Block 1495, lot 4-1025 Fifth Avenue - Metropolitan Museum Historic District
The entrance to an apartment building designed by Raymond Loewy and William Smith and built in 1955. Application is to install a new canopy and entryway surround.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF STATEN ISLAND 10-0534 - Block 587, lot 1-79 Howard Avenue - Louis A. and Laura Stirn House-Individual Landmark
A neo-Renaissance style mansion with Arts and Crafts style details designed by Kafka and Lindermeyr and built in 1908. Application is to create parking areas; alter the entrance and construct additions within the front porch, and install a barrier-free access ramp and a stair tower.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 09-9190 - Block 2563, lot 45-881-885 Manhattan Avenue - Greenpoint Historic District
A pair of one-story commercial buildings originally built in 1886, and altered in 1950. Application is to install storefront infill and signage.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 09-3689 - Block 326, lot 63-302 Court Street - Cobble Hill Historic District
A Romanesque Revival style rowhouse, designed by Horatio White and William Johnson, and built in 1887-89. Application is to legalize the installation of an awning without Landmarks Preservation Commission permits, and to install a bracket sign.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 07-7542 - Block 1965, lot 9-51 Cambridge Place - Clinton Hill Historic District
An Italianate style rowhouse built c. 1856. Application is to construct a rear yard addition. Zoned R-6.

ADVISORY REPORT
BOROUGH OF BROOKLYN 09-9119 - Block 1117, lot 1-Prospect Park, Kate Wollman Skating Rink - Prospect Park - Scenic Landmark
A skating rink and related building, built in 1959, and the adjacent parking lot and landscaping, within a primarily naturalistic style park designed in 1865 by Frederick Law Olmsted and Calvert Vaux. Application is to amend Commission Advisory Report 09-1700 for the construction of a new building and related landscaping.

jy7-21

TRANSPORTATION

■ PUBLIC HEARINGS

COMMUTER VAN SERVICE AUTHORITY (Queens/Manhattan)

NOTICE IS HEREBY GIVEN THAT the Department of Transportation is conducting a hearing on the expansion of vans for a van authority currently authorized in the Borough of Queens and Manhattan. The applicant's current authorized territory is: A residential area in Queens bounded on the north by 32nd Avenue from College Point Boulevard to Murray Lane, bounded on the east by Murray Lane from 32nd Avenue to 45th Avenue along 156th Street from 45th Avenue to Parsons Boulevard along Parsons Boulevard from Oak Avenue to Rose Avenue along Rose Avenue from Parsons Boulevard, along Kissena Boulevard from Rose Avenue to 59th Avenue, bounded on the south by 59th Avenue from Kissena Boulevard to College Point Boulevard, bounded on the west by College Point Boulevard from 59th Avenue to 32nd Avenue. To and from Manhattan bounded on the north by Bayard Street from Baxter Street to Bowery, bounded on the east by Bowery from Bayard Street to Division Street, bounded on the south by Division Street from Bowery to

Baxter Street, bounded on the west by Baxter Street from Division Street to Bayard Street. The company is Gold Express, Inc. They can be reached at 70-25 Yellowstone Blvd. #32, Forest Hills, NY 11375. The applicant currently utilizes 2 vans daily to provide service 18 hours a day and is requesting 5 additional vans.

There will be a public hearing on Monday, July 27, 2009 at the Queens Borough Hall, 120-55 Queens Blvd, Public Hearing Room 213, Part 2, Kew Gardens, NY 11424 from 2:00 P.M. - 4:00 P.M. and on Tuesday, July 28, 2009 at the Manhattan Borough President's Office, One Centre Street, 19th Floor South, New York NY 10007 from 2:00 P.M. - 4:00 P.M. In addition, written comments in support or in opposition to this application may be sent to Ms. Dorothy Szorc at the New York City Department of Transportation, Alternative Modes Division, 55 Water Street, 6th Floor, New York, New York 10041 no later than July 28, 2009. Any written comments received after this date may not be considered. Those opposing the application must clearly specify why the proposed service will not meet present and/or future public convenience and necessity.

jy13-17

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday, July 22, 2009. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing New York University to modify existing consent so as to construct, maintain and use additional conduits under and across LaGuardia Place, north of West 3rd Street, and under and along West 3rd Street, between Thomson Streets and LaGuardia Place, and under and across Thomson Street, north of West 3rd Street, in the Borough of Manhattan. The proposed modification of this revocable consent is effective the date of Approval by the Mayor and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$65,142+16,757/annum (prorated from the date of Approval by the Mayor)
For the period July 1, 2010 to June 30, 2011 - \$84,044

There is no additional maintenance of a security deposit for this consent.

#2 In the matter of a proposed revocable consent authorizing New York University to maintain and use the conduits under and across Third Avenue, south of East 12th Street and south of East 12th Street, and under, across and along East 12th Street, east of Third Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$4,380
For the period July 1, 2010 to June 30, 2011 - \$4,511
For the period July 1, 2011 to June 30, 2012 - \$4,642
For the period July 1, 2012 to June 30, 2013 - \$4,773
For the period July 1, 2013 to June 30, 2014 - \$4,904
For the period July 1, 2014 to June 30, 2015 - \$5,035
For the period July 1, 2015 to June 30, 2016 - \$5,166
For the period July 1, 2016 to June 30, 2017 - \$5,297
For the period July 1, 2017 to June 30, 2018 - \$5,428
For the period July 1, 2018 to June 30, 2019 - \$5,559

the maintenance of a security deposit in the sum of \$4,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#3 In the matter of a proposed revocable consent authorizing New York University Medical Center to maintain and use the conduits under and across First Avenue, between East 33rd Street and East 38th Street, and cables under and along First Avenue in the existing facilities of the Empire City Subway Company, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$20,087
For the period July 1, 2010 to June 30, 2011 - \$20,672
For the period July 1, 2011 to June 30, 2012 - \$21,257
For the period July 1, 2012 to June 30, 2013 - \$21,842
For the period July 1, 2013 to June 30, 2014 - \$22,427
For the period July 1, 2014 to June 30, 2015 - \$23,012
For the period July 1, 2015 to June 30, 2016 - \$23,597
For the period July 1, 2016 to June 30, 2017 - \$24,182
For the period July 1, 2017 to June 30, 2018 - \$24,767
For the period July 1, 2018 to June 30, 2019 - \$25,352

the maintenance of a security deposit in the sum of \$25,400, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#4 In the matter of a proposed revocable consent authorizing Beth Israel Medical Center to maintain and use the vaults under the south sidewalk of East 17th Street, east of Nathan D. Perlman Place, and the east sidewalk of Nathan D. Perlman Place, south of East 17th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$22,213
For the period July 1, 2010 to June 30, 2011 - \$22,860
For the period July 1, 2011 to June 30, 2012 - \$23,507
For the period July 1, 2012 to June 30, 2013 - \$24,154
For the period July 1, 2013 to June 30, 2014 - \$24,801
For the period July 1, 2014 to June 30, 2015 - \$25,448
For the period July 1, 2015 to June 30, 2016 - \$26,095
For the period July 1, 2016 to June 30, 2017 - \$26,742
For the period July 1, 2017 to June 30, 2018 - \$27,389

For the period July 1, 2018 to June 30, 2019 - \$28,036

the maintenance of a security deposit in the sum of \$28,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#5 In the matter of a proposed revocable consent authorizing Mount Sinai Medical Center to maintain and use a transformer vault under the east sidewalk of Madison Avenue, south of East 99th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$11,929
For the period July 1, 2010 to June 30, 2011 - \$12,287
For the period July 1, 2011 to June 30, 2012 - \$12,645
For the period July 1, 2012 to June 30, 2013 - \$13,003
For the period July 1, 2013 to June 30, 2014 - \$13,361
For the period July 1, 2014 to June 30, 2015 - \$13,719
For the period July 1, 2015 to June 30, 2016 - \$14,077
For the period July 1, 2016 to June 30, 2017 - \$14,435
For the period July 1, 2017 to June 30, 2018 - \$14,793
For the period July 1, 2018 to June 30, 2019 - \$15,151

the maintenance of a security deposit in the sum of \$15,200, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#6 In the matter of a proposed revocable consent authorizing 39 West 87th Street Housing Corporation to maintain and use a historic front stoop and areaway stairs on the north sidewalk of West 87th Street, between Central Park West and Columbus Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period from July 1, 2009 to June 30, 2019 - \$25/annum

the maintenance of a security deposit in the sum of \$5,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#7 In the matter of a proposed revocable consent authorizing National Railroad Passenger Corporation to maintain and use submarine railroad cables under water along easterly side of railroad trestle of the Spuyten Duyvil Bridge, Harlem River, in the Borough of Manhattan and the Borough of the Bronx. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$14,400
For the period July 1, 2010 to June 30, 2011 - \$14,819
For the period July 1, 2011 to June 30, 2012 - \$15,238
For the period July 1, 2012 to June 30, 2013 - \$15,657
For the period July 1, 2013 to June 30, 2014 - \$16,076
For the period July 1, 2014 to June 30, 2015 - \$16,495
For the period July 1, 2015 to June 30, 2016 - \$16,914
For the period July 1, 2016 to June 30, 2017 - \$17,333
For the period July 1, 2017 to June 30, 2018 - \$17,752
For the period July 1, 2018 to June 30, 2019 - \$18,171

the maintenance of a security deposit in the sum of \$5,063.08, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#8 In the matter of a proposed revocable consent authorizing Bronx Metal Recycling to maintain and use railroad sidetrack in Edgewater Road, north of Seneca Avenue, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$2,445
For the period July 1, 2010 to June 30, 2011 - \$2,518
For the period July 1, 2011 to June 30, 2012 - \$2,591
For the period July 1, 2012 to June 30, 2013 - \$2,664
For the period July 1, 2013 to June 30, 2014 - \$2,737
For the period July 1, 2014 to June 30, 2015 - \$2,810
For the period July 1, 2015 to June 30, 2016 - \$2,883
For the period July 1, 2016 to June 30, 2017 - \$2,956
For the period July 1, 2017 to June 30, 2018 - \$3,029
For the period July 1, 2018 to June 30, 2019 - \$3,102

the maintenance of a security deposit in the sum of \$12,700, and the filing of an insurance policy in the minimum amount of \$1,000,000/\$2,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

jy2-22

YOUTH AND COMMUNITY DEVELOPMENT

■ PUBLIC HEARINGS

THE NEW YORK CITY INTERAGENCY COORDINATING COUNCIL ON YOUTH FOR 2009

The Interagency Coordinating Council on Youth (ICC), in accordance with Section 735(c) of Chapter 30 of the New York City Charter, will hold a public hearing at which testimony shall be taken.

PUBLIC HEARING: The hearing will be held on July 21, 2009 from 9:00 A.M. to 11:00 A.M. at the New York City Department of Youth and Community Development (DYCD) at 156 William Street, 2nd Floor Auditorium, New York, New York 10038.

REGISTRATION: you can register in advance to testify, speakers will be called in the order in which they register with testimony limited to three minutes, or you can submit written comments to: icc@dycd.nyc.gov or

Department of Youth and Community Development
Office of External Relations
156 William Street, 6th Floor
New York, New York 10038
(212) 676-0278 Phone
(212) 442-5894 Fax

jy14-15

COURT NOTICE

SUPREME COURT

NOTICE

RICHMOND COUNTY IA PART 74 NOTICE OF ACQUISITION INDEX NUMBER (CY) 4009/09

In the Matter of the Application of THE CITY OF NEW YORK relative to acquiring title in fee simple where not heretofore acquired for the same purpose for **OAKWOOD BEACH BLUEBELT - STAGE 1** Generally bounded by Fairbanks Avenue and Dugdale Street to the North; Riga Street to the East; Emmet Avenue to the South; and Grayson Street to the West; in the County of Richmond, City and State of New York.

PLEASE TAKE NOTICE, that by order of the Supreme Court of the State of New York, County of Richmond, IA Part 74 (Hon. Abraham G. Gerges, J.S.C.), duly entered in the office of the Clerk of the County of Richmond on June 25, 2009, the application of the City of New York to acquire certain real property, for **OAKWOOD BEACH BLUEBELT - STAGE 1**, was granted and the City was thereby authorized to file an acquisition map with the Clerk of Richmond County. Said map, showing the property acquired by the City, was filed with the Clerk of Richmond County on June 25, 2009. Title to the real property vested in the City of New York on June 25, 2009.

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

Damage Parcel	Block	Lot
3	4728	2
4	4740	15
5	4740	16
6	4740	14
7	4740	13
8	4740	11
9	4740	9
10	4740	7
11	4736	15
12	4736	12
13	4740	1
12	4736	1
15	4736	6
18	4740	21
19	4740	24
20	4740	33
21	4737	18
22	4737	14
23	4737	13
24	4737	1
25	4737	5
26	4737	7
27	4737	9
30	4740	35
31	4740	36
32	4740	37
33	4740	41
34	4740	43
35	4740	46
36	4738	3
37	4738	13
38	4738	1
41	4739	29
42	4739	20
43	4739	3
44	4739	1
45	4739	9
46	4692	21
47	4692	18
48	4692	28
49	4692	11
50	4692	33
51	4692	1

PLEASE TAKE FURTHER NOTICE, that pursuant to said Order and to §§503 and 504 of the Eminent Domain Procedure Law of the State of New York, each and every person interested in the real property acquired in the above-referenced proceeding and having any claim or demand on account thereof is hereby required, on or before June 25, 2010, (which is one (1) calendar year from the title vesting date), to file a written claim with the Clerk of the Court of Richmond County, and to serve within the same time a copy thereof on the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, New York 10007. Pursuant to EDPL §504, the claim shall include:

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

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

PLEASE TAKE FURTHER NOTICE, that, pursuant to §5-310 of the New York City Administrative Code, proof of title shall be submitted to the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, New York 10007 on or before June 25, 2011 (which is two (2) calendar years from the title vesting date).

Dated: July 1, 2009, New York, New York
MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
100 Church Street
New York, New York 10007
Tel. (212) 788-0425

jy8-21

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

AUCTION

PUBLIC AUCTION SALE NUMBER 01001 - B

NOTICE IS HEREBY GIVEN of a bi-weekly public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on WEDNESDAY, JULY 22, 2009 (SALE NUMBER 01001-B). This auction is held every other Wednesday unless otherwise notified. Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

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

A listing of vehicles to be offered for sale in the next auction can be viewed on our Web site, on the Friday prior to the sale date at:

<http://www.nyc.gov/auctions>

Terms and Conditions of Sale can also be viewed at this site.

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

jy8-22

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."

AGING

AWARDS

Goods & Services

SERVICES FOR SENIOR CITIZENS – BP/City Council Discretionary – Concourse Village Inc. 775 Concourse Village East, Bronx, NY 10451 PIN#: 12509DISC1XM - Contract Amount: \$21,000

Retirees of Dreiser Loop Inc. 177 Dreiser Loop, Bronx, NY 10475 PIN#: 12509DISC1ZQ - Contract Amount: \$25,750

jy15

SERVICES FOR SENIOR CITIZENS – Renewal – The Bridge Street Senior Citizens Center Inc. 277 Stuyvesant Avenue, Brooklyn, NY 11221 PIN#: 12510SC50275 - Contract Amount: \$57,362

Beth Emeth Attendant Service Inc. 1080 McDonald Avenue, Brooklyn, NY 11230 PIN#: 12510HC102H6 - Contract Amount: \$2,290,104

jy15

BUILDINGS

CONTRACTS UNIT

INTENT TO AWARD

Goods

Q-MATIC SYSTEM UPGRADE – Sole Source – Available only from a single source - PIN# 81010OPS0065 – DUE 07-22-09 AT 3:00 P.M. – Any firm that believes it can provide the goods required may do so indicate in a letter addressed to the contact name below by the date and time indicated.

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

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

jy13-17

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

AWARDS

Goods

TOWEL, PAPER, ROLL AND DISPENSER – Competitive Sealed Bids – PIN# 857900151 – AMT: \$3,006,062.50 – TO: International Paper Co., DBA, XPEDX, One Penn Plaza, Suite 2814, New York, New York 10119.

● **OFFSET PRINTING SUPPLIES, PLATES INKS, CHEMICALS** – Competitive Sealed Bids – PIN# 857900007 – AMT: \$26,676.13 – TO: Presstek Inc., 201 West Oakton Street, Des Plaines, IL 60018.

● **SIGN BLANKS, ALUMINUM** – Competitive Sealed Bids – PIN# 857900413 – AMT: \$272,428.80 – TO: Rocal Inc., 3186 County Road 550, Frankfort, OH 45628.

● **ENTREES, FRESH AND FROZEN, HALAL FOR DOC** – Competitive Sealed Bids – PIN# 857901027 – AMT: \$77,600.00 – TO: Qualipaq Meats, Inc., 1285 Main Street, Swoyersville, PA 18704.

● **ENTREES, FRESH AND FROZEN, HALAL FOR DOC** – Competitive Sealed Bids – PIN# 857901027 – AMT: \$114,985.00 – TO: Metropolitan Foods Inc. dba Driscoll Foods, 174 Delawanna Avenue, Clifton, NJ 07014.

● **ENTREES, FRESH AND FROZEN, HALAL FOR DOC** – Competitive Sealed Bids – PIN# 857901027 – AMT: \$573,791.24 – TO: Golden Platter Foods, Inc., 37 Tompkins Point Road, Newark, NJ 07114.

● **COLD CEREALS FOR DOC RE-AD** – Competitive Sealed Bids – PIN# 857901188 – AMT: \$346,500.00 – TO: Robbins Sales Company Inc., P.O. Box 251, Syosset, NY 11791.

● **COLD CEREALS FOR DOC RE-AD** – Competitive Sealed Bids – PIN# 857901188 – AMT: \$773,285.00 – TO: Atlantic Beverage Company, Inc., 3775 Park Avenue, Edison, NJ 08820.

jy15

IBM ENTERPRISE SYSTEMS - NYPD – Intergovernmental Purchase – PIN# 8570901255 – AMT: \$221,383.20 – TO: IBM Corp., 590 Madison Ave., 16th Fl., Drop 6518, New York, NY 10022. NYS Contract #PT63994.

● **HP ENTERPRISE SYSTEMS - DCAS** – Intergovernmental Purchase – PIN# 8570901268 – AMT: \$111,850.00 – TO: Hewlett Packard Co., 3000 Hanover St., Palo Alto, CA 94304. NYS Contract #PT64150.

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

jy15

ECONOMIC DEVELOPMENT CORPORATION

CONTRACTS

SOLICITATIONS

Goods & Services

BUSH TERMINAL PIER 6 RFP – Request for Proposals – PIN# 37050001 – DUE 09-15-09 AT 4:00 P.M. – The New York City Economic Development Corporation (the "NYCEDC"), acting on behalf the Department of Small Business Services (the "SBS"), is seeking proposals for the redevelopment of Pier 6 in Bush Terminal, Sunset Park, Brooklyn (the "Site"), located between the Gowanus Bay and First Avenue, at the foot of 42nd Street. The total pier area is approximately 5.2 acres, of which all approximate 5.2 acres or a minimum of 2.6 acres are available for maritime related development. Proposers responding to this RFP ("Respondents") should emphasize active maritime industrial uses that take advantage of the Site's waterfront location and

industrial character of the surrounding Sunset Park Industrial Business Zone.

NYCEDC plans to select a developer on the basis of factors stated in the RFP which include, but are not limited to: financial return to New York City, the qualification of the development team, sustainable performance of the proposed project, and consistency of the development with public policy initiatives.

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

A Site Visit session will be held on Wednesday, July 29, 2009 at 10:00 A.M. at the Site. Those who wish to attend are advised to RSVP by email to Pier6RFP@nycfedc.com on or before July 28, 2009.

Respondents may submit questions and/or request clarifications from NYCEDC no later than 4:00 P.M. on Friday, August 7, 2009. Questions regarding the subject matter of this RFP should be directed to Pier6RFP@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 Tuesday, August 18, 2009, to www.nycfedc.com/RFP.

To download a copy of the solicitation documents please visit www.nycfedc.com/RFP. Please submit five (6) sets and one (1) electronic version 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 Pier6RFP@nycfedc.com

☛ jy15

HUNTER'S POINT SOUTH DEMOLITION, ABATEMENT AND SURCHARGING IFB

Public Bid – PIN# 27360012 – DUE 08-14-09 AT 11:00 A.M. – The Hunter's Point South Project is located in Long Island City, Queens and is bound by 50th Avenue to the north, 2nd Street to the east, Newtown Creek to the south and the East River to the West. NYCEDC, as the lead of an interagency team, has completed a Master Plan and Final Environmental Impact Statement that focuses on transforming the now underutilized site into a vibrant, sustainable, and middle-income community. It is anticipated that the community will include housing, retail, a new school and a 10 acre waterfront park. Currently, the Hunter's Point South site is predominately vacant but does contain several buildings that make up a tennis facility, a water taxi landing and beach, a community dog run, and a Long Island Rail Road vent shaft building. At this time, NYCEDC is soliciting construction bids to demolish and abate the existing structures that comprise the tennis facility, surcharge the areas for the future roadways that will traverse the new community, and other related items.

Detailed submission guidelines are outlined in the Bid package. The cost of the Bid package is \$100.00. The only form of payment accepted will be exact cash, certified check or money order payable to NYCEDC. The bid package will be available for pick up Wednesday, July 15, 2009 at the office of NYCEDC located at 110 William Street, 6th Floor, New York, NY 10038.

This project has Minority and Women Owned Business Enterprise ("M/WBE") participation goals and all respondents will be required to submit an M/WBE Utilization Plan with their response. To learn more about NYCEDC's M/WBE program visit www.nycfedc.com/mwbeprogram. For the list of companies who have been certified with the New York City Department of Small Business Services as M/WBE, please go to the www.nyc.gov/buycertified.

A non-mandatory site visit and tennis facility walkthrough is scheduled for Thursday, July 23, 2009 at 1:00 P.M. Attendees are requested to meet at the corner of 50th Avenue and 2nd Street in Long Island City, Queens. Respondents may submit questions and/or request clarifications, with regards to the subject matter of the project, from NYCEDC no later than 4:00 P.M. on Friday, July 24, 2009. These questions should be directed to hpsifb1@nycfedc.com. Any questions or requests for clarifications received after this date will not be answered. All questions received through Friday, July 24, 2009 will be posted by Friday, August 7, 2009 to www.nycfedc.com/RFP, so as to be available to all respondents, if NYCEDC determines that such answers provide material clarification to the Bid. Bids will be opened publicly at the office of NYCEDC at the date and time specified above. Please submit four (4) copies of your bid.

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 hpsifb1@nycfedc.com

☛ jy15

EDUCATION

DIVISION OF CONTRACTS AND PURCHASING

■ SOLICITATIONS

Goods

SOFT MACHINE SOFTWARE – Competitive Sealed Bids – PIN# Z1159040 – DUE 07-28-09 AT 5:00 P.M.
● **DAVKA SOFTWARE** – Competitive Sealed Bids – PIN# Z1160040 – DUE 07-28-09 AT 5:00 P.M.

If you cannot download this OMA, please send an e-mail to VendorHotline@schools.nyc.gov with the OMA number and title in the subject. For all questions related to these OMA's, please send an e-mail to krobbin@schools.nyc.gov with the OMA's number and title in the subject line of your e-mail. Bid opening: Wednesday, July 29th, 2009 at 11:00 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.

Department of Education, 65 Court Street, Room 1201 Brooklyn, NY 11201. Vendor Hotline (718) 935-2300 vendorhotline@schools.nyc.gov

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BOARD OF ELECTIONS

■ INTENT TO AWARD

Goods & Services

DOCUMENT IMAGING – Renewal – PIN# 003200411010 – DUE 07-17-09 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.

Board of Elections, 42 Broadway, 7th Floor, New York, NY 10004. Gwendolyn Youngblood (212) 487-7213 gyoungblood@boe.nyc.ny.us

☛ jy15

EMPLOYEES' RETIREMENT SYSTEM

■ AWARDS

Human/Client Service

TECHNICAL CONSULTANT – Cooperative Purchasing – PIN# 009070920091 – AMT: \$108,000.00 – TO: Diaspark Inc., 200 Metroplex Drive, Suite 401, Edison, NJ 08817.

☛ jy15

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

VARIOUS FAN BELTS, BEARINGS, AND PUMP SEALS – Competitive Sealed Bids – PIN# 11110004 – DUE 07-29-09 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.

Bellevue Hospital Center, Purchasing, 462 First Avenue, Room# 12 East 32, New York, NY 10016. Matt Gaumer (212) 562-2887, matthew.gaumer@bellevue.nychhc.org

☛ jy15

Goods & Services

ESSURE PERMANENT BIRTH CONTROL (MICRO-INSERT) – Competitive Sealed Bids – PIN# 22210004 – DUE 07-29-09 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.

Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451. Yolanda Johnson (718) 579-5867.

☛ jy15

SECURITY DOOR RELEASE FIRE ALARM CONTROL MODULES – Competitive Sealed Bids – PIN# 22210005 – DUE 07-29-09 AT 4:00 P.M. Bidders are advised that there will be a pre-site visit on : 07/21/09 at 11:00 am at Lincoln Medical And Mental Center, 234 East 149th Street, #2A2, Bronx, NY 10451. If you require additional information, please contact Edwin Iyasere at 718-579-5106.

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

Lincoln Hospital Center, 234 East 149th Street, Room 2A2 Bronx, NY 10451. Edwin Iyasere (718) 579-5106.

☛ jy15

MATERIALS MANAGEMENT

■ SOLICITATIONS

Goods & Services

CARTING AND DUMPSTER SERVICES – Competitive Sealed Bids – PIN# 030-0001 – DUE 07-30-09 AT 10:00 A.M. – The New York Health and Hospitals Corporation, Corporate Support Services Division (CSS), is seeking two (2) licensed waste carting vendors that can remove all types of waste from its occupied premises at 346 Broadway, 125 Worth Street and 160 Water Street and Sea View Hospital. The selected vendor must provide delivery and pick up of dumpsters, when requested and with a twenty-four (24) hour period from the time they receive a call from HHC, (to include weekends and holidays).

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

Health and Hospitals Corporation, 346 Broadway, 5th Floor, Room 516, New York, NY 10013-3990. Sherry Lloyd (212) 442-3863, sherry.lloyd@nychhc.org

☛ jy15

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 mzmzmoira@dhs.nyc.gov

j12-24

HOUSING AUTHORITY

■ SOLICITATIONS

Construction/Construction Services

REPLACEMENT OF RADIATOR VALVES AND TRAPS AT VARIOUS DEVELOPMENTS, BRONX – Competitive Sealed Bids – PIN# HE9008784 – DUE 07-22-09 AT 10:30 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 (212) 306-3121 gloria.guillo@nycha.nyc.gov

jy9-15

REPAIRING BOILER STACK AT AMSTERDAM HOUSES – Competitive Sealed Bids – PIN# BW7007696 – DUE 08-04-09 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

☛ jy15-21

REPLACEMENT OF RADIATOR VALVES AND TRAPS AT VARIOUS DEVELOPMENTS, BROOKLYN – Competitive Sealed Bids – PIN# HE9008786 – DUE 07-27-09 AT 10:30 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

jy13-17

JUVENILE JUSTICE

■ SOLICITATIONS

Human/Client Service

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

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

Department of Juvenile Justice, 110 William Street 14th Floor, New York, NY 10038. Chuma Uwechia (212) 442-7716, cuwechia@djj.nyc.gov

jy1-d16

PARKS AND RECREATION

MANAGEMENT INFORMATION SYSTEMS

■ SOLICITATIONS

Goods & Services

YARDI ANNUAL MAINTENANCE – Sole Source – Available only from a single source - PIN# 22736846 – DUE 07-24-09 AT 12:00 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.

Parks and Recreation, Arsenal West, 24 W. 61st Street 4th Floor, New York, NY 10023. Andrew Nicklin (212) 830-7915, andrew.nicklin@parks.nyc.gov

jy14-20

REVENUE AND CONCESSIONS**SOLICITATIONS***Services (Other Than Human Services)*

RENOVATION, OPERATION AND MAINTENANCE OF THE PITCH AND PUTT GOLF FACILITY – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# Q99-J-GC – DUE 08-21-09 AT 3:00 P.M. – At Flushing Meadows Corona Park, Queens. Parks will hold an on-site proposer meeting and site tour on Monday, July 20, 2009 at 11:00 A.M. in front of the clubhouse at the Pitch and Putt Golf Facility, Flushing Meadows Corona Park, Queens. All interested parties are urged to attend.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*Parks and Recreation, The Arsenal-Central Park
830 Fifth Avenue, Room 407, New York, NY 10021.
Eve Mersfelder (212) 360-3407, eve.mersfelder@parks.nyc.gov*

jy8-21

CONSTRUCTION, OPERATION AND MAINTENANCE OF A MINIATURE GOLF COURSE, PRO-SHOP, AND SNACK BAR – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# Q163-GC – DUE 09-14-09 AT 3:00 P.M. – At Rockaway Beach 92nd Street to Beach 94th Street, Queens
There will be a recommended on-Premises proposer meeting and Premises tour on Wednesday, August 12, 2009 at 1:00 P.M. We will meet at the proposed concession site, which is located on Shorefront Parkway, between Beach 92nd and 94th Streets, on the beach side of the parkway. If you are considering responding to this RFP, please make every effort to attend this recommended meeting and Premises tour.

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.
Evan George (212) 360-3495 evan.george@parks.nyc.gov*

jy15-28

POLICE**CONTRACT ADMINISTRATION UNIT****SOLICITATIONS***Services (Other Than Human Services)*

REBID: SERVICE/MAINTENANCE OF CHILLERS AND COMPRESSORS – Competitive Sealed Bids – PIN# 056080000561 – DUE 08-11-09 AT 11:00 A.M.
REBID: Four (4) York Chillers and Two (2) Carrier HR30 reciprocating compressors units at Police Headquarters. The term of the contract will be for three (3) years. An optional pre-bid conference is scheduled to be held 10:00 A.M. on Monday, July 20, 2009 at 1 Police Plaza, Security Booth, New York, New York 10038. VSID#: 60046.

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.
*Police Department, Contract Administration Unit,
51 Chambers Street, Room 310, New York, NY 10007.
Stephanie Gallop (646) 610-5225, stephanie.gallop@nypd.org*

jy15

TRANSPORTATION**BRIDGES****VENDOR LISTS***Services (Other Than Human Services)*

PRE-QUALIFIED LIST FOR BRIDGE DESIGN AND CONSTRUCTION SUPPORT SERVICES AND RESIDENT ENGINEERING INSPECTION SERVICES – The Department of Transportation invites engineering firms to be considered for inclusion on the agency's Pre-Qualified Lists for the following categories of service: (1) Bridge Design and Construction Support Services and/or (2) Bridge Resident Engineering Inspection (REI) Services. In order for a firm to be Pre-Qualified the firm must meet specific criteria requirements as stated on the Pre-Qualification Forms and SF330 Forms which can be obtained from the New York City Department of Transportation (NYCDOT). Information and applications to be included on such lists may be obtained from the NYCDOT Office of the Agency Chief Contracting Officer, and may be submitted at any time. Firms already on the Pre-Qualified Lists do not need to be re-certified for inclusion on the list(s) at this time.

For the two categories described above, three (3) lists (Large, Medium and Small) are established according to project size. No firm may be placed on more than two of the three lists for the Bridge Design and Construction Support Services or the Bridge Resident Engineering Inspection Services category. Firms that are placed on these Pre-Qualified lists may be invited to receive RFPs (Request for Proposals) on selected Capital Bridge Projects without additional public notification. The Pre-qualification Lists are as follows:

SMALL BRIDGE DESIGN/REI: (for projects of less than \$3 million construction cost)
MEDIUM BRIDGE DESIGN/REI: (for projects of \$3 to \$10 million construction cost)
LARGE BRIDGE DESIGN/REI: (for projects in excess of \$10 million construction cost)

For additional information, please contact Gail Hatchett at (212) 839-9308 or (212) 839-9402.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*Department of Transportation, Office of the Agency Chief Contracting Officer, 55 Water Street, 8th Fl., Room 825
New York, NY 10041. Hours 9:00 A.M. to 3:00 P.M., Monday thru Friday (excluding holidays observed by the Agency).
Gail Hatchett (212) 839-9308*

jy10-16

AGENCY RULES**QUEENS BOROUGH PRESIDENT****NOTICE**

NOTICE OF INTENTION TO AMEND SUBCHAPTER B OF CHAPTER 4 OF TITLE 45 OF THE RULES OF THE CITY OF NEW YORK TO REVISE THE FEE SCHEDULE FOR CERTAIN SERVICES PROVIDED BY THE QUEENS BOROUGH PRESIDENT'S TOPOGRAPHICAL BUREAU.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Office of the Queens Borough President by Section 82 of the New York City Charter and in accordance with the requirements of Section 1043, that the Queens Borough President intends to amend its rules regarding fees for certain services provided by the Topographical Bureau.

Written comments regarding this amendment may be sent to Hugh Weinberg, Counsel, Office of the Queens Borough President, Queens Borough Hall, 120-55 Queens Boulevard, Room 244, Kew Gardens, NY 11424 on or before August 25, 2009. A public hearing on the Proposed Amendment to the Rule will be held on August 19, 2009 at 10:00 A.M. at Queens Borough Hall, 120-55 Queens Boulevard, Room 213, Kew Gardens, NY 11424. Persons who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are asked to notify Mr. Weinberg at the foregoing address by August 10, 2009. Written comments and a summary of the oral comments will be available for public inspection within a reasonable time after receipt, between the hours of 9:00 A.M. and 4:30 P.M. at the Queens Borough President's Office, 120-55 Queens Boulevard, Room 244. The following proposed amendments were not included in this agency's Regulatory Agenda.

Proposed Amendment to Rule

New material is indicated by underlining.

Sections 4-06 and 4-07 of chapter 4 of Title 45 of the Rules of the City of New York are amended to read as follows:

§4-06 Schedule of Fees

[(a)] The fees for the processing of the below-listed applications and requests submitted to the Topographical Bureau shall be as follows:

- | | |
|---------------------------------------|--|
| (1) Alteration Map Preparation | \$[4,500.00] <u>12,000.00</u> for up to two map sheets and \$[1,500.00] <u>2,500.00</u> for each additional map sheet, not to exceed a total charge of \$[9,000.00] <u>18,000.00</u> |
| (2) Alteration Map Review | \$[3,000.00] <u>6,000.00</u> for up to two map sheets and \$[1,000.00] <u>1,500.00</u> for each additional map sheet, not to exceed a total charge of \$[6,000] <u>9,000.00</u> |
| (3) New Building Certification | \$[60.00] <u>100.00</u> |
| (4) Building Alteration Certification | \$[40.00] <u>75.00</u> |
| (5) Detailed Grade Study | \$[35.00] <u>40.00</u> |
| (6) House Number Issuance | \$[30.00] <u>50.00</u> |

§4-07 Payment Method

Except as specifically provided in this section, every application for the preparation of an alteration map, review of an alteration map, new building certification, building alteration, to conduct a detailed grade study or issue house numbers, [made on or after July 1, 2003] shall include a non-returnable fee, which shall be paid by certified check, money order, [personal check (not to exceed a total amount of two hundred dollars), [or] [business] bank check (not to exceed a total amount of one thousand dollars)] or credit card, made payable to the Office of the Queens Borough President. Fees shall be paid when the application is filed, and no application will be processed by the Borough President's Office until the fee is paid in full.

Statement of Basis and Purpose of Proposed Rule:

The proposed Amendment to the Borough President's Rules would create a new Fee Schedule for providing certain services pursuant to Section 82 of the New York City Charter, which specifies that the Borough President shall maintain a Topographical Bureau. These services include maintaining various records, maps, surveys, topographical data, issuance of house numbers, the preparation and review of alteration maps, damage and acquisition maps, and other related street maps. In order to continue to provide these services to the general public and comply with section 82 of the Charter, it is necessary for the Queens Borough President's Office to implement the above fee schedule, as it takes into account the cumulative rate of inflation and the cost of professional staff time in maintaining a Topographical Bureau.

PROCUREMENT POLICY BOARD**NOTICE****NOTICE OF ADOPTION OF FINAL RULE**

The Procurement Policy Board (PPB) has adopted an amendment to § 1-01, **Definitions, of chapter 1 of Title 9 of the Rules of the City of New York**, pursuant to Sections 311 and 1043 of the New York City Charter. The amendment was published on May 13, 2009 in the City Record. A public hearing was held on June 18, 2009. The amendment was adopted by the Procurement Policy Board on June 24, 2009.

Basis and Purpose of the Amendment

The amendment conforms the definition of construction to the definition of construction contract in section 6-129(c)(10) of the Administrative Code of the City of New York

The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

Section 1. The definition of the term "construction" set forth in subdivision (e) of section 1-01 of Title 9 of the Rules of the City of New York is amended as follows:

* * *

Construction. The process of constructing [building], reconstructing, demolishing, excavating, renovating, altering, improving, rehabilitating, [converting, altering, extending, improving,] or repairing any building, facility, or physical structure of any kind, excluding the performance of routine maintenance [, maintaining, or demolishing City real property or other public improvements].

NOTICE OF ADOPTION OF FINAL RULE

The Procurement Policy Board (PPB) has adopted an amendment to § 2-04, **Multi-Term Contracts (Client Services), of chapter 2 of Title 9 of the Rules of the City of New York**, pursuant to Sections 311 and 1043 of the New York City Charter. The amendment was published on May 13, 2009 in the City Record. A public hearing was held on June 18, 2009. The amendment was adopted by the Procurement Policy Board on June 24, 2009.

Basis and Purpose of the Amendment

The amendment expands the circumstances under which an agency may enter into six year and nine year contract terms for client service contracts, and clarifies the circumstances under which terms longer than nine years may be used. These changes will result in client services contracts that more appropriately serve clients' needs, and will better permit client services vendors to establish links with the communities served, as well as appropriate lease and financing terms for the facilities needed for the provision of such services.

The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

Section 1. Subdivisions (e) and (f) of section 2-04 of Title 9 of the Rules of the City of New York is amended as follows:

Section 2-04 MULTI-TERM CONTRACTS (CLIENT SERVICES).

* * *

(e) Permitted Length of Contract Terms. Client service contracts [may] should be awarded for a term that is appropriate for the services to be performed, taking into consideration the nature of the services themselves, as well as other factors relevant to the provision of the services. The ACCO shall make a determination as to the basis for the term of a client services contract. All client service contracts may be awarded for at least an initial term, or a total term including all renewals, of up to three years [for Category One, six years for Category Two, and nine years for Category Three. The ACCO shall make a determination as to whether a particular contract or category of contract shall be designated as Category One, Two or Three. Such contracts may be structured as contracts for a lesser period of time, with a renewal clause in accordance with these Rules, so long as the term of the original contract including all renewals does not exceed the stated limits]. The term for a client services contract should otherwise be guided, in general, by the provisions set forth below.

[In an extraordinary case for compelling reasons, such as the need to finance a program through the issuance of long-term bonds, a contract may be awarded for a term in excess of nine years. For such an award, the determination of the CCPO that such a longer term is necessary, shall be required.]

[(f) Categories One, Two, and Three.

(1) General. Any client services contract may be treated as a Category One contract. Any Category Three contract may be treated as a Category Two contract. Any client services contract that is not within Category Two or Category Three shall be within Category One.

(2) Category Two. Category Two includes:]

(1) Six-year contracts. Examples of contracts for which a total term, including renewals, of up to six years would be appropriate include:

(i) contracts in programs [where services are provided in a center-based facility where obtaining necessary permits and approvals and/or other control of the site as a result of zoning or land use issues is unusually complex or difficult;

(ii) contracts in programs] in which there is a requirement for the vendor to establish linkages with other vendors in the locality, in order to provide effective services to the clients;

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(ii)(iii) contracts in programs where the population to be served is fragile and/or difficult to serve and the well-being of the clients would be jeopardized by potentially frequent change in the vendor;

(iii)(iv) contracts in programs where the development and continuity of a personal, supportive, or therapeutic relationship between the caregiver and the affected client(s) is an integral requirement of the support service or treatment being provided, and the support service or treatment would be impaired by the severance of that relationship as a result of the change of vendors; and

(iv)(v) [in the case of other specific contracts, including contracts that would otherwise fall within Category One, under extraordinarily compelling circumstances] other contracts where the ACCO has set forth with particularity the reasons that it is not practicable or advantageous to competitively resolicit proposals as often as every three years[, and this determination has been approved by the CPPO prior to the solicitation].

[Examples of programs that may be included within Category Two are:

- (i) day care, head start, and homemaker services;
- (ii) youth programs and community development programs (other than community services block grant programs);
- (iii) alcohol and substance abuse programs;
- (iv) worker career centers;
- (v) abuse prevention, community guardian program, center-based employment programs, foodbank and hunger program, home care programs, non-residential services for victims of domestic violence, and protective services for adults;
- (vi) caregiver respite services, case management, elder abuse prevention, home care home delivered meals, safe streets program, senior centers, social adult daycare, and transportation;
- (vii) disaster relief;
- (ix) alternatives to incarceration, anti-drug abuse, indigent criminal defense, mediation services, victim services, and youth recreational services;
- (x) crime victim services, juvenile diversion programs, outpatient alcohol and substance abuse programs;
- (xi) aftercare programs; and
- (xii) medical services for secure and non-secure detention facilities, and non-secure detention facilities.]

(2) Nine-year contracts. Examples of contracts for which a total term, including renewals, of up to nine years would be appropriate include:

- (3) Category Three. Category Three includes:
- (i) contracts in programs where the treatment modality includes a long-term therapeutic relationship between the client and the caregiver as an integral part of the treatment program, and the treatment of the client would be jeopardized by the severance of that relationship as a result of change of vendors;
 - (ii) contracts in residential care programs; [and]
 - (iii) contracts in programs where services are provided in a center-based facility where obtaining necessary permits and approvals and/or other control of the site as a result of zoning land use issues or leasing is unusually complex or difficult;
 - (iv) contracts in programs where the procurement includes a significant investment by the contractor for capital improvements; and
 - (v)(iii) [in the case of other specific contracts, under extraordinarily compelling circumstances,] other contracts where the ACCO has set forth with particularity the reasons that it is not practicable or advantageous to competitively resolicit proposals as often as every six years[, and this determination has been approved by the CPPO prior to the solicitation].

[Examples of programs that may be included within Category Three are:

- (i) foster care and preventative services;
- (ii) direct mental hygiene services (other than alcohol and substance abuse programs);
- (iii) family center services;
- (iv) AIDS housing and domestic violence shelters;
- (v) reception centers, tier II temporary family residences, and transitional adult residences; and
- (vi) residential care.

(e) (3) In an extraordinary case for compelling reasons, such as the need to finance a program through the issuance of long-term bonds or the need to obtain financing associated with securing a site that can only be obtained from a long term lease, a

contract may be awarded for a term in excess of nine years and shall be coterminous with the financing provisions. For such an award, the determination of the CCPO that such a longer term is necessary shall be required.

NOTICE OF ADOPTION OF FINAL RULE

The Procurement Policy Board (PPB) has adopted an amendment to § 3-11, **Demonstration Projects For Innovative Products, Approaches, or Technologies, and to §4-02, Contract Changes, of chapters 3 and 4 of Title 9 of the Rules of the City of New York**, pursuant to Sections 311 and 1043 of the New York City Charter. The amendment was published on May 13, 2009 in the City Record. A public hearing was held on June 18, 2009. The amendment was adopted by the Procurement Policy Board on June 24, 2009.

Basis and Purpose of the Amendment
In order to facilitate appropriate evaluation of demonstration projects, with provision for continued services during the time necessary to conduct a solicitation for such services if the demonstration is successful, the amendment to section 3-11 extends the standard length of the initial term of a demonstration project procurement from one year to three years, with provisions for the extension of the contract term for a period of up to one year when necessary to conduct the demonstration and evaluate its effectiveness with CCPO approval. The amendment to section 3-11 also allows an agency to initiate a demonstration project, and for client services programs allows an agency to initiate a demonstration project to solicit proposals for innovative approaches to the provision of new or existing services. The amendment to rule 4-02 conforms the rule to the changes to the rule 3-11.

The Amended Rule
In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

Section 1. Subdivisions (a), (d), (e) and (f) of section 3-11 of Title 9 of the Rules of the City of New York is amended as follows:

Section 3-11 DEMONSTRATION PROJECTS FOR INNOVATIVE PRODUCTS, APPROACHES, OR TECHNOLOGIES.

(a) **Policy and Purpose.** It is in the City's best interest to consider proposals for demonstration projects. A demonstration project is a short-term, carefully planned, pilot exercise designed to test and evaluate the feasibility and application of an innovative product, approach or technology not currently used by the City. Demonstration projects may be proposed for goods, services or construction. They allow the City to observe and analyze effectiveness and efficiency without a large commitment of resources. Demonstration projects may be initiated by an unsolicited proposal, or by an agency on its own initiative. For client services programs, agencies may initiate a demonstration project in order to invite proposals for innovative approaches to the provision of existing or new services.

* * *

(d) **Contract Term.** The initial term of a contract [Contracts] for a demonstration project should be for a term that is reasonable both to conduct the demonstration and to determine its effectiveness, and [projects ordinarily] shall not exceed [one year] three years. [In order to enter into a multi-term contract, the] The ACCO shall make a determination setting forth with specificity:

- (1) why the effectiveness of the product, approach, or technology cannot be evaluated within one year, and
- (2) how the proposed term of the contract was determined. In making such determination, the ACCO may consider whether it would be in the City's best interest to ensure that no break in the provision of services occurs at the end of the demonstration project, if successful. If the ACCO makes such a determination, the ACCO should establish an initial term that, although no longer than three years, is long enough to allow for the subsequent solicitation of those services at the conclusion of the project's evaluation. In the event that a longer period is needed to allow for continuity of services and/or to evaluate the demonstration, the agency may extend the contract for an additional period of up to one year with CCPO approval.

(e) **Notice.** Prior to entering into negotiations for the award of a contract for a demonstration project exceeding the small purchase limits, the ACCO shall give notice of that determination by placing a notice in the City Record.

- (1) **Frequency.** Notice of intent to enter negotiations for a demonstration project exceeding the small purchase limits shall be published in not less than five consecutive editions of the City Record at least ten calendar days before entering into negotiations with the vendor and shall be posted on the City's website in a location that is accessible by the public simultaneously with its publication.
- (2) **Content.** Such notice shall include:
 - (i) agency name;
 - (ii) PIN;
 - (iii) title and/or brief description of the goods, services, or construction to be procured;
 - (iv) estimated quantity, if any;
 - (v) name of the proposed vendor, if the agency has identified a vendor;
 - (vi) summary of the determination;
 - (vii) how vendors may express their interest in providing such good, [service] services or construction; and
 - (viii) due date.

(f) **Evaluation.** Upon the evaluation of expressions of interest received, if any, the ACCO shall make a determination of how to proceed, which includes the basis for such determination. Where it appears that the product, approach, or technology is already competitively available in

the marketplace, the ACCO may determine that a competitive solicitation may be issued; or, if it appears that the product, approach, or technology can be reasonably evaluated using short-term contracts with more than one vendor, the ACCO may determine that negotiations to establish such demonstration projects may be conducted with more than one vendor, or negotiations may proceed with the single vendor originally identified. For client services, whether or not an initial vendor has been identified, an agency may utilize the demonstration project method to solicit proposals for innovative approaches to the provision of existing or new services, in which case the ACCO may determine that negotiations to establish such demonstration projects may be conducted with more than one vendor, or negotiations may proceed with the single vendor originally identified, if any. To the extent required by Section 322 of the Charter, an agency determination to utilize an alternative procurement procedure for a particular procurement or for a particular type of procurement shall require the approval of the Mayor prior to seeking bids or proposals. The CCPO shall have final authority with respect to evaluation, acceptance, and rejection of all demonstration projects.

Section 2. Subparagraphs (iv), (v) and (vi) of paragraph (1) of subdivision (b) of section 4-02 of Title 9 of the Rules of the City of New York are renumbered subparagraphs (v), (vi) and (vii), respectively, and a new subparagraph (iv) is added, to read as follows.

Section 4-02 CONTRACT CHANGES.

* * *

- (b) Types of Changes Permitted.
 - (1) Changes may include any one or more of the following:
 - (i) specification changes to account for design errors or omissions;
 - (ii) changes in contract amount due to authorized additional or omitted work. Any such changes require appropriate price and cost analysis to determine reasonableness. In addition, except for non-construction requirements contracts, all changes that cumulatively exceed the greater of ten percent of the original contract amount or \$100,000 shall be approved by the CCPO;
 - (iii) extensions of a contract term for good and sufficient cause for a cumulative period not to exceed one year from the date of expiration of the current contract. Requirements contracts shall be subject to this limitation;
 - (iv) extensions of a contract term pursuant to Section 3-11(d)(2) of these Rules;
 - (v)(iv) changes in delivery location;
 - (vi)(v) changes in shipment method; and
 - (vii)(vi) any other change not inconsistent with this section.

NOTICE OF ADOPTION OF FINAL RULE

The Procurement Policy Board (PPB) has adopted an amendment to § 4-04, **Renewals, of chapter 4 of Title 9 of the Rules of the City of New York**, pursuant to Sections 311 and 1043 of the New York City Charter. The amendment was published on May 13, 2009 in the City Record. A public hearing was held on June 18, 2009. The amendment was adopted by the Procurement Policy Board on June 24, 2009.

Basis and Purpose of the Amendment
The amendment removes the requirement that ACCOs make certain determinations as part of a pre-renewal review of client services contracts and folds the substantive requirements into the Recommendation for Renewal that is required to be approved by the ACCO prior to contract renewals. The amendment also requires the contracting agency to post notices of the intent to renew such contracts on the agency's web site. These changes will expedite the processing of renewal contracts, thus ensuring seamless continuation of needed services to clients, while fostering accountability and transparency into the selection process of services.

The Amended Rule
In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

Section 1. Section 4-04 of Title 9 of the Rules of the City of New York is amended as follows:

Section 4-04 RENEWALS.

- (a) Defined. Renewals are defined as re-registration of previous contracts with the same vendor [or service provider], with substantially unchanged terms and conditions, but possibly revised quantities, lists, or schedules or items to be supplied.
- (b) Renewals Not Permitted. Unless specifically contracted for, as in contracts containing an option to renew, renewals shall not be permitted where:
 - (1) additional quantities of goods are required, except in the case of goods acquired through requirements contracts (which shall be subject to the contract term extension limitations in Section 4-02(b)(1)(iii), or
 - (2) except as provided in Sections 4-02(b)(1)(ii) and 4-02(b)(1)(iii), a continuation of types of services is required, the procurements shall be made by new solicitations by one of the appropriate methods of source selection set forth in these Rules.
- (c) [Pre-Renewal Review (Client Services). Prior to exercising the renewal option of any contract in Categories One, Two, and Three, the ACCO shall make the following determinations and, where required, shall provide public notice and conduct a public hearing pursuant to these Rules:
 - (1) the services in questions are still needed, required, or mandated;
 - (2) based on the agency's

performance evaluation process, the provider's performance for the prior contract period is determined to be in compliance with the requirements of the contract;

(3) based on Fiscal Officer certification, funds are or are expected to be available for the renewal contract;

(4) the prices set forth in the contract are still fair and reasonable;

(5) renewal of the contract with the existing service provider is in the best interest of the individual clients and client populations being served, community, and City; and

(6) the renewal contract is on substantially the same terms and conditions as the original contract.

(d) Recommendation for Renewal. [Subsequent to making the determination to renew a contract with a client services provider, the] The Contracting Officer shall prepare a Recommendation for Renewal which shall be approved by the ACCO. The Recommendation for Renewal shall include the following documentation:

(1) agency name and department;

(2) PIN;

(3) [client services provider] vendor name, address, Tax Identification Number, and telephone number;

(4) program name(s) and address(es) where services are actually provided to clients, or administered if the services are not "center-based";

(5) borough(s) and community district(s) in which the program shall operate;

(6) period of (including prospective renewal options, if any) and amount of contract;

(7) period of and amount of prior contract;

(8) source of funding, and a certification from an authorized fiscal officer of the agency that funds are or are expected to be available for the renewal contract;

(9) if applicable, dates of City Record and other publication of notices pertaining to the intent to renew;

(10) [for client services, if applicable,] an assessment of vendor's performance during the prior contract period (overall rating of latest performance assessment) and a statement, based on the agency's performance evaluation process, of whether the provider's performance for the prior contract period was determined to be in compliance with the requirements of the contract;

(11) if applicable, date, period covered, and findings of latest available financial audit report, name of the CPA firm that conducted it, and whether the CPA firm was unable to express an opinion as to the adequacy of the contractor's books and records;

(12) comparison of actual and contracted levels of service (and/or minimum outcome requirements) for the prior contract period, and for client services, a statement that the services in question are still needed, required or mandated and that renewal of the contract with the existing service provider is in the best interests of the City including the interests of individuals clients, client populations being served and the affected community;

(13) proposed contracted levels of service (and/or minimum outcome requirements) for the new contract;

(14) if a public hearing was held, the date of the public hearing, the number of witnesses testifying, and an explanation of the effect, if any, of the testimony offered at the public hearing on the decision to renew and/or on the terms and conditions of the contract; if a public hearing was not held, an explanation of why a public hearing was not held, including a statement that the renewal contract is on substantially the same terms and conditions as the original contract;

(15) signature of the ACCO signifying his/her approval and verifying the accuracy of the information;

(16) the date the services contracted for pursuant to this contract were last solicited; and

(17) all applicable determinations called for by these Rules, including a determination, if applicable, that the prices set forth in the contract are still fair and reasonable.

[(e)] (d) Notice and Publication Requirements for Client Services Renewals. Public notice of the intent to renew a contract shall be provided in accordance with this subdivision, for the purpose of eliciting information concerning the provider's performance and other factors relevant to the renewal.

(1) Contracts subject to the public

notice requirement.

(i) In the case of contracts in value greater than \$100,000, such notice shall be provided whenever a public hearing is required.

(ii) In the case of contracts in value greater than \$25,000 but not more than \$100,000, such notice shall be provided unless:

(A) public notice and the approval of the CCPO for the original contract award or the exercise of a renewal option occurred within the prior two years, and

(B) in connection with that award or renewal, public notice and approval were provided concerning both the original contract term and all possible renewal options contained within the contract.

(iii) Public notice is required if the renewal option to be exercised is for a period of three or more years.

(iv) Such notice is not required in the case of renewals of contracts of \$25,000 or less.

(2) Publication Requirements. Within seven calendar days after the approval by the ACCO, the agency shall initiate steps to publish notice of the intent to renew once in the City Record and shall post such notice on the City's website in a location that is accessible by the public simultaneously with its publication. The agency may also publish notice of the intent to renew in one or more of the local newspapers of the borough and/or community within the borough where the services are provided. The notice shall also be mailed to the proposed provider and the Borough President(s) and Community Board chair(s) in the district(s) where the services are provided, and shall be conspicuously placed on the premises of the location where services are provided, if practicable, and otherwise where the program is administered. The agency shall take other steps to solicit comments from clients, advocates, and others sufficiently in advance of the renewal date so that appropriate action can be taken to respond to issues identified in such comments.

(3) Contract Summary. Prior to providing public notice of the intent to renew a contract, the ACCO shall prepare a summary of the terms and conditions of the proposed renewal contract, including a description of the scope of services, the target population, the proposed renewal term of the contract, and the location of the program. The summary may be prepared for a category of contracts, accompanied by a detailed contractor/site specific schedule.

(4) Content of Public Notice. The public notice of intent to renew the contract shall include:

(i) the City agency name;

(ii) the name and address of the vendor;

(iii) PIN;

(iv) the address of the location where the services are provided, if practicable, and otherwise where the program is administered;

(v) a brief description of the nature of the services to be provided; and

(vi) the name and telephone number of the City agency staff member who can be contacted to provide a copy of the contract summary.

[(f)] (e) Public Hearing Requirements. Renewal contracts shall be subject to public hearings for the purpose of eliciting information concerning the vendor's performance and other factors relevant to the renewal, unless:

(1) the renewal option to be exercised is in a contract where the original contract or any prior renewal option was subject to a public hearing, and the original contract term and all possible renewal options contained within the contract, were subject to such public hearing, or

(2) in exigent circumstances, in the case of contracts in value less than \$10,000,000, the ACCO has made a determination justifying an exemption and that justification has been approved by the CCPO.

[(g)] (f) Notice of Award. Notice of Award of a renewal contract shall be published in the City Record within fifteen days after registration of the renewal contract.

NOTICE OF ADOPTION OF FINAL RULE

The Procurement Policy Board (PPB) has adopted amendments to: § 3-02, **Competitive Sealed Bidding, of chapter 3 of Title 9 of the Rules of the City of New York**; and to § 4-02, **Contract Changes, and § 4-06, Prompt Payment, of chapter 4 of Title 9 of the Rules of the City of New York, and to promulgate a new rule, § 4-13, Subcontracting, of chapter 4 of Title 9 of the Rules of the City of New York**, pursuant to Sections 311 and 1043 of the New York City Charter. The amendment was published on May 13, 2009 in the City Record. A public hearing was held on June 18, 2009. The amendment was adopted by the Procurement Policy Board on June 24, 2009.

Basis and Purpose of the Amendment

The amendments to rule 3-02 conform the existing rule to recent changes in State law requiring bidders to submit separate lists of subcontractors it intends to use with bids where separate specifications are not required pursuant to the WICKS law. The amendment to rule 4-06 adds a requirement that all construction contracts include a

payment clause that requires payment to subcontractors in accordance with section 106-b of the General Municipal Law. The new rule codifies existing contract language and city practice by requiring contracts to obtain agency approval of all subcontractors and, in accordance with recent changes in State law, provides for circumstances where a contractor can change subcontractors listed in its bid.

The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

Section 1. Subparagraph (xix)(K) of paragraph (2) of subdivision (b) of section 3-02 of Title 9 of the Rules of the City of New York is amended as follows:

* * *

(b) Invitation for Bids.

* * *

(2) Content. The Invitation for Bids shall include the following:

* * *

(xix) where applicable for construction contracts, the following shall be additionally included:

* * *

(J) a notice that contract award is subject to the provisions of Section 6-108.1 of the New York City Administrative Code relating to the LBE program and its implementing rules[.]; and

(K) a requirement that, where the preparation of separate specifications is not required for plumbing and gas fitting; steam heating, hot water heating, ventilating and air conditioning apparatus; and electric wiring and standard illumination fixtures pursuant to New York General Municipal Law §101, the bidder shall submit with its bid a separate sealed list that names each subcontractor that the bidder will use to perform such work on the contract, and the agreed-upon amount to be paid to each.

* * *

Section 2. Paragraph (2) of subdivision (l) of section 3-02 of Title 9 of the Rules of the City of New York is amended as follows:

(l) Receipt, Opening, and Recording of Bids.

* * *

(2) Opening and Recording. Bids and modifications shall be opened publicly, at the time, date, and place designated in the IFB. The name of each bidder, the bid price, and such other information as is deemed appropriate shall be read aloud or otherwise made available. These requirements may be met through access to a computer terminal at the location where bids are to be opened, provided that paper documents are available upon request at the time of bid opening. This information also shall be recorded at the time of bid opening. The bids shall be tabulated or a bid abstract prepared and made available for public inspection. The opened bids shall be available for public inspection at a reasonable time after bid opening but in any case before vendor selection except to the extent the bidder designates trade secrets or other proprietary data to be confidential. Material so designated shall accompany the bid and shall be readily separable from the bid in order to facilitate public inspection of the nonconfidential portion of the bid. Prices, makes, and model or catalog numbers of the items offered, deliveries, and terms of payment shall be publicly available at a reasonable time after bid opening but in any event before vendor selection regardless of any designation to the contrary at the time of bid opening. For bids on construction contracts submitted in accordance with Section 3-02 (b)(xix)(K) of these Rules, the sealed list of subcontractors submitted with the low bid shall be opened after such low bid has been announced and the names of the subcontractors shall be announced. The sealed lists of subcontractors submitted by all other bidders pursuant to Section 3-02 (b)(xix)(K) of these Rules shall be returned to such bidders unopened after the contract award.

Section 3. Paragraph (4) of subdivision (b) of section 4-02 of Title 9 of the Rules of the City of New York is amended as follows:

(b) Types of Changes Permitted.

* * *

(4) Subcontracts. Changes to construction subcontracts shall be made in accordance with Section 4-13 (d) of these Rules.

Section 4. Subparagraph (i) of paragraph (2) of subdivision (e) of section 4-06 of Title 9 of the Rules of the City of New York is amended as follows:

(e) Additional Requirements for Construction and Construction-Related Services Contracts.

(2) Subcontracts.

(i) All construction contracts awarded by the City shall include:

(A) a payment clause that obligates the prime contractor(s) to pay each subcontractor and vendor (including a materials vendor) not later than seven days after receipt of payment out of amounts paid to the contractor by the City for work performed by the subcontractor or supplier under that contract and that provides for the payment of interest by the prime contractor in accordance with Section 106-b of the New York State General Municipal Law on amounts not timely paid to a subcontractor, and

(B) a clause requiring the prime contractor to include in each of its subcontracts a provision requiring each subcontractor to include the same payment clause in their contracts with each lower-tier subcontractor or vendor.

- (ii) If a prime contractor is paid interest earned due to late payments by an agency, the proportionate share of that interest shall be forwarded by the prime contractor to each of its subcontractors and vendors.

Section 5. A new section 4-13 of Title 9 of the Rules of the City of New York is proposed as follows:

Section 4-13 SUBCONTRACTS

(a) Policy. Consistent with the terms of the contract, a vendor may enter into subcontracts where the contracting agency approves. The City has an interest in ensuring that all City work is performed by appropriate persons.

(b) Form. All subcontracts made by the vendor shall be in writing. A vendor shall not be entitled to payment for any work performed by a subcontractor prior to the vendor entering into a written subcontract with the subcontractor and complying with the provisions of this section.

(c) Approval. All subcontractors must be approved by the agency prior to commencing work under the subcontract.

(d) Approval Process.

(1) Before entering into any subcontracts, the vendor shall submit a written statement to the agency giving the name and address of the proposed subcontractor, the portion of the work and materials that the subcontractor is to perform and furnish, and the estimated cost of the subcontract.

(2) Upon receipt of the above, the agency in its discretion may grant or deny preliminary approval for the vendor to contract with the subcontractor.

(3) The Agency shall notify the vendor within thirty days whether preliminary approval has been granted. If preliminary approval is granted the vendor shall provide such documentation as may be requested by the agency to show that the proposed subcontractor has the necessary facilities, skill, integrity, past experience and financial resources to perform the required work, including, as applicable, but not limited to:

- (i) Completed VENDEX questionnaires, if and as required under Rule 2-08(e);
- (ii) References;
- (iii) Licenses;
- (iv) Documentation that the subcontractor has been certified by DSBS as a minority-owned, women-owned or emerging business enterprise.

(4) Upon receipt of all relevant documentation, the agency shall notify the vendor in writing whether the proposed subcontractor is approved. If the proposed subcontractor is not approved, the vendor may submit another proposed subcontractor unless the vendor decides to do the work. No subcontractor shall be permitted to perform work unless approved by the agency.

(e) Change of Subcontractor

For construction contracts where a list of subcontractors has been submitted in accordance with Section 3-02 (b)(xix)(K) of these Rules, any change of subcontractor or agreed-upon amount to be paid to a subcontractor shall require the approval of the City upon a showing of a legitimate construction need for such change. A legitimate construction need shall include, but not be limited to, a change in project specifications, a change in construction material costs, a change to subcontractor status as determined to Section 222 (2)(e) of the New York State Labor Law, or the subcontractor has become otherwise unwilling, unable or unavailable to perform the subcontract. Documents relating to the City's approval of changes of subcontractors pursuant to this subdivision shall be open to public inspection.

(f) Payment

Payment to subcontractors shall be made in accordance with Section 4-06(e)(2) of these Rules.

(g) Privity

The approval by the City of a subcontractor shall not establish privity between that subcontractor and the City or relieve the vendor of any obligations under the contract.

NOTICE OF ADOPTION OF FINAL RULE

The Procurement Policy Board (PPB) has adopted amendments to: § 2-08, **Vendor Responsibility and Appeal of Determination of Non-Responsibility**; § 3-02, **Competitive Sealed Bidding**; § 4-06, **Prompt Payment**; and § 4-09, **Resolution of Disputes Arising Out of Contract Administration, of chapters 2, 3 and 4 of Title 9 of the Rules of the City of New York**, pursuant to Sections 311 and 1043 of the New York City Charter. The amendment was published on May 13, 2009 in the City Record. A public hearing was held on June 18, 2009. The amendment was adopted by the Procurement Policy Board on June 24, 2009.

Basis and Purpose of the Amendments

In light of the fact that the administrative functions of the Procurement Policy Board (PPB) are now handled by the Mayor's Office of Contract Services (MOCS), the amendments

substitute the City Chief Procurement Officer (CCPO) and the Comptroller, in lieu of the PPB, for receipt or filing of various documents required to be submitted to the PPB under the rules. The amendment to 4-09 eliminates the reference to the Office of Construction because it is now a part of MOCS. Finally, because agencies have owed low levels of prompt payment interest in recent years, the change to rule 4-06 removes the requirement that agencies publish monthly prompt payment performance statistics and instead requires them to provide them upon request. The change to rule 4-06 also conforms the language to the Charter and requires posting of all reports on the City's website.

The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

Section 1. Paragraph (2) of subdivision (h) of section 2-08 of Title 9 of the Rules of the City of New York is amended as follows:

(2) A copy of the determination of non-responsibility shall be immediately sent to the non-responsible bidder or offeror. Notice to the non-responsible bidder must be mailed no later than two business days after the determination of non-responsibility is made and must inform the contractor of the right to appeal the determination to the Agency Head or designee within ten calendar days of receipt. A copy of the determination of non-responsibility shall also be sent to the CCPO and Comptroller [Procurement Policy Board].

Section 2. Subdivision (t) of section 3-02 of Title 9 of the Rules of the City of New York is amended as follows:

(t) Selection of Other Than Lowest Bidder. If the ACCO determines that the lowest bidder is either not responsible or not responsive, the lowest bidder shall immediately be notified in writing of such determination and the reasons therefor, and the right to appeal the determination, if applicable. A copy of the notification shall be filed with the CCPO and Comptroller [PPB].

Section 3. Paragraph (5) of subdivision (g) of section 4-06 of Title 9 of the Rules of the City of New York is amended as follows:

(5) assuring that inspectors general and internal auditors periodically review implementation, as they and their Agency Head deem appropriate. Copies of reports on audits and reviews should be provided to the CCPO and Comptroller [PPB] upon issuance.

Section 4. Subdivision (h) of section 4-06 of Title 9 of the Rules of the City of New York is amended as follows:

(h) Reporting Requirements. PPB shall coordinate and publish an annual prompt payment performance report detailing each agency's performance pursuant to Charter Section 332. PPB shall additionally [publish monthly] make cumulative prompt payment performance statistics available upon request. All reports shall be distributed to the CCPO, OMB, and Comptroller and shall be posted on the City's website in a location that is accessible by the public simultaneously with their publication.

Section 5. Paragraph (5) of subdivision (g) of section 4-09 of Title 9 of the Rules of the City of New York is amended as follows:

(5) Notification of CDRB Decision. The CDRB shall send a copy of its decision to the vendor, the ACCO, the Corporation Counsel, the Comptroller, the CCPO, [the Office of Construction, the PPB,] and, in the case of construction, the Engineer. A decision in favor of the vendor shall be subject to the prompt payment provisions of these Rules. The Required Payment Date shall be thirty days after the date the parties are formally notified of the CDRB's decision.

NOTICE OF ADOPTION OF FINAL RULE

The Procurement Policy Board (PPB) has adopted an amendment to § 3-01, **Policy**, and § 3-10, **Prequalification, of chapter 3 of Title 9 of the Rules of the City of New York**, pursuant to Sections 311 and 1043 of the New York City Charter. The amendment was published on May 13, 2009 in the City Record. A public hearing was held on June 18, 2009. The amendment was adopted by the Procurement Policy Board on June 24, 2009.

Basis and Purpose of the Amendment

The amendments makes a series of changes to conform sections 3-01 and 3-10 to changes that have occurred in State law. The amendment to section 3-01 removes the requirement that a special case determination be made prior to use of PQLs for construction contracts. The amendment to section 3-10 conforms the criteria for a vendor to be included on a PQL and conforms the circumstances when a PQL may be used to the changes in the law. The amendment also changes the period within which vendors on PQL lists must reestablish their qualifications from one year to two. Finally the amendment adds the requirement that, on a vendor's appeal from denial of inclusion on a PQL, the ACCO's determination shall be based on substantial evidence.

The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

Section 1. Subdivision (d) of section 3-01 of Title 9 of the Rules of the City of New York is amended as follows:

(d) "Special Case". Agencies may elect to use one of the methods of source selection listed herein, after making the determination that it is not practicable or not advantageous to the City to use competitive sealed bidding as required by this section.

(1) Methods of Source Selection for which "Special Case" Determination is Required: A "Special Case" determination is required for each case in which one of the following methods of source selection is used:

- (i) Competitive sealed bidding from prequalified vendors, except as provided in Section 3-10 (a);
- (ii) Competitive sealed proposals (including multi-step process);

- (iii) Competitive sealed proposals from prequalified vendors;
- (iv) Negotiated acquisition;
- (v) Sole source procurement;
- (vi) Demonstration project for innovative products, approaches, or technologies;
- (vii) Innovative procurement method; or
- (viii) Government-to-government purchase.

Section 3-10 of Title 9 of the Rules of the City of New York is amended as follows:

(a) Policy. Prequalification allows an agency to evaluate the qualifications of vendors for provision of particular categories of goods, services, construction, or construction-related services (including subcategories based on expertise, size, dollar size of project, or other factors as determined by the ACCO) before issuing a solicitation for a specific contract. Except for procurements for construction, a procurement [Procurement] using a PQL shall be considered a "special case" under these Rules.

(b) "Special Case" Determination. Prior to using a PQL [list of prequalified vendors] for a procurement of goods, services or construction-related services, the ACCO shall make a determination that such procurement is a "special case" that requires the use of a PQL [prequalified list], that the list is composed of vendors that have been prequalified to provide the specified item(s) to be procured, and that the particular PQL is accurate, complete, and current. The ACCO may permit joint ventures of two or more prequalified vendors from one or more PQLs, or may combine PQLs for a solicitation. Use of a PQL for a procurement of construction does not require a special case determination.

(c) Circumstances of Use. Prequalification shall be used only where the need for advance screening of vendors' qualifications outweighs the benefits of broader competition, as determined by the ACCO. Such circumstances include, but are not limited to, categories of procurement where:

- (1) it is essential that only highly competent and experienced vendors be invited to bid;
- (2) high volume and/or repetitive procurements necessitate reduction of paperwork and delays in the award of contracts; [or]
- (3) the time between the occurrence of the need and the award of the contract must often be reduced to avert or respond to an emergency; or

(4) with respect to procurement of construction, any basis that is in the best interests of the City.

(d) Criteria. Criteria that may be used to prequalify vendors include, but are not limited to:

- (1) current and past experience with similar projects;
- (2) references, past performance, and reliability;
- (3) organization, staffing (both members of staff and particular abilities and experience), and ability to undertake the type and complexity of work;

(4) financial capability, responsibility and reliability for such type and complexity of work, and availability of appropriate resources;

(5) record of compliance with all federal, State, and local laws, rules, licensing requirements, where applicable, and executive orders, including but not limited to compliance with existing labor standards;

(6) record of maintaining harmonious labor relations;

(7) use of subcontractors;

(8) compliance with equal employment opportunity requirements and anti-discrimination laws, and demonstrated commitment to working with minority and women-owned businesses through joint ventures or subcontractor relationships;

(9) record of protecting the health and safety of workers on public works projects and job sites as demonstrated by the vendor's experience modification rate for each of the last three years; and

([7]10) record of business integrity of vendor.

In developing a PQL for a procurement of goods, services or construction-related services, the agency may use any of the criteria listed in this subsection. In developing a PQL for a procurement of construction, the agency must use all of the criteria listed in this subsection.

(e) Public Notice.

(1) Frequency.

(i) For each category of procurement for which an agency maintains a PQL or intends to establish a new PQL, the ACCO shall publish in the City Record at least once annually for five consecutive editions and shall post on the City's website in a location that is accessible by the public simultaneously with its publication a notice or notices specifically identifying each such category and inviting vendors to apply for inclusion on such PQL. Application for inclusion on such PQL shall be continuously available.

(ii) For each procurement not falling within a category for which a PQL has been established, but for which the agency intends to prequalify vendors prior to issuing a solicitation for such procurement, the ACCO shall publish in the City Record for five consecutive editions and shall post on the City's

website in a location that is accessible by the public simultaneously with its publication a notice of its intention to establish such a PQL and invite vendors to apply for inclusion. There shall be a cutoff date for receipt of prequalification questionnaires for such PQL.

(iii) When using a PQL for a procurement, publication of notice inviting vendors to apply for such PQL shall have occurred within one year prior to the issuance of the solicitation.

(iv) The CCPO shall cause to be published in the City Record and shall post on the City's website in a location that is accessible by the public simultaneously with its publication a prominently placed continuous notice stating that New York City procurement policy encourages agencies to develop a PQL [prequalified lists] for various categories of goods, services, construction and construction-related services. Information and applications to be included on such PQLs [lists] may be obtained from the ACCO at each agency, may be submitted to ACCOs at any time, and shall be approved or denied within ninety days from the date of submission.

(v) For any PQL for construction, in addition to the notices required by this subsection, the ACCO shall publish, not less than annually, an advertisement in a New York City newspaper of general circulation inviting vendors to apply for inclusion on such PQL.

(2) Content. The notice shall include the agency name, category of procurement, and information on how the vendor may obtain an application.

(3) Updated PQLs. When using a PQL [prequalified list] for a procurement, publication of notice soliciting vendors for such list shall have occurred within one year of the solicitation.

(f) Questionnaire. To apply for inclusion on a PQL, a vendor must complete and submit an agency-developed prequalification questionnaire. At least once every two years [annually], and at the time of submitting any bid or proposal in response to a solicitation from a PQL, vendors shall affirm that there has been no change in the information included in the prequalification questionnaire, or shall supply such changed information. With respect to any PQL used in connection with contract awards pursuant to Section 1-02(e) of these Rules, such affirmation by vendors that there has been no change in the information included in the prequalification questionnaire (or the supplying of such changed information) shall occur at the time of contract award.

(g) Making the Prequalification Decision. Prequalification questionnaires shall be reviewed by the ACCO and other agency personnel with knowledge, expertise, and experience sufficient to make a fair and reasonable determination, as appropriate. The ACCO shall have ninety days from the date of submission of a properly completed prequalification questionnaire to approve or deny prequalification.

(h) Solicitation from a PQL.

(1) Where a PQL has been established for a

category of procurement or a particular procurement, the solicitation of bids or proposals for such procurement or category is not required to be publicly advertised, but may be limited to vendors on the PQL. PQLs for construction must have no less than five vendors and shall remain open for all additional qualified vendors. Where a PQL has been established for a category of construction procurement or a particular construction procurement, the solicitation of bids for such procurement or within such category must be limited to vendors on the PQL.

(2) Prequalified lists shall be reviewed at least once every two years [annually] to ensure that firms that no longer meet prequalification standards are not retained on the list.

* * *

(m) Appeal of Denial or Revocation of Prequalification.

* * *

(3) Determination. The Agency head shall consider the appeal, and shall make a prompt written decision with respect to its merits, except when such appeal relates to a DLS determination of non-compliance with equal employment opportunity requirements. Under such exception, the head of DLS shall consider the appeal and shall promptly inform the Agency Head in writing of his/her determination on the merits. The Agency Head or head of DLS (as applicable) may in his/her sole discretion convene an informal conference with the vendor and the ACCO to resolve the issue by mutual consent prior to making a determination. The Agency Head shall determine whether the ACCO's decision is arbitrary and capricious and whether it is based on substantial evidence.

* * *

The agency shall forward a copy of all appeal-related documents within fourteen days of its receipt of the copy of the vendor's appeal to OATH. OATH shall review the decision and determine whether that decision is arbitrary or capricious and whether it is based on substantial evidence. Copies of OATH's determination shall be sent to the vendor, Agency Head, Comptroller's Office, and, where the decision results in the revocation of prequalification, to the CCPO for any modifications to the VENDEX database.

• jy15



COMPTROLLER

NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., RM

629, New York, NY 10007 on 8/04/09 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with columns: Damage Parcel No., Block, Lot. Includes entries for parcels 1, 1A, 2 AND 3 and 1, 1A, 2 AND 3 FIXTURE AND CONSEQUENTIAL DAMAGE.

Acquired in the proceeding, entitled: PASC 2 AND PART OF MARCONI STREET subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

William C. Thompson, Jr. Comptroller

• jy15-a4

HOUSING PRESERVATION & DEVELOPMENT

NOTICE

OFFICE OF PRESERVATION 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: July 9, 2009

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Table with columns: Address, Application #, Inquiry Period. Lists addresses in Queens, Manhattan, and Brooklyn with application numbers and inquiry periods.

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.

jy9-16

CHANGES IN PERSONNEL

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for ADMIN FOR CHILDREN'S SVCS FOR PERIOD ENDING 06/26/09.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for HRA/DEPT OF SOCIAL SERVICES FOR PERIOD ENDING 06/26/09.

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists various employees and their status changes.

DEPT. OF HOMELESS SERVICES FOR PERIOD ENDING 06/26/09

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists employees for the Department of Homeless Services.

DEPARTMENT OF CORRECTION FOR PERIOD ENDING 06/26/09

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists employees for the Department of Correction.

CITY COUNCIL FOR PERIOD ENDING 06/26/09

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists City Council members.

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists employees including HANAN, JORGENSEN, KORZENIEWSKI, LONG.

CITY CLERK FOR PERIOD ENDING 06/26/09

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists City Clerk employees.

DEPARTMENT FOR THE AGING FOR PERIOD ENDING 06/26/09

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists employees for the Department for the Aging.

CULTURAL AFFAIRS FOR PERIOD ENDING 06/26/09

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists Cultural Affairs employees.

DEPARTMENT OF JUVENILE JUSTICE FOR PERIOD ENDING 06/26/09

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists employees for the Department of Juvenile Justice.

INDEPENDENT BUDGET OFFICE FOR PERIOD ENDING 06/26/09

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists Independent Budget Office employees.

TAXI & LIMOUSINE COMMISSION FOR PERIOD ENDING 06/26/09

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists Taxi & Limousine Commission employees.

PUBLIC SERVICE CORPS FOR PERIOD ENDING 06/26/09

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists Public Service Corps employees.

READER'S GUIDE

The City Record (CR) is, published each business day and includes notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Solicitation notices for most procurements valued at or above \$100,000 for information technology and for construction and construction related services, above \$50,000 for other services, and above \$25,000 for other goods are published for at least one day. Other types of procurements, such as sole source, require notice in the City Record for five consecutive days. Unless otherwise specified, the agencies and offices listed are open for business Mondays thru Fridays from 9:00 A.M. to 5:00 P.M. except legal holidays.

NOTICE TO ALL NEW YORK CITY CONTRACTORS

The New York State Constitution ensures that all laborers, workers or mechanics employed by a contractor or subcontractor doing public work are to be paid the same wage rate that prevails in the trade where the public work is being done. Additionally, New York State Labor Law §§ 220 and 230 provide that a contractor or subcontractor doing public work in construction or building service must pay its employees no less than the prevailing wage. Section 6-109 (the Living Wage Law) of the New York City Administrative Code also provides for a "living wage", as well as prevailing wage, to be paid to workers employed by City contractors in certain occupations. The Comptroller of the City of New York is mandated to enforce prevailing wage. Contact the NYC Comptrollers Office at www.comptroller.nyc.gov, click on Labor Law Schedules to view rates.

New York City's "Burma Law" (Local Law No. 33 of 1997) No Longer to be Enforced. In light of the United States Supreme Court's decision in **Crosby v. National Foreign Trade Council**, 530 U.S. 363 (2000), the City has determined that New York City's Local Law No. 33 of 1997 (codified in Administrative Code Section 6-115 and Charter Section 1524), which restricts City business with banks and companies doing business in Burma, is unconstitutional. This is to advise, therefore, that the language relating to Burma contained in existing New York City contracts may not be enforced.

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

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.

VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$7 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. To register for these lists-free of charge-, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application.

- Online at <http://nyc.gov/selltonyc>

- To request a hardcopy application, call the Vendor Enrollment Center at (212) 857-1680.

Attention Existing Suppliers:

Even if you already do business with NYC agencies, be sure to fill out an application. We are switching over to citywide, centralized Bidders Lists instead of the agency-specific lists previously used to issue notices about upcoming contract opportunities. To continue receiving notices of New York City contract opportunities, you must fill out and submit a NYC-FMS Vendor Enrollment application.

If you are uncertain whether you have already submitted an application, call us at (212) 857-1680.

SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services, 110 William Street, New York, NY 10038. Morning and afternoon sessions are convened on the first Tuesday of each month. For more information, and to register, call (212) 618-8845.

PRE-QUALIFIED LIST

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstance. When it is decided by an agency to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR.

Information and qualification questionnaires for inclusion on such list may be obtained directly from the Agency Chief Contracting Officer at each agency, (see Vendor Information Manual). A completed qualification Questionnaire may be submitted to the Chief Contracting Officer at any time, unless otherwise indicated and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings, (OATH), Section 3-11 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists.

NON-MAYORAL ENTITIES

The following agencies are not subject to Procurement Policy Board rules and do not follow all of the above procedures: City University, Department of Education, Metropolitan Transportation Authority, Health & Hospitals Corporation, Housing Authority. Suppliers interested in applying for inclusion on bidders list should contact these entities directly (see Vendor Information Manual) at the addresses given.

PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 10:00 A.M to 3:00 P.M. For information, contact the Mayor's Office of Contract Services at (212) 788-0010.

ATTENTION: NEW YORK CITY MINORITY AND WOMEN OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about the program, contact the New York City Department of Small Business Services, 110 William Street, 2nd Floor, New York, New York 10038 (212) 513-6311.

PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City now pays interest on all late invoices. The grace period that formerly existed was eliminated on July 1, 2000. However, there are certain types of payments that are not eligible for interest. These are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year, in January and in July.

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City Website, <http://nyc.gov/selltonyc>

COMMON ABBREVIATIONS USED IN THE CR

The CR contains many abbreviations. Listed below are simple explanations of some of the most common ones appearing in the CR:

- AB Acceptable Brands List
- AC Accelerated Procurement
- AMT Amount of Contract
- BL Bidders List
- CSB Competitive Sealed Bidding (including multi-step)
- CB/PQ CB from Pre-qualified Vendor List
- CP Competitive Sealed Proposal (including multi-step)
- CP/PQ CP from Pre-qualified Vendor List
- CR The City Record newspaper
- DA Date bid/proposal documents available
- DUE Bid/Proposal due date; bid opening date
- EM Emergency Procurement
- IG Intergovernmental Purchasing
- LBE Locally Based Business Enterprise
- M/WBE Minority/Women's Business Enterprise
- NA Negotiated Acquisition
- NOTICE.... Date Intent to Negotiate Notice was published in CR
- OLB..... Award to Other Than Lowest Responsible & Responsive Bidder/Proposer
- PIN..... Procurement Identification Number
- PPB Procurement Policy Board
- PQ Pre-qualified Vendors List
- RS..... Source required by state/federal law or grant
- SCE..... Service Contract Short-Term Extension
- DP Demonstration Project
- SS Sole Source Procurement
- ST/FED..... Subject to State &/or Federal requirements

KEY TO METHODS OF SOURCE SELECTION

The Procurement Policy Board (PPB) of the City of New York has by rule defined the appropriate methods of source selection for City procurement and reasons justifying their use. The CR procurement notices of many agencies include an abbreviated reference to the source selection method utilized. The following is a list of those methods and the abbreviations used:

- CSB **Competitive Sealed Bidding** (including multi-step)
Special Case Solicitations / Summary of Circumstances:
- CP **Competitive Sealed Proposal** (including multi-step)
- CP/1 Specifications not sufficiently definite
- CP/2 Judgement required in best interest of City
- CP/3 Testing required to evaluate
- CB/PQ/4
- CP/PQ/4 **CB or CP from Pre-qualified Vendor List/** Advance qualification screening needed
- DP Demonstration Project
- SS **Sole Source Procurement/**only one source
- RS..... Procurement from a Required Source/ST/FED
- NA..... Negotiated Acquisition
For ongoing construction project only:
- NA/8 Compelling programmatic needs

- NA/9 New contractor needed for changed/additional work
- NA/10 Change in scope, essential to solicit one or limited number of contractors
- NA/11 Immediate successor contractor required due to termination/default
For Legal services only:
- NA/12 Specialized legal devices needed; CP not advantageous
- WA **Solicitation Based on Waiver/Summary of Circumstances** (Client Services/BSB or CP only)
- WA1 Prevent loss of sudden outside funding
- WA2 Existing contractor unavailable/immediate need
- WA3 Unsuccessful efforts to contract/need continues
- IG **Intergovernmental Purchasing** (award only)
- IG/F Federal
- IG/S State
- IG/O Other
- EM **Emergency Procurement** (award only) An unforeseen danger to:
- EM/A Life
- EM/B Safety
- EM/C Property
- EM/D A necessary service
- AC **Accelerated Procurement/**markets with significant short-term price fluctuations
- SCE **Service Contract Extension/**insufficient time; necessary service; fair price
Award to Other Than Lowest Responsible & Responsive Bidder or Proposer / Reason (award only)
- OLB/a anti-apartheid preference
- OLB/b local vendor preference
- OLB/c recycled preference
- OLB/d other: (specify)

HOW TO READ CR PROCUREMENT NOTICES

Procurement Notices in the CR are arranged by alphabetically listed Agencies, and within Agency, by Division if any. The notices for each Agency (or Division) are further divided into three subsections: Solicitations, Awards; and Lists & Miscellaneous notices. Each of these subsections separately lists notices pertaining to Goods, Services, or Construction.

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section. At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified UNLESS a different one is given in the individual notice. In that event, the directions in the individual notice should be followed. The following is a SAMPLE notice and an explanation of the notice format used by the CR.

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

BUS SERVICES FOR CITY YOUTH PROGRAM – Competitive Sealed Bids – PIN# 056020000293 – DUE 04-21-03 AT 11:00 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.
NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.

☛ m27-30

ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN # 056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 am	Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.
<i>Use the following address unless otherwise specified in notice, to secure, examine-submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing giving contact information, or submit bid/information or and Agency Contact address
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.
☛	Indicates New Ad
m27-30	Date that notice appears in City Record

NUMBERED NOTES

Numbered Notes are Footnotes. If a Numbered Note is referenced in a notice, the note so referenced must be read as part of the notice. **1.** All bid deposits must be by company certified check or money order made payable to Agency or Company.