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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

CITY COUNCIL

■ PUBLIC HEARINGS

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

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matter in the Committee Room, City

Hall, New York, NY 10007, commencing at 10:00 A.M., on March 30, 2020:

MANHATTAN CB - 12 TUBBY HOOK TAVERN 20205064 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 4946 Broadway Restaurant, LLC, d/b/a Tubby Hook Tavern, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 4946 Broadway, Manhattan.

MANHATTAN CBs - 2, 3, 5 UNION SQUARE SOUTH HOTEL SPECIAL PERMIT C 200102 ZMM

Application submitted by the NYC Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 12c, by establishing a Special Union Square District (US) bounded by a line midway between East 14th Street and East 15th Street, a line 100 feet westerly of Union Square West, a line 100 feet westerly of University Place, a line midway between East 13th Street and East 14th Street, a line 475 feet westerly of Third Avenue, East 13th Street, a line 325 feet westerly of Third Avenue, a line midway between East 13th Street and East 14th Street, a line 100 feet westerly of Third Avenue, East 13th Street, a line 100 feet easterly of Third Avenue, East 9th Street, Fourth Avenue, East 10th Street, a line 100 feet westerly of Broadway, a line midway between East 10th Street and East 11th Street, a line 100 feet easterly of University Place, a line midway between East 8th Street and East 9th Street, a line 100 feet westerly of University Place, a line midway between East 11th Street and East 12th Street, and a line 100 feet easterly of Fifth Avenue, as shown on a diagram (for illustrative purposes only) dated October 28, 2019.

MANHATTAN CBs - 2, 3, 5 UNION SQUARE SOUTH HOTEL SPECIAL PERMIT N 200107 ZRM

Application submitted by New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XI, Chapter 8 (Special Union Square District).

Matter underlined is new, to be added;
 Matter ~~struck out~~ is to be deleted;
 Matter within # # is defined in Section 12-10;
 *** indicates where unchanged text appears in the Zoning Resolution.

ARTICLE XI – SPECIAL PURPOSE DISTRICTS

Chapter 8 – Special Union Square District

118-02 Incorporation of Appendix A

The District Plan of the #Special Union Square District# and Subdistricts is are set forth in Appendix A of this Chapter and is are incorporated as an integral part of the provisions of this Chapter.

118-03 Subdistricts

In order to carry out the purposes and provisions of this Chapter, Subdistrict A and Subdistrict B are established within the #Special Union Square District#.

In each of these Subdistricts certain special regulations apply which do not apply in the remainder of the #Special Union Square District#. The Subdistricts are specified on Map 1 (Special Union Square District and Subdistricts) in Appendix A of this Chapter.

118-10 USE REGULATIONS

In Subdistricts A and B, as shown on Map 1 in Appendix A of this Chapter, the underlying #use# regulations are modified by the provisions of this Section, inclusive.

118-11 Ground Floor Uses

In Subdistrict A, as shown on Map 1 in Appendix A of this Chapter, #uses# #Uses# within #stories# that have a floor level within five feet of #curb level# along 14th Street shall be limited to the #uses# listed in this Section, except that entrances to above-grade or below-grade #uses# are permitted, subject to the regulations set forth in Section 118-41 (Entrances on 14th Street).

118-12 Sign Regulations Transient Hotels

[Note: sign regulations moved to Section 118-13]

In Subdistrict B, as shown on Map 1 in Appendix A of this Chapter, the #development# of a #transient hotel#; a change of #use# or #conversion# to a #transient hotel#, or an #enlargement#, containing a #transient hotel#, of a #building# that, as of [date of adoption], did not contain such #use#; or an #enlargement# or #extension# of a #transient hotel# that existed prior to [date of adoption] that increases the #floor area# of such #use# by 20 percent or more, shall be permitted only by special permit of the City Planning Commission pursuant to the provisions of this Section.

In order to permit such a #transient hotel#, the Commission shall find that such #transient hotel# is so located as not to impair the essential character of, or the future use or development of, the surrounding area.

Any #transient hotel# existing prior to [date of adoption], within Subdistrict B shall be considered a conforming #use# and may be continued, structurally altered, #extended# or #enlarged# subject to the limitations set forth in this Section, and subject to the applicable district #bulk# regulations. However, if for a continuous period of two years such #transient hotel# is discontinued, or the active operation of substantially all the #uses# in the #building# or other structure# is discontinued, the space allocated to such #transient hotel# shall thereafter be used only for a conforming #use#, or may be #used# for a #transient hotel# only if the Commission grants a special permit for such #use# in accordance with the provisions of this Section. In addition, in the event a casualty damages or destroys a #transient hotel# within Subdistrict B that was in such #use# as of [date of adoption], such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit. A #non-complying building# may be reconstructed pursuant to Section 54-40 (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS).

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

118-13 Sign Regulations

[Note: sign regulations moved from Section 118-12]

In Subdistrict A, as shown on Map 1 in Appendix A of this Chapter, the following shall apply:

- On on #street walls# fronting on 14th Street, no #sign# may be located more than 25 feet above #curb level#;
- #Signs# #signs# on #street walls# fronting on all other

#streets# within the Special District Subdistrict shall be subject to the provisions of paragraph (e) of Section 32-435 (Ground floor use in high density Commercial Districts); and

- #Flashing #flashing signs# are not permitted within the Special District Subdistrict.

118-20 BULK REGULATIONS

In Subdistrict A, as shown on Map 1 in Appendix A of this Chapter, the underlying #floor area# and density regulations are modified by the provisions of this Section, inclusive. In Subdistrict B, as shown on Map 1, the underlying #floor area# and density regulations shall apply.

118-30 STREET WALL, HEIGHT AND SETBACK REGULATIONS

In Subdistrict A, as shown on Map 1 in Appendix A of this Chapter, the provisions of this Section, inclusive, shall apply. In Subdistrict B, as shown on Map 1, the underlying height and setback provisions shall apply.

The location and height above #curb level# of the #street wall# of any #development# or #enlargement# shall be as shown in the District Plan (on Map 2 in Appendix A of this Chapter). However, if a #development# or #enlargement# is adjacent to one or more existing #buildings# fronting on the same #street line#, the #street wall# of such #development# or #enlargement# shall be located neither closer to nor further from the #street line# than the front wall of the adjacent #building# which is closest to the same #street line#.

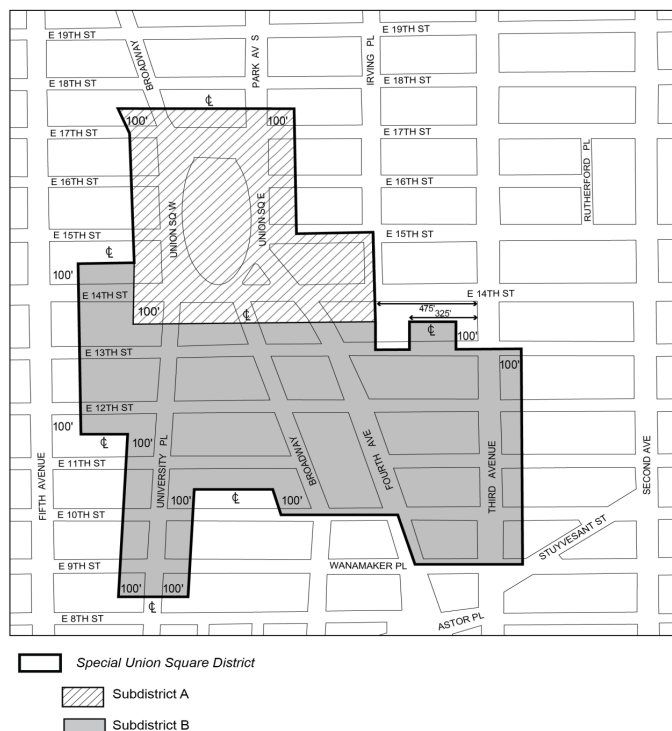
118-40 ENTRANCE AND STREET WALL TRANSPARENCY REQUIREMENTS

In Subdistrict A, as shown on Map 1 in Appendix A of this Chapter, all All #buildings developed# or portions of #buildings enlarged# after January 10, 1985, that front on 14th Street, Union Square East, Union Square West or 17th Street shall be subject to the requirements set forth below in this Section, inclusive.

Appendix A UNION SQUARE DISTRICT PLAN

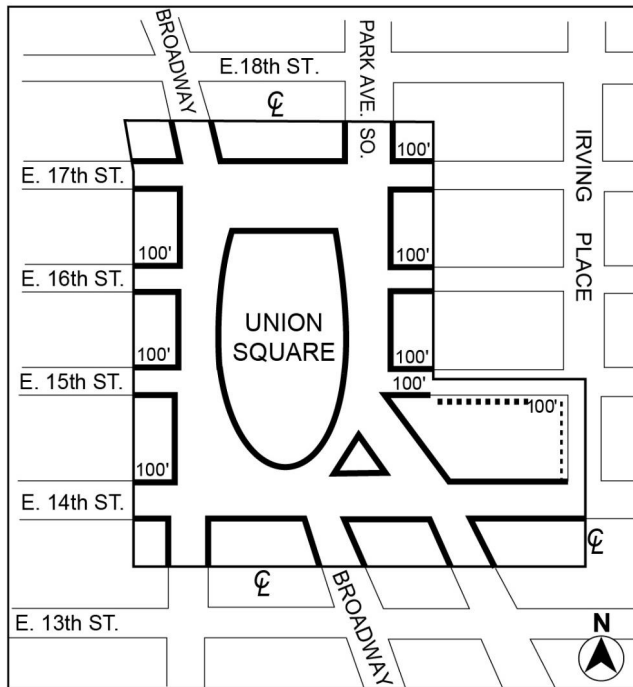
Map 1 – Special Union Square District and Subdistricts [date of adoption]

[PROPOSED MAP]



Map 2 – Location and Height Above Curb Level of Street Walls for any Development or Enlargement Within Subdistrict A [date of adoption]

#Street walls# shall be coincident with #street lines#.



— Special Union Square District, Subdistrict A

— Mandatory Street Walls 85'-125' above curb level

..... Permitted Street Walls 125' above curb level

..... Permitted Street Walls 85' above curb level

Street Walls shall be coincident with street lines

The Subcommittee on Landmarks, Public Sitings and Dispositions will hold a public hearing on the following matters in the Council Committee Room, 16th Floor, 250 Broadway, New York, NY 10007, commencing at 1:00 P.M., on March 30, 2020:

**WEEKSVILLE NCP AT PROSPECT PLACE
BROOKLYN CB - 8 C 200106 HAK**

Application submitted by the Department of Housing Preservation and Development (HPD)

- 1.) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property located at 1559-1563 Prospect Place (Block 1363, Lots 90, 91 and 92) as an Urban Development Action Area; and
 - b. 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 an eight-story building containing approximately 44 affordable housing units.

**266 WEST 96TH STREET
MANHATTAN CB - 7 C 200140 PPM**

Application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of New York City Charter, for the disposition of one city-owned property (Block 1243, Lot 57), pursuant to zoning.

**993-995 UNION AVENUE CLUSTER – UDAAP/ARTICLE XI
BRONX CBs - 1, 2, 3 20205384 HAX**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law and Section 577 of Article XI of the Private Housing Finance Law for approval of an urban development action area project, waiver of the area designation requirement, waiver of the

requirements of Sections 197-c and 197-d of the New York City Charter, and a real property tax exemption for properties located at 993 Union Avenue (Block 2669, Lot 41), 995 Union Avenue (Block 2669, Lot 40), 774 Union Avenue (Block 2676, Lot 36), 1042 Longfellow Avenue (Block, 2756, Lot 71) the approval of real property tax exemption, Council District 17.

**311-313 PLEASANT AVENUE CLUSTER – UDAAP/ARTICLE XI
MANHATTAN CB - 10 20205399 HAM**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law and Section 577 of Article XI of the Private Housing Finance Law for approval of an urban development action area project, waiver of the area designation requirement, waiver of the requirements of Sections 197-c and 197-d of the New York City Charter, and a real property tax exemption for properties, located at 311-313 Pleasant Avenue (Block 1710, Lot 27), 51-55 East 129th Street (Block 1754, Lot 26), 1263 Park Avenue (Block 1625, Lot 72) in Community District 11, Council Districts 5, 8, 9, Borough of Manhattan.

Accessibility questions: Land Use, (212) 482-5154, by: Thursday, March 26, 2020, 3:00 P.M.



m24-30

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that resolutions have been adopted by the City Planning Commission, scheduling a public hearing on the following matters to be held at NYC City Planning Commission, Hearing Room, Lower Concourse, 120 Broadway, New York, NY, on Wednesday, April 1, 2020, at 10:00 A.M.

BOROUGH OF BROOKLYN

Nos. 1-3

312 CONEY ISLAND AVENUE REZONING

No. 1

CD 7 C 200092 ZMK

IN THE MATTER OF an application submitted by 312 Coney Island Avenue LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d:

1. changing from a C8-2 District to an R8A District property bounded by Ocean Parkway, Park Circle-Machate Circle, Coney Island Avenue, Caton Place, and a line 150 feet easterly of East 8th Street; and
2. establishing within the proposed R8A District a C2-4 District bounded by Ocean Parkway, Park Circle-Machate Circle, Coney Island Avenue, Caton Place, and a line 150 feet easterly of East 8th Street;

as shown on a diagram (for illustrative purposes only) dated December 16, 2019, and subject to the conditions of CEQR Declaration E-555.

No. 2

CD 7 N 200093 ZRK

IN THE MATTER OF an application submitted by 312 Coney Island Avenue LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying bulk regulations for a portion of the Special Ocean Parkway District and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

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

* * *

ARTICLE XI
Special Purpose Districts

Chapter 3
Special Ocean Parkway District

* * *

113-12
Special Front Yard Regulations

For all #zoning lots# with frontage along Ocean Parkway, there shall be a 30 foot #front yard#. No obstructions including porches either open or enclosed, canopies or stairs are permitted within the #front yard#. Any driveway within such #front yard# shall be perpendicular to the #street line# or, in the case where the #street wall# is not parallel with the #street line#, the driveway shall be perpendicular to the #street wall#. Balconies pursuant to Section 23-13 may, by a depth of not more than six feet, penetrate #front yards#, except along Ocean Parkway.

113-13
Special Bulk Regulations for Lots Adjacent to Park Circle-Machate Circle

In R8A Districts, for #zoning lots# fronting on Park Circle-Machate Circle, the provisions of Section 23-66 (Height and Setback Requirements for Quality Housing Buildings) may be modified to allow for #street walls# within 125 feet of a #wide street# to rise without setback to the maximum #building# height.

113-20
SPECIAL PARKING AND OFF-STREET LOADING REGULATIONS

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

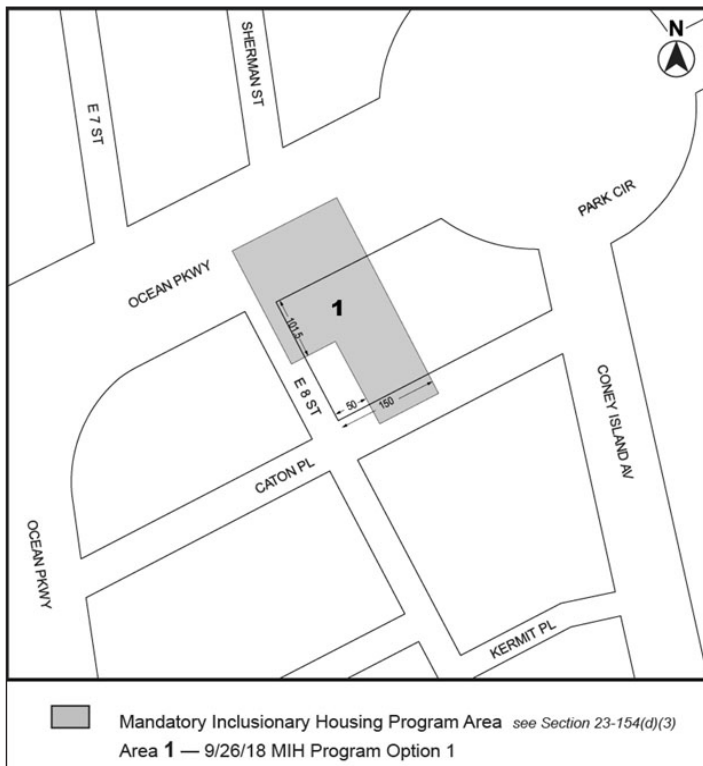
* * *

BROOKLYN
Brooklyn Community District 7

* * *

Map 3- [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]



Portion of Community District 7, Brooklyn

* * *

No. 3

CD 7 C 200094 ZSK
IN THE MATTER OF an application submitted by 312 Coney Island Avenue LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to waive the required number of accessory off-street parking spaces for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development on property located at 312 Coney Island Avenue (Block 5322, Lots 10 and 20), in an R8A/C2-4* District, within the Special Ocean Parkway District.

* Note: The site is proposed to be rezoned by changing an existing C8-2 District to an R8A District, and establishing within the proposed R8A District a C2-4 District, under a concurrent related application for a Zoning Map change (C 200092 ZMK).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, NY 10271-0001.

No. 4-7
1510 BROADWAY
No. 4

CD 16 N 200082 ZRK
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution.

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

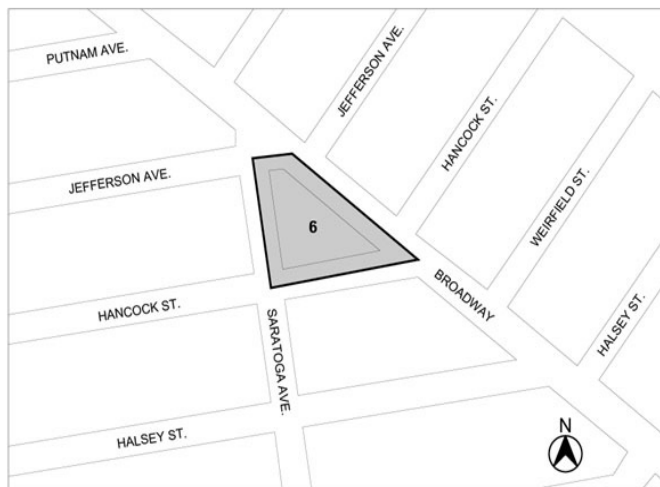
* * *

Brooklyn Community District 16

* * *

Map 5 - [date of adoption]

[PROPOSED MAP]



 Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)

Area 6— [date of adoption] - MIH Program Option 1 and 2

Portion of Community District 16, Brooklyn

* * *

No. 5

CD 16 C 200083 PQK

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 1510 Broadway (Block 1489, p/o Lot 11) to facilitate transit infrastructure.

No. 6

CD 16 C 200084 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 1510 Broadway (Block 1489, Lot 11) as an Urban Development Action Area; and
- b. 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 a mixed-use development containing approximately 107 affordable residential units and commercial space.

No. 7

CD 16 C 200085 ZMK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 17a:

1. eliminating from within an existing R6 District a C1-3 District bounded by the easterly centerline prolongation of Jefferson Avenue, Broadway, Hancock Street, and Saratoga Avenue;
2. changing from an R6 District to an R7-1 District property bounded by the easterly centerline prolongation of Jefferson Avenue, Broadway, Hancock Street, and Saratoga Avenue; and
3. establishing within the proposed R7-1 District a C2-4 District bounded by the easterly centerline prolongation of Jefferson Avenue, Broadway, Hancock Street, and Saratoga Avenue;

as shown on a diagram (for illustrative purposes only) dated December 2, 2019.

No. 8 DEKALB COMMONS

CD 3 C 200155 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 633-639 DeKalb Avenue (Block 1774, Lots 74, 75, 76 and 77), 648-654 DeKalb Avenue (Block 1779, Lots 22, 24 and 26), 1187 Fulton Street (Block 2000, Lot 43) as an Urban Development Action Area; and
- b. 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 development of three buildings containing an approximate total of 84 affordable residential units and commercial space.

BOROUGH OF MANHATTAN

No. 9

MANSION RESTAURANT SIDEWALK CAFE

CD 8 N 200078 ZRM

IN THE MATTER OF an application submitted by Mansion Restaurant Inc, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article I, Chapter 4 (Sidewalk Cafe Regulations).

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

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

ARTICLE I GENERAL PROVISIONS

Chapter 4 Sidewalk Cafe Regulations

* * *

14-41

Locations Where Certain Sidewalk Cafes Are Not Permitted

No #enclosed# or #unenclosed sidewalk cafes# shall be permitted on any of the following #streets#, portions of #streets# and areas, except that #small sidewalk cafes# may be permitted pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

* * *

Manhattan:

* * *

79th Street — from the East River to Fifth Avenue

86th Street – from the East River to Fifth Avenue, south side only.

86th Street - from the East River to 125 feet east of York Avenue, north side only, and from York Avenue to Fifth Avenue, north side only.

116th Street — from Malcolm X Boulevard to Frederick Douglass Boulevard

* * *

14-42

Locations Where Enclosed Sidewalk Cafes Are Not Permitted

No #enclosed sidewalk cafe# shall be permitted on any of the following #streets#.

Manhattan:

Bleecker Street — from Bank Street to Mercer Street

Central Park South — from Fifth Avenue to Sixth Avenue

Park Avenue South and Park Avenue — from 31st Street to 38th Street.

86th Street — from the East River to Fifth Avenue

* * *

BOROUGH OF QUEENS

Nos. 10 & 11

110-40 SAUTTELL AVENUE REZONING

No. 10

CD 4 C 200103 ZMQ

IN THE MATTER OF an application submitted by Tuchman Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 10b, by changing from an R6B District to an R6 District property bounded by the southwesterly and southerly boundary line of Flushing Meadow Park, a line 100 feet easterly of Sauttell Avenue and its northerly prolongation, a line midway between Corona Avenue and Van Cleef Street, and Sauttell Avenue and its northerly centerline prolongation, as shown on a diagram (for illustrative purposes only) dated December 16, 2019, and subject to the conditions of CEQR Declaration E-558.

No. 11

CD 4 N 200104 ZRQ

IN THE MATTER OF an application submitted by Tuchman Associates, LLC, pursuant to Section 201 of the New York City Charter,

for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

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

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

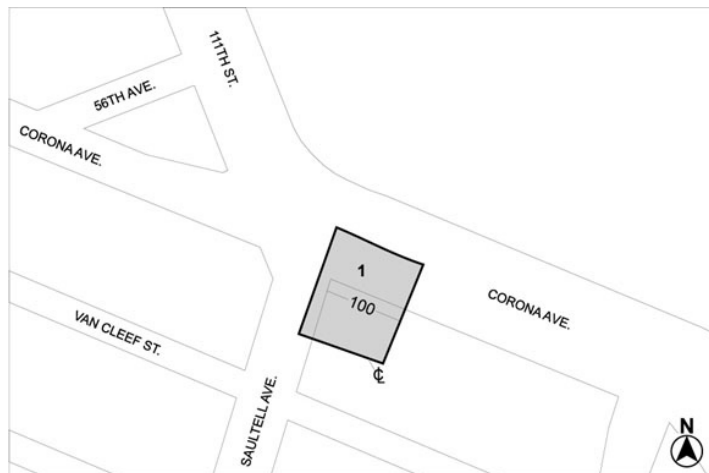
* * *

QUEENS

* * *

Queens Community District 4

Map 1 - [date of adoption]



Mandatory Inclusionary Housing Area see Section 23-154(d)(3)

Area 1 — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 4, Queens

* * *

No. 12

59-02 BORDEN AVENUE SELF STORAGE

CD 2

C 200031 ZSQ

IN THE MATTER OF an application submitted by Home Depot U.S.A., Inc pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 24-932 of the Zoning Resolution to allow, within a designated area in a Manufacturing District in Subarea 2, as shown on the maps in Appendix J (Designated Areas Within Manufacturing Districts), the development of a self-service storage facility (Use Group 16D) not permitted pursuant to the provisions of Section 24-121 (Use Group 16D self-service storage facilities), within a proposed 6-story building, on property located at 59-02 Borden Avenue (Block 2657, Lot 40), in an M1-1 District.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, NY 10271-0001.

YVETTE V. GRUEL, Calendar Officer
City Planning Commission
120 Broadway, 31st Floor, New York, NY 10271
Telephone (212) 720-3370



m18-a1

DESIGN COMMISSION

MEETING

Agenda

Monday, March 30, 2020

Meeting Location Notice: Due to emergency executive orders issued this month by the Mayor and the Governor in relation to COVID-19,

public attendance at this meeting will be limited to viewing the live-streamed event on the Public Design Commission's YouTube channel:

<https://tinyurl.com/pdc033020> or calling in to the meeting at +1 (646) 558 8656 and using the meeting ID: 415226030#

Public Meeting

10:00 A.M. Consent Items

- 27363: Reconstruction of a swimming pool and skating rink (Lasker Rink) and adjacent site work, between East Drive and the Harlem Meer, Central Park, Manhattan. (Preliminary) (CC 6, CB 5, 7, 8, 10 & 11) DPR/CPC
- 27364: Restoration of windows on the north portion of the east elevation, Heckscher Building, 1230 Fifth Avenue, Manhattan. (Preliminary and Final) (CC 8, CB 11) DCAS
- 27365: Installation of *Inhale+Exhale* and *Independent Lines* by Monika Goetz, 122 Community Center, 150 First Avenue, Manhattan. (Final) (CC 26, CB 3) DCLA%/DDC
- 27366: Installation of *Unity* by Hank Willis Thomas, Tillary Street, between Cadman Plaza East and Adams Street, Brooklyn. (Final) (CC 33, CB 2) DCLA%/DDC/DOT
- 27367: Construction of EMS Station 17, 1257 Morris Avenue, Bronx. (Preliminary) (CC 16, CB 4) DDC
- 27368: Installation of a fuel tank access hatch, Engine Company 22, 159 East 85th Street, Manhattan. (Preliminary and Final) (CC 5, CB 8) DDC
- 27369: Installation of manholes, vent pipe, and overflow signage, Engine Company 218, 650 Hart Street, Brooklyn. (Preliminary and Final) (CC 34, CB 4) DDC
- 27370: Installation of a manhole cover, fuel tank access, and ventilation equipment, Engine Company 28, 222 East 2nd Street, Manhattan. (Preliminary and Final) (CC 2, CB 3) DDC/ FDNY
- 27371: Installation of fuel tank access and ventilation equipment, including bollards, 7th Police Precinct, 19 ½ Pitt Street, Manhattan. (Preliminary and Final) (CC 1, CB 3) DDC/ NYPD
- 27372: Installation of a fuel tank and adjacent site work, Payson Playground, Inwood Hill Park, Dyckman Street at Henshaw Street, Manhattan. (Preliminary and Final) (CC 10, CB 12) DDC/DPR
- 27373: Construction of a perimeter fence with flood protection measures, Ely Avenue Pump Station, 2401 Ely Avenue, Bronx. (Preliminary and Final) (CC 13, CB 11) DEP
- 27374: Installation of an emergency generator hook-up, Ely Avenue Pump Station, 2401 Ely Avenue, Bronx. (Preliminary and Final) (CC 13, CB 11) DEP
- 27375: Installation of flood mitigation measures as part of the NYC Wastewater Resiliency Plan, Tallman Island Wastewater Resource Recovery Facility, 127-01 Powell Cove Boulevard, College Point, Queens. (Preliminary and Final) (CC 19, CB 7) DEP
- 27376: Installation of a prefabricated office trailer, Sanitary Station, 11-11 Hazen Street, Rikers Island, Bronx. (Preliminary and Final) (CC 22, CB Q1) DOC
- 27377: Installation of prefabricated locker room, office, and training facility trailers, Emergency Service Unit, 16-06 Hazen Street, Rikers Island, Bronx. (Preliminary and Final) (CC 22, CB Q1) DOC
- 27378: Installation of two mobile telecom equipment boxes on light poles Citywide. (Preliminary and Final) DoITT/DOT
- 27379: Installation of security infrastructure, Heschel School, 30 West End Avenue, West End Avenue, West 60th Street, and West 61st Street, Manhattan. (Preliminary and Final) (CC 6, CB 7) DOT
- 27380: Redesign of the Garment District Needle and Button sculpture, northeast corner of Seventh Avenue and 39th Street, Manhattan. (Preliminary and Final) (CC 3, CB 5) DOT
- 27381: Reconstruction of Ericsson Playground, adjacent to M.S. 126, Manhattan Avenue and Leonard Street, Brooklyn. (Preliminary) (CC 33, CB 1) DPR
- 27382: Installation of a temporary artificial turf field, Peters Field, Second Avenue between East 20th Street and East 21st Street, Manhattan. (Preliminary and Final) (CC 2, CB 6) DPR
- 27383: Installation of a temporary artificial turf field, Robert Moses Playground, First Avenue between East 41st Street and East

- 42nd Street, Manhattan. (Preliminary and Final) (CC 4, CB 6) DPR
- 27384: Installation of a temporary artificial turf field, St. Vartan Park, First Avenue, East 36th Street, Second Avenue, and East 35th Street, Manhattan. (Preliminary and Final) (CC 4, CB 6) DPR
- 27385: Reconstruction of Nautilus Playground, Roy Wilkins Park, Merrick Boulevard and Baisley Boulevard, Jamaica, Queens. (Preliminary and Final) (CC 27, CB 12) DPR
- 27386: Construction of Gateway Park (Gateway Estates), Phase II, Vandalia Avenue, Ashford Street, Schroeders Avenue, and Walker Street, Brooklyn. (Final) (CC 42, CB 5) DPR
- 27387: Installation of sports lighting and a scoreboard, Bill Rainey Park, Dawson Street, Intervale Avenue, Beck Street, Kelly Street, and Longwood Avenue, Bronx. (Final) (CC 17, CB 2) DPR
- 27388: Installation of sports lighting and scoreboards, Julio Carballo Fields, Manida Street between Spofford Avenue and Lafayette Avenue, Bronx. (Final) (CC 17, CB 2) DPR
- 27389: Reconstruction of a garage, including construction of a wash bay structure, Cunningham Park, south of Union Turnpike at 199th Street, Hollis, Queens. (Final) (CC 23, CB 8) DPR
- 27390: Reconstruction of a portion of Bath Beach Park, Shore Parkway, Bay 16th Street, and 17th Court, Brooklyn. (Final) (CC 43, CB 11) DPR
- 27391: Construction of a concrete facility (US Concrete, formerly Ferrara Brothers) 738 3rd Avenue, Brooklyn. (Preliminary and Final) (CC 38, CB 7) EDC
- 27392: Construction of Buildings 2A and 2B and a central plaza as Phase II of the construction of four mixed-use residential towers, a light manufacturing facility, a central plaza open space, and adjacent site work (The Peninsula), Tiffany Street, Spofford Avenue, and Manida Street, Bronx. (Preliminary) (CC 17, CB 2) EDC
- 27393: Construction of the North Tower and reconstruction of open spaces, East River Science Park (Alexandria Center for Life Science), 500 East 30th Street between First Avenue, the FDR Drive, East 28th Street, and East 30th Street, Manhattan. (Preliminary) (CC 4, CB 6) EDC
- 27394: Installation of rooftop photovoltaic panels, Building 12, Reilly Boulevard between Sears Street and Kelly Street, Randall's Island, Manhattan. (Preliminary and Final) (CC 8, CB 11) FDNY
- 27395: Installation of rooftop antennae and Wi-Fi equipment, 123rd Police Precinct, 116 Main Street, Staten Island. (Preliminary and Final) (CC 51, CB 3) NYPD
- 27396: Rehabilitation of Arlington Branch Library and adjacent site work, 203 Arlington Avenue, Brooklyn. (Preliminary) (CC 37, CB 5) DDC/BPL
- 27397: Installation of rooftop mechanical equipment, Carroll Gardens Library, 396 Clinton Street, Brooklyn. (Preliminary and Final) (CC 39, CB 6) DDC/BPL
- 27398: Construction of a portion of the Jamaica Bay Greenway (Canarsie Pier Connector), Shore Parkway Service Road North, Rockaway Parkway, and Canarsie Veterans Circle, Brooklyn. (Preliminary and Final) (CC 46, CB 18) DDC/DOT
- 27399: Construction of a Waterfowl Management Program Building, Kensico Reservoir, 19 Westlake Drive, Mount Pleasant, Westchester County. (Preliminary) DEP
- 27400: Rehabilitation of the former Kensico Laboratory, Kensico Reservoir, 19 Westlake Drive, Mount Pleasant, Westchester County. (Preliminary) DEP
- 27401: Reconstruction of power centers 4 and 7 and installation of transformers, Wards Island Wastewater Resource Recovery Facility, Wards Island, Manhattan. (Preliminary) (CC 8, CB 11) DEP
- 27402: Rehabilitation of five pre-houses, Primary Settling Tanks, 3rd Drive between B Road and H Road, Wards Island Wastewater Resource Recovery Facility, Wards Island, Manhattan. (Preliminary) (CC 8, CB 11) DEP
- 27403: Installation of flood protection measures as part of the DEP Wastewater Resiliency Program, Port Richmond Wastewater Resource Recovery Facility, 1801 Richmond Terrace, Staten Island. (Preliminary and Final) (CC 49, CB 1) DEP
- 27404: Installation of flood protection measures as part of the DEP Wastewater Resiliency Program, Red Hook Wastewater Resource Recovery Facility, West Street between East Way and Little Street, Brooklyn Navy Yard, Brooklyn. (Preliminary and Final) (CC 33, CB 2) DEP
- 27405: Installation of signage, P.S. 194 (Raoul Wallenberg Elementary School), 3117 Avenue W, Brooklyn. (Preliminary and Final) (CC 46, CB 15) DOE
- 27406: Construction of a storage building, Staten Island Ferry Building 45, 14 Murray Hulbert Avenue at the Stapleton Waterfront, Staten Island. (Preliminary and Final) (CC 49, CB 1) DOT
- 27407: Construction of an ADA ramp, 101st Police Precinct, 16-12 Mott Avenue, Far Rockaway, Queens. (Preliminary and Final) (CC 31, CB 14) DOT
- 27408: Reconstruction of a portion of Gorman Playground, 84th Street, 25th Avenue, 85th Street, and 30th Avenue, East Elmhurst, Queens. (Preliminary) (CC 22, CB 3) DPR
- 27409: Reconstruction of Ten Eyck Plaza, Ten Eyck Street and Stagg Street between Union Avenue and Lorimer Street, Brooklyn. (Preliminary) (CC 34, CB 1) DPR
- 27410: Reconstruction of the East River Esplanade, Phase II, East 115th Street to East 117th Street, Manhattan. (Preliminary) (CC 8, CB 11) DPR
- 27411: Construction of a temporary plaza, Waterside Pier, East 38th Street to East 41st Street, and the East River, Manhattan. (Preliminary and Final) (CC 4, CB 6) DPR
- 27412: Rehabilitation of a track and turf field, Baisley Pond Park, Baisley Boulevard South, North Conduit Avenue, and 150th Street, Jamaica, Queens. (Preliminary and Final) (CC 28, CB 12) DPR
- 27413: Reconstruction of Al Stabile Playground, 103rd Street, Centreville Street, and 133rd Avenue, Ozone Park, Queens. (Final) (CC 32, 10) DPR
- 27414: Installation of security infrastructure, between Surf Avenue, West 37th Street, The Riegelmann Boardwalk, and Brighton 15th Street, Coney Island Beach at Surf Avenue, Brooklyn. (Preliminary) (CC 47 & 48, CB 13) DPR/DOT
- 27415: Installation of security infrastructure, Carl Schurz Park, East End Avenue between Gracie Square and East 89th Street, Manhattan. (Preliminary and Final) (CC 5, CB 8) DPR/DOT
- 27416: Construction of a park and adjacent site work, including shade structures, Pier 97 between West 57th Street and West 59th Street, Manhattan. (Preliminary) (CC 6, CB 4) DPR/HRPT
- 27417: Installation of a shade structure and adult fitness equipment, Harmony Playground, Prospect Park West between 9th Street and 11th Street, Prospect Park, Brooklyn. (Final) (CC 39, CB 6, 7, 8, 9 & 14) DPR/PPA
- 27418: Installation of a vault, 625 Atlantic Avenue, Brooklyn. (Preliminary and Final) (CC 35, CB 2) EDC
- 27419: Reconstruction of a storefront, 300 Cadman Plaza West (One Pierrepont Plaza), Brooklyn. (Preliminary and Final) (CC 33, CB 2) EDC
- 27420: Construction of an interim streetscape, Surf Avenue, West 21st Street, and West 20th Street, Coney Island, Brooklyn. (Preliminary and Final) (CC 47, CB 13) EDC/DOT
- 27421: Installation of rooftop mechanical equipment and an exhaust fan, Engine Company 22, 159 East 85th Street, Manhattan. (Preliminary and Final) (CC 5, CB 8) FDNY

Meeting Location Notice: Due to emergency executive orders issued this month by the Mayor and the Governor in relation to COVID-19, public attendance at this meeting will be limited to viewing the live-streamed event on the Public Design Commission's YouTube channel:

<https://tinyurl.com/pdc033020> or calling in to the meeting at +1 (646) 558 8656 and using the meeting ID: 415226030#

All times are approximate and subject to change without notice.

Items on the consent agenda are not presented. If you wish to testify regarding a design-related issue of a project on the consent agenda, please notify staff as soon as possible.

If you would like to virtually attend this meeting by viewing it at the web address listed above and request free reasonable accommodations such as interpretation into a language other than English; American Sign Language Interpreting (ASL); Captioning in Real-Time (CART); or the meeting agenda in Braille, large print, or electronic format, please contact the Public Design Commission at 212-788-3071 or designcommission@cityhall.nyc.gov, at least three business days before the meeting.

Public Design Commission
City Hall, Third Floor
Phone: (212) 788-3071
Fax: (212) 788-3086

www.nyc.gov/designcommission
designcommission@cityhall.nyc.gov



m26

FRANCHISE AND CONCESSION REVIEW COMMITTEE

MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee, will hold a public meeting, on Wednesday, April 8, 2020, at 2:30 P.M., at 22 Reade Street, Spector Hall, New York, NY 10007.

NOTE: This location is accessible to individuals using wheelchairs or other mobility devices. For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact the Mayor's Office of Contract Services (MOCS) via email, at DisabilityAffairs@mocs.nyc.gov or via phone, at (212) 788-0010. Any person requiring reasonable accommodation for the public meeting should contact MOCS at least three (3) business days in advance of the meeting to ensure availability.



m19-a8

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 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320), on Tuesday, April 7, 2020, a public hearing, will be held, at 1 Centre Street, 9th Floor, Borough of Manhattan, with respect to the following properties, and then followed by a public meeting. The final order and estimated times for each application, will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting, should contact the Landmarks Commission, no later than five (5) business days before the hearing or meeting. **Please note: Due to the City's response to COVID-19, this public hearing and meeting is subject to change and/or cancellation.**

134 Greenpoint Avenue - Greenpoint Historic District

LPC-20-01260 - Block 2563 - Lot 32 - **Zoning:** R6A

CERTIFICATE OF APPROPRIATENESS

An altered flathouse, designed by Claus Dunkhase and built in 1890. Application is to alter the façade.

11 Cranberry Street - Brooklyn Heights Historic District

LPC-20-08403 - Block 214 - Lot 25 - **Zoning:** R6

CERTIFICATE OF APPROPRIATENESS

A Greek Revival rowhouse, built in 1836. Application is to alter the rear façade.

403 East 19th Street - Ditmas Park Historic District

LPC-20-06366 - Block 5183 - Lot 1 - **Zoning:** R1-2

CERTIFICATE OF APPROPRIATENESS

A Colonial Revival style house, designed by Benjamin Driesler and built in 1909-10. Application is to legalize the replacement of roofing without Landmarks Preservation Commission permit(s).

4448-4456 Tibbett Avenue - Fieldston Historic District

LPC-20-06282 - Block 5806 - Lot 723, 721 - **Zoning:** R1-2

CERTIFICATE OF APPROPRIATENESS

An altered Dutch Colonial Revival style residence, designed by Francis Averkamp and built in 1922-24; and a Mediterranean Revival style residence, designed by Haugaard & Bernheim and built in 1922-24. Application is to construct a dormer, replace windows, construct a barrier-free access ramp and platform and parking lot, and alter the sidewalks and driveway.

Orchard Beach Bathhouse and Promenade - Individual Landmark

LPC-20-08771 - Block 5650 - Lot 1 - **Zoning:**

BINDING REPORT

A Modern Classical style waterfront recreation complex, with Beaux-Arts elements, designed by Aymar Embury II and landscape architects Gilmore D. Clarke and Michael Rapuano, and built in 1934-37.

Application is to construct barrier-free access ramps; regrade areas; modify stairs, masonry openings and parapets; enclose a covered pavilion; and install infill, partitions, signage, rooftop mechanical equipment, railings and light fixtures.

49-51 Chambers Street - African Burial Ground & The Commons Historic District

LPC-20-08010 - Block 153 - Lot 18 - **Zoning:** C6-4

CERTIFICATE OF APPROPRIATENESS

A Beaux-Arts style skyscraper and interior, designed by Raymond F. Almirall and built in 1909-12. Application is to alter the interior banking hall, install signage and a marquee, at the Chambers Street façade, and alter window and doors at the Reade Street façade.

60 Hudson Street - Interior Landmark

LPC-20-05764 - Block 144 - Lot 40 - **Zoning:** C6-2A

CERTIFICATE OF APPROPRIATENESS

An Art Deco style communications building, designed by Ralph Walker of Voorhees, Gmelin & Walker and built in 1928-30. Application is to install turnstiles and desks at the designated interior.

120 Broadway - Individual Landmark

LPC-20-04905 - Block 47 - Lot 7501 - **Zoning:** C5-5

CERTIFICATE OF APPROPRIATENESS

A Beaux-Arts style office building, designed by E. R. Graham and built in 1913-15. Application is to modify a window opening and install a barrier-free access ramp and entrance infill.

61-63 Crosby Street - SoHo-Cast Iron Historic District Extension

LPC-20-04189 - Block 482 - Lot 13 - **Zoning:** M1-5B

MODIFICATION OF USE AND BULK

An Italianate style store and loft building, with Neo-Grec style features, designed by W. Joralemon and built in 1873-1874, and altered by Theodore A. Tribit, in 1875. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission, relating to an application for a Modification of Use and Bulk, pursuant to Section 74-711 of the Zoning Resolution.

196 6th Avenue - Sullivan-Thompson Historic District

LPC-20-06205 - Block 504 - Lot 14 - **Zoning:** R7-2

CERTIFICATE OF APPROPRIATENESS

A Postmodern style apartment building, originally built as a police station by Nathaniel Bush in 1893, and redesigned by Terrance R. Williams in 1987. Application is to replace a solarium and construct a pergola.

15 7th Avenue - Greenwich Village Historic District

LPC-20-02819 - Block 607 - Lot 7503 - **Zoning:** R8

CERTIFICATE OF APPROPRIATENESS

A hospital building, designed by Eggers & Higgins and built in 1950. Application is to legalize signage and a flagpole installed, without Landmarks Preservation Commission permit(s).

44-54 9th Avenue and 351-355 West 14th Street - Gansevoort Market Historic District

LPC-20-08722 - Block 738 - Lot 1, 8 - **Zoning:** C6-2A

CERTIFICATE OF APPROPRIATENESS

A row of Greek Revival style rowhouses, with stores, built c. 1845-46, and a row of Greek Revival style town houses, with stores built c. 1842-44. Application is to alter the façades and roofs, modify masonry openings, replace windows, install a canopy and solar panels, demolish rear yard additions, and construct a new building.

1158 Broadway - Madison Square North Historic District

LPC-20-05685 - Block 829 - Lot 30 - **Zoning:** M1-6

CERTIFICATE OF APPROPRIATENESS

A building, originally built in 1880-81 and converted to an office building, with a new façade in 1959. Application is to alter a storefront and install signage and an awning.

1501 Broadway, aka 1493-1505 Broadway, 201-215 West 43rd Street, and 200-214 West 44th Street - Individual Landmark

LPC-20-06239 - Block 1015 - Lot 29 - **Zoning:** C6-7T

MISCELLANEOUS - AMENDMENT

A French Beaux-Arts style setback skyscraper, designed by Cornelius Ward Rapp and George Leslie Rapp, and built in 1926-1927. Application is to amend Certificate of Appropriateness 19-21562, establishing a master plan for the future installation of storefronts and signage, and to install a marquee.

610 Fifth Avenue, 620 Fifth Avenue, 626 Fifth Avenue, 630 Fifth Avenue, 636 Fifth Avenue, 1 Rockefeller Plaza and 30 Rockefeller Plaza -

LPC-20-07949 - Block Multi - Lot Multi - **Zoning:** C5-2.5, C5-3

CERTIFICATE OF APPROPRIATENESS

Seven office buildings, including The British Building; La Maison Francaise; Palazzo d'Italia; International Building; International Building North; 1 Rockefeller Plaza Building; and RCA Building, designed by a consortium of architects, known as the Associated Architects, with portions designed by a group of fine artists, built in 1932-34 and 1936-38, as parts of an Art Deco style office, commercial and entertainment complex. Application is to establish a Master Plan, governing the future installation of storefronts and signage.

630 Fifth Avenue aka 45 Rockefeller Plaza, 1 Rockefeller Plaza and 50 Rockefeller Plaza - Individual Landmark

LPC-20-07948 - Block Multi - Lot Multi - **Zoning:** C5-2.5, C5-3

CERTIFICATE OF APPROPRIATENESS

Three office buildings, designed by a consortium of architects, known as the Associated Architects, with portions designed by a group of fine artists, built in 1933-34 and 1936-1938, as parts of an Art Deco style office, commercial and entertainment complex. Application is to modify

openings and replace storefront and entry infill.

630 Fifth Avenue aka 45 Rockefeller Plaza - Individual Landmark

LPC-20-07947 - Block 1266 - Lot 1 in part - **Zoning:** C5-2.5, C5-3

CERTIFICATE OF APPROPRIATENESS

An office tower, with lower eastern wings (626 and 636 Fifth Avenue), designed by a consortium of architects, known as the Associated Architects, with portions designed by a group of fine artists, built in 1933-34, as part of an Art Deco style office, commercial and entertainment complex. Application is to install signage.

2 West 67th Street - Upper West Side/Central Park West Historic District

LPC-19-41013 - Block 1119 - Lot 36 - **Zoning:** R10A - C4-7

CERTIFICATE OF APPROPRIATENESS

A Neo-Renaissance style studio building, designed by Rich & Mathesius and built in 1919. Application is to replace windows.

120 West 74th Street - Upper West Side/Central Park West Historic District

LPC-20-05622 - Block 1145 - Lot 41 - **Zoning:** R8B

CERTIFICATE OF APPROPRIATENESS

A Queen Anne/Romanesque Revival style rowhouse, designed by Thom & Wilson and built in 1886-1887. Application is to alter the areaway and construct a ramp and garbage enclosure.

160 Central Park West, aka 2 West 76th Street - Central Park West - West 76th Street Historic District

LPC-20-07589 - Block 1128 - Lot 33 - **Zoning:** C5-1 R10H

CERTIFICATE OF APPROPRIATENESS

An English Gothic style church building, designed by William Appleton Potter and built in 1897-1898. Application is to alter the areaway and install a barrier-free access ramp.

244 Riverside Drive - Riverside - West End Historic District Extension II

LPC-20-05813 - Block 1887 - Lot 36 - **Zoning:** R10A

CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style tenement building, designed by Robert T. Lyons and built in 1907. Application is to install barrier-free access ramps.

1295 Madison Avenue (aka 43 East 92nd Street) - Expanded Carnegie Hill Historic District

LPC-20-06688 - Block 1504 - Lot 20 - **Zoning:** R10 C1-5

CERTIFICATE OF APPROPRIATENESS

A Neo-Renaissance style hotel building, designed by Louis Korn and built in 1899-1900. Application is to alter facades, fill in light courts and construct a rooftop addition.

106 East 78th Street - Upper East Side Historic District

LPC-20-06274 - Block 1412 - Lot 68 - **Zoning:** R8B

CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style rowhouse, designed by R. W. Buckley and built in 1879-1880. Application is to alter the primary façade, demolish an historic rear yard addition, and modify rear windows.

34 East 70th Street - Upper East Side Historic District

LPC-20-08145 - Block 1384 - Lot 46 - **Zoning:** R8B

CERTIFICATE OF APPROPRIATENESS

A Neo-Medieval style residence, originally built as two rowhouses in 1884-85, altered and combined by William Lawrence Bottomley in 1924-29. Application is to alter the façade, construct rooftop and rear yard additions, excavate the areaway and modify masonry openings.

535 West 110th Street - Morningside Heights Historic District

LPC-20-02401 - Block 1882 - Lot 8 - **Zoning:** R8

CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style apartment building, designed by Robert T. Lyons and built in 1922-23. Application is to establish a Master Plan, governing the future installation of windows.

m25-a7

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

The City of New York in partnership with PropertyRoom.com posts vehicle and heavy machinery auctions online every week at: <https://www.propertyroom.com/s/nyc+fleet>

All auctions are open to the public and registration is free.

Vehicles can be viewed in person at:

Insurance Auto Auctions, North Yard
156 Peconic Avenue, Medford, NY 11763
Phone: (631) 294-2797

No previous arrangements or phone calls are needed to preview.
Hours are Monday and Tuesday from 10:00 A.M. – 2:00 P.M.

s4-f22

OFFICE OF CITYWIDE PROCUREMENT

■ NOTICE

The Department of Citywide Administrative Services, Office of Citywide Procurement is currently selling surplus assets on the Internet. Visit <http://www.publicsurplus.com/sms/nydcas.ny/browse/home>

To begin bidding, simply click on 'Register' on the home page.

There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more.

Public access to computer workstations and assistance with placing bids is available at the following locations:

- DCAS Central Storehouse, 66-26 Metropolitan Avenue, Middle Village, NY 11379
- DCAS, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007

j2-d31

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

All Notices Regarding Housing Preservation and Development Dispositions of City-Owned Property appear in the Public Hearing Section.

j2-d31

POLICE

■ NOTICE

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

The following list of properties is in the custody of the Property Clerk Division without claimants:

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.

Items are recovered, lost, abandoned property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.

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):

- Springfield Gardens Auto Pound, 174-20 North Boundary Road, Queens, NY 11430, (718) 553-9555
- Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2030

FOR ALL OTHER PROPERTY

- Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906
- 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

j2-d31

PROCUREMENT

"Compete To Win" More Contracts!

Thanks to a new City initiative - "Compete To Win" - the NYC Department of Small Business Services offers a new set of FREE services to help create more opportunities for minority and Women-Owned Businesses to compete, connect and grow their business with the City. With NYC Construction Loan, Technical Assistance, NYC Construction Mentorship, Bond Readiness, and NYC Teaming services, the City will be able to help even more small businesses than before.

- **Win More Contracts, at nyc.gov/competetowin**

"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."

HHS ACCELERATOR

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York ("PPB Rules"), vendors must first complete and submit an electronic prequalification application using the City's Health and Human Services (HHS) Accelerator System. The HHS Accelerator System is a web-based system maintained by the City of New York for use by its human services Agencies to manage procurement. The process removes redundancy by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding are more focused on program design, scope, and budget.

Important information about the new method

- Prequalification applications are required every three years.
- Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete.
- Prequalification applications will be reviewed to validate compliance with corporate filings, organizational capacity, and relevant service experience.
- Approved organizations will be eligible to compete and would submit electronic proposals through the system.

The Client and Community Service Catalog, which lists all Prequalification service categories and the NYC Procurement Roadmap, which lists all RFPs to be managed by HHS Accelerator may be viewed, at <http://www.nyc.gov/html/hhsaccelerator/html/roadmap/roadmap.shtml>. All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding.

Participating NYC Agencies

HHS Accelerator, led by the Office of the Mayor, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Agencies:

Administration for Children's Services (ACS)
Department for the Aging (DFTA)
Department of Consumer Affairs (DCA)
Department of Corrections (DOC)
Department of Health and Mental Hygiene (DOHMH)
Department of Homeless Services (DHS)
Department of Probation (DOP)
Department of Small Business Services (SBS)
Department of Youth and Community Development (DYCD)
Housing and Preservation Department (HPD)
Human Resources Administration (HRA)
Office of the Criminal Justice Coordinator (CJC)

To sign up for training on the new system, and for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit www.nyc.gov/hhsaccelerator

ADMINISTRATION FOR CHILDREN'S SERVICES

OFFICE OF PROCUREMENT

■ SOLICITATION

Services (other than human services)

FOSTER PARENT CERTIFICATION SOFTWARE - Negotiated Acquisition - Available only from a single source - PIN# 06820N0008 - Due 4-10-20 at 10:00 A.M.

Pursuant to Section 3-04(d)(1) of the Procurement Policy Board Rules (PPB), the Administration for Children's Services (ACS) plans to enter into negotiated acquisition contract with Binti Inc., to provide software licenses for foster parent certification software that provides foster families and provider agency staff with a user-friendly, modern, mobile online platform to complete and tract the certification process. Binti is the only vendor know to ACS, capable of providing a product ready-to-use. However, any vendor who reasonably believes that they can provide these services, should submit an expression of interest via email prior to the Due Date stated in this advertisement.

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

Administration for Children's Services, 150 William Street, 9th Floor, New York, NY 10038. Beverly Matthews (212) 341-3464; Fax: (917) 551-7329; beverly.matthews@acs.nyc.gov

☛ m26-a1

DESIGN AND CONSTRUCTION

AGENCY CHIEF CONTRACTING OFFICER

■ AWARD

Construction/Construction Services

CONSTRUCTION OF RIGHT-OF-WAY GREEN INFRASTRUCTURE IN THE FLUSHING CREEK CSO TRIBUTORY AREA TI-010-BOROUGH OF QUEENS - Competitive Sealed Bids - PIN# 85019B0050 - AMT: \$14,729,261.71 - TO: P and T II Contracting Corp., 2417 Jericho Turnpike, Suite 315, Garden City Park, NY 11040. GCTI10-1B.

☛ m26

INSTALLATION OF NEW CATCH BASINS, RECONSTRUCTION OF EXISTING COLLAPSED CATCH BASINS AND REPLACEMENT OF EXISTING CATCH BASIN CONNECTIONS-BOROUGH OF QUEENS AND THE BRONX - Competitive Sealed Bids - PIN# 85020B0012 - AMT: \$3,762,980.00 - TO: Triumph Construction Corp, 1354 Seneca Avenue, Bronx, NY 10474.

☛ m26

EMPLOYEES' RETIREMENT SYSTEM

LEGAL

■ AWARD

Human Services/Client Services

GARTNER CONTRACT - Renewal - PIN# GARTNER 2020-2021 - AMT: \$167,066.00 - TO: Gartner, Inc., 56 Top Gallant Road, Stamford, CT 06904.

NYCERS has determined that there is a need for the continuation of Gartner's research and advisory services.

☛ m26

HEALTH AND MENTAL HYGIENE

■ AWARD

Human Services/Client Services

PROVIDE OPEN AIRWAYS TRAINING TO NYC SCHOOL PERSONNEL - BP/City Council Discretionary -

PIN# 20DP047501R0X00 - AMT: \$121,875.00 - TO: American Lung Association, 21 West 38th Street, Floor 3, New York, NY 10018-2254.

☛ m26

MENTAL HEALTH SERVICES FOR VETERANS - BP/City Council Discretionary - PIN# 20AZ041401R0X00 - AMT: \$130,000.00 - TO: Samaritan Daytop Village Inc., 138-02 Queens Boulevard, Briarwood, NY 11435.

☛ m26

CHILDREN UNDER FIVE INITIATIVE - BP/City Council Discretionary - PIN# 20AO017601R0X00 - AMT: \$230,769.00 - TO: Sheltering Arms Children and Family Services Inc., 305 Seventh Avenue, 4th Floor, New York, NY 10001.

☛ m26

HUMAN RESOURCES ADMINISTRATION

■ INTENT TO AWARD

Services (other than human services)

MAINTENANCE OF 23 LOCKER POWER CHARGING STATIONS - Sole Source - Available only from a single source - PIN# 09620S0004 - Due 3-31-20 at 2:00 P.M.

DSS/ITS, intends to enter into sole source contract with Velocity One LLC, for a 5-year maintenance agreement. Velocity One LLC is the sole manufacture of the Locker Power charging stations, located at 151 East 151st Street and 400 East 30th Street. The charging lockers are heavily used and require maintenance and upkeep on a regular basis.

E-PIN#: 09620S0004
Amount: \$198,300.00
Term: 7/1/2020 - 6/30/2025

Velocity One LLC, is the sole manufacture of the LockerPower charging stations and does not sell its products through resellers or distributors, so there is no 3rd party that can support our equipment. If a 3rd party was contracted for work on Velocity equipment it would void the warranty.

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.
Human Resources Administration, 150 Greenwich Street, New York, NY 10007. Jacques Frazier (929) 221-5554; frazierjac@dss.nyc.gov

m24-30

LAW DEPARTMENT

■ INTENT TO AWARD

Services (other than human services)

NOTICE OF INTENT TO ENTER INTO NEGOTIATIONS WITH MITRATECH HOLDINGS, INC. D/B/A LAW MANAGER INC. FOR CASE AND MATTER MANAGEMENT SYSTEM - Sole Source - Available only from a single source - PIN# 02519X003795 02519 - Due 4-2-20 at 5:00 P.M.

It is the intent of the New York City Law Department ("Department"), to enter into negotiations for a four-year contract with Mitratach Holdings, Inc. ("Mitratach") d/b/a Law Manager Inc. ("Law Manager"), pursuant to PPB Rules Section 3-05(a) for the provision of software maintenance services for the Law Manager case management system which is proprietary to Mitratach.

Based upon information obtained from Law Manager, the Department's Agency Chief Contracting Officer ("ACCO"), has determined that there is only one source for the required service.

Firms that believe they are qualified to provide these services and wish to be considered for future procurements, for the same or similar services should send an expression of interest to the Department at the following address: Esther S. Tak, Senior Counsel, New York City Law Department, 100 Church Street, Room 5-208, New York, NY, 10007; Phone (212) 356-1122; Fax (212) 356-1148; Email etak@law.nyc.gov.

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

Law Department, 100 Church Street, Room 5-209, New York, NY 10007. Esther Tak (212) 356-1122; Fax: (212) 356-4066; etak@law.nyc.gov

m20-26

PARKS AND RECREATION

■ VENDOR LIST

Construction Related Services

PREQUALIFIED VENDOR LIST: GENERAL CONSTRUCTION, NON-COMPLEX GENERAL CONSTRUCTION SITE WORK ASSOCIATED WITH NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION ("DPR" AND/OR "PARKS") PARKS AND PLAYGROUNDS CONSTRUCTION AND RECONSTRUCTION PROJECTS.

NYC DPR is seeking to evaluate and pre-qualify a list of general contractors (a "PQL") exclusively to conduct non-complex general construction site work involving the construction and reconstruction of NYC DPR parks and playgrounds projects not exceeding \$3 million per contract ("General Construction").

By establishing contractor's qualification and experience in advance, NYC DPR will have a pool of competent contractors from which it can draw to promptly and effectively reconstruct and construct its parks, playgrounds, beaches, gardens and green-streets. NYC DPR will select contractors from the General Construction PQL for non-complex general construction site work of up to \$3,000,000.00 per contract, through the use of a Competitive Sealed Bid solicited from the PQL generated from this RFQ.

The vendors selected for inclusion in the General Construction PQL will be invited to participate in the NYC Construction Mentorship. NYC Construction Mentorship focuses on increasing the use of small NYC contracts, and winning larger contracts with larger values. Firms participating in NYC Construction Mentorship will have the opportunity to take management classes and receive on-the-job training provided by a construction management firm.

NYC DPR will only consider applications for this General Construction PQL from contractors who meet any one of the following criteria:

- 1) The submitting entity must be a Certified Minority/Woman Business enterprise (M/WBE)*;
- 2) The submitting entity must be a registered joint venture or have a valid legal agreement as a joint venture, with at least one of the entities in the joint venture being a certified M/WBE*;
- 3) The submitting entity must indicate a commitment to sub-contract no less than 50 percent of any awarded job to a certified M/WBE for every work order awarded.

* Firms that are in the process of becoming a New York City-certified M/WBE, may submit a PQL application and submit a M/WBE Acknowledgement Letter, which states the Department of Small Business Services has begun the Certification process.

Application documents may also be obtained on-line at: <http://a856-internet.nyc.gov/nycvendoronline/home.aspx>; or <http://www.nycgovparks.org/opportunities/business>.

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

Parks and Recreation, Olmsted Center Annex, Flushing Meadows-Corona Park, Flushing, NY 11368. Alicia H. Williams (718) 160-6925; Fax: (718) 760-6885; dmwbe.capital@parks.nyc.gov

j2-d31

CONTRACTS

■ SOLICITATION

Construction / Construction Services

BROWNSVILLE PARK RECREATION CENTER RECONSTRUCTION - Competitive Sealed Bids - PIN# B270-214M - Due 4-27-20 at 10:30 A.M.

The Reconstruction of the Brownsville Recreation Center, located at the intersection of Linden Boulevard and Mother Gaston Boulevard, Borough of Brooklyn. E-PIN#:84618B0055

There is a Pre-Bid Meeting, scheduled for Monday, April 27, 2020, at 11:30 A.M., at the Olmsted Center.

This procurement is subject to participation goals for MBEs and/or WBEs, as required by Local Law 1 of 2013.

Contract Under Project Labor Agreement. Bidders are hereby advised that this contract is subject to the Project Labor Agreement (PLA) Covering Specified Renovation and Rehabilitation of City Owned Buildings and Structures entered into between the City and the Building and Construction Trades Council of Greater New York ("BCTC") affiliated local unions. Please refer to the bid documents for further information.

Bid Security: Bid Bond or Deposit in the amount of 5 percent of Bid Amount.

Cost Estimate Range: greater than \$10,000,000.00

Bid documents are available online for free through NYC Parks' Capital Bid System website, nyc.gov/parks/capital-bids. To download the bid solicitation documents (including drawings if any), you must have an NYC ID Account and Login. If you are already in PASSPort, then you will use the same username and password to log into the Capital Bid Solicitations website. If you do not currently have an NYC ID account, you will be prompted to register for one through the Capital Bids Solicitation website.

Paper sets will still be available for purchase and pick-up from the Blueprint Room, at the Limited Center, but you must request a paper copy online first through the Capital Bid Solicitations website. Payment is required at the time of pick-up via company check or money order. Parks will not accept cash, personal checks, or credit card payments. The cost of paper sets will remain the same: \$25 for sets with under 100 drawings and \$100 for sets with over 100 drawings.

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

Parks and Recreation, Olmsted Center, Room 64, Flushing Meadows-Corona Park, Flushing, NY 11368. Kylie Murphy (718) 760-6855; kylie.murphy@parks.nyc.gov

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POLICE

CONTRACT ADMINISTRATION

■ SOLICITATION

Services (other than human services)

SUPPORT/ ENHANCEMENTS OF CRITICAL NYPD SYSTEMS

- Negotiated Acquisition - Other - PIN#05617G0003001N001 - Due 4-7-20 at 2:00 P.M.

The NYPD needs Continuing Support of certain critical NYPD Systems, which are the Real Time Crime Center, the Crime Data Warehouse, the Property Evidence Tracking System and other Related Applications.

The NYPD currently has an Agreement with International Business Machines, Corp. (IBM) for the provision of support of the Real Time Crime Center, the Crime Data Warehouse, the Property Evidence Tracking System and Other Related Applications. These are critical NYPD Systems. The current contract will expire on March 31, 2020. There are no further options to renew or extend the terms of the current contract.

These services are essential to running and ensuring the stability of some of the NYPD's most critical IT systems, including the Real Time Crime Center, Crime Data Warehouse, Property and Evidence Tracking System and other related applications.

Therefore under Sections 3-04(b)(2)(iii) and 3-04(b)(2)(i)(D) of the PPB Rules, a special case determination has been made to use the Negotiated Acquisition method of Source Selection, to extend the current contract for support of these critical NYPD Systems with the existing vendor, International Business Machines, Corp. (IBM) by a period of twenty four (24) months (2 Years) commencing on April 1, 2020 and terminating on March 31, 2022.

Vendors may express an interest by contacting Deputy ACCO Jordan Glickstein, at jordan.glickstein@nypd.org.

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

Police, Contract Administration Unit, 90 Church Street, Suite 1206, New York, NY 10007. Jordan Glickstein (646) 610-5222; Fax: (646) 610-5224; jordan.glickstein@nypd.org

m23-27

PROBATION

■ AWARD

Human Services/Client Services

WORKS PLUS PROGRAM - Competitive Sealed Proposals/Pre-Qualified List - Judgment required in evaluating proposals -

PIN# 78119I0005004 - AMT: \$582,300.00 - TO: Urban Youth Alliance International Inc., 432 East 149th Street, 2nd Floor, Bronx, NY 10455.

This contract has been awarded by the HHS Accelerator Method, pursuant to Section 3-16 of the Procurement Policy Board Rules.

☛ m26

TRANSPORTATION

ADMINISTRATION

■ SOLICITATION

Construction/Construction Services

INTENT TO ENTER INTO DISCUSSIONS FOR A

GOVERNMENT TO GOVERNMENT PURCHASE - Government to Government - PIN#84120QUAD412 - Due 4-2-20 at 5:00 P.M.

The New York City Department of Transportation (NYCDOT), Division of Bridges, intends to enter into discussions with the Port Authority of NY and NJ, for the provision of services required, for 82nd Street/ Ditmars Medians, near LaGuardia Airport, Queens.

NYC DOT, has determined that a Government to Government Procurement, with Port Authority of NY and NJ, will perform the final design and construction of the Medians on Ditmars Boulevard and 82nd Street, between the Grand Central Parkway westbound service road and 78th Street.

Other qualified contractors who wish to express their interest in providing similar services to the NYCDOT in the future, may do so by writing, to Nancy Carolan, Agency Chief Contracting Officer, NYCDOT, 55 Water Street, 8th Floor, New York, NY 10041, by April 2, 2020.

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.

Transportation, Nancy Carolan, Agency Chief Contracting Officer, NYCDOT, 55 Water Street, 8th Floor, New York, NY 10041. Nancy Carolan (212) 839-9435.

m20-26

CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. FOR FURTHER INFORMATION ON ACCESSIBILITY OR TO MAKE A REQUEST FOR ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION SERVICES, PLEASE CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES (MOCS) VIA E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 788-0010. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



ENVIRONMENTAL PROTECTION

■ PUBLIC HEARINGS

THIS PUBLIC HEARING HAS BEEN CANCELED

NOTICE IS HEREBY GIVEN that a Public Hearing will be held at the Department of Environmental Protection Offices at 59-17 Junction Boulevard, 17th Floor Conference Room, Flushing, New York, on April 2, 2020 commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and Jacobs Civil Consultants, Inc., 500 7th Avenue, 17th Floor, New York, New York 10018 for EE-RRR-CM2: Construction Management Services for the Construction of Oakwood Beach and Owls Head Dechlorination Facilities. The Contract term shall be 1827 consecutive calendar days from the date of the written notice to proceed. The Contract amount shall be \$8,705,606.00— Location: Boroughs of Brooklyn and Staten Island: EPIN: 82619P0019.

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and Stantec Consulting Services, Inc., 475 Fifth Avenue, 12th Floor, New York, New York 10017 for DEL-209 DSDC/CM: Design Services during Construction and Construction Management Services for the Reconstruction of the Port Jervis Wastewater Treatment Plant. The Contract term shall be 2,370 consecutive calendar days from the date of the written notice to proceed. The Contract amount shall be \$10,203,597.00—Location: Borough of Staten Island; EPIN: 82619P0023.

These contracts were selected by Competitive Sealed Proposal pursuant to Section 3-03 of the PPB Rules.

A copy of the Contracts may be inspected at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, New York, 11373, on the 17th Floor Bid Room, on business days from March 20, 2020 to April 2, 2020 between the hours of 9:30 A.M. – 12:00 P.M. and from 1:00 P.M. -4:00 P.M.

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

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MAYOR'S OFFICE OF CONTRACT SERVICES

■ PUBLIC HEARINGS

RESCHEDULING NOTICE OF MARCH 26, 2020 CONTRACT PUBLIC HEARING

MARCH 26, 2020 CONTRACT PUBLIC HEARING WILL BE RESCHEDULED.

DATE AND LOCATION TO BE DETERMINED.

m19-26

AGENCY RULES

CONSUMER AFFAIRS

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Consumer Affairs (“DCA” or “Department”) is proposing amendments to the Department’s penalty schedules, including those related to electronic cigarette retail dealers, sidewalk stands, electronic stores, etching acid, motorized scooters, employment agencies, air conditioning prohibitions, and bail bond agents.

When and where is the hearing? DCA will hold a public hearing on the proposed rule via teleconference. The public hearing will take place at 10:30 AM on April 6, 2020. To participate in the public hearing via teleconference, please dial **712-770-4010**, and use the access code **789 503**.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to DCA through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Fax.** You can fax written comments to the Department of Consumer Affairs, (646) 500-5962.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling (212) 436-0345. You can also sign up via teleconference before the hearing begins at 10:30 AM on April 6, 2020. You can speak for up to three minutes.
 - **To speak or listen at the public hearing via teleconference, please dial 712-770-4010 (access code 789 503).** The hearing begins at 10:00 AM on March 25, 2020.

Is there a deadline to submit comments? Yes. You must submit any comments to the proposed rule on or before April 6, 2020.

What if I need assistance to participate in the hearing? You must tell DCA’s External Affairs division if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (212) 436-0345. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by April 2, 2020.

This location has the following accessibility option(s) available: wheelchair accessible.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, all comments received by DCA on the proposed rule will be made available to the public online at <http://www1.nyc.gov/site/dca/about/public-hearings-comments.page>.

What authorizes DCA to make this rule? Sections 1043 and 2203(f) of the New York City Charter, sections 20-104(e), 20-487, 20-615, 20-702, and 20-833 of the New York City Administrative Code, and section 12 of Local Law 228 of 2019 authorize the Department of Consumer Affairs to make this proposed rule. This proposed rule was not included in the Department of Consumer Affairs’ regulatory agenda for this Fiscal Year because it was not contemplated when the Department published the agenda.

Where can I find DCA’s rules? The Department’s rules are in Title 6 of the Rules of the City of New York.

What laws govern the rulemaking process? DCA must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the City Charter.

Statement of Basis and Purpose of Proposed Rule

The Department of Consumer Affairs (“DCA” or “Department”) is proposing amendments to conform the Department’s penalty schedules to other sections of the Rules and to the Administrative Code. These amendments affect the penalty schedules related to electronic cigarette retail dealers, sidewalk stands, electronic stores, etching acid, motorized scooters, employment agencies, air conditioning prohibitions, and bail bond agents. Specifically, the Department is proposing to:

- Amend the electronic cigarette retail dealer penalty schedule to implement Local Law 228 of 2019, which prohibited the sale of flavored electronic cigarettes and flavored e-liquids. The penalties for these new violations are found in section 17-716(b) of the Administrative Code. (Section 1).
- Amend the sidewalk stands penalty schedule to add violations relating to newsstands that exist in the Administrative Code and Rules but are currently missing from the penalty schedule. (Section 2).
- Reduce the penalty amounts for violations of section 20-485.5(b) of the Administrative Code relating to electronic stores. Currently, the penalty schedule in section 6-35 of the Rules provides for maximum penalties of \$500 for all 20-485.5 violations. However, 20-485.5(b) states that “the civil penalties imposed for a violation of this subdivision shall be those provided for violations of section 20-708 of this title.” The penalties for violations of section 20-708, provided by section 20-711, are a maximum of \$250. (Section 3).
- Change the recidivism period from 2 years to 1 year for violations related to etching acid. Currently, the penalty schedule in section 6-40 of the Rules provides for a recidivism period of 2 years. However, section 20-616 of the Administrative Code provides for a 1-year recidivism period. (Section 4).
- Change the recidivism period from 2 years to 1 year for violations related to motorized scooters. Currently, the penalty schedule in section 6-55 of the Rules provides for a recidivism period of 2 years. However, section 20-762(c) of the Administrative Code provides for a 1-year recidivism period. (Section 5).
- Eliminate a reference in section 6-59 of the Rules, the penalty schedule for employment agencies, to the Administrative Code containing two subchapters numbered 14 in chapter 5. The Administrative Code no longer contains this mistaken organizational structure. These proposed amendments would also add an entry for a violation of NY General Business Law section 189, the penalties for which are provided by section 189(5). (Section 6).
- Change the recidivism period of 2 years to 18 months for violations related to air conditioning prohibitions. Currently, the penalty schedule in section 6-63 of the Rules provides for a recidivism period of 2 years. However, section 20-910(e)(ii) of the Administrative Code provides for an 18-month recidivism period. (Section 7).
- Change the recidivism period of 1 year to 2 years for violations related to bail bond agents. Currently, the penalty schedule in section 6-71 of the Rules provides for a recidivism period of 1 year. The Administrative Code is silent as to the recidivism period of bail bond agent violations (*see* section 20-835). The

Department's default recidivism period is 2 years unless the Administrative Code provides otherwise. (Section 8).

Sections 1043 and 2203(f) of the New York City Charter, sections 20-104(e), 20-487, 20-615, 20-702, and 20-833 of the New York City Administrative Code, and section 12 of Local Law 228 of 2019 authorize the Department of Consumer Affairs to make these proposed rules.

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

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

Proposed Rule Amendments

Section 1. Section 6-12.1 of subchapter B of chapter 6 of title 6 of the Rules of the City of New York is amended to read as follows:

§ 6-12.1 Electronic Cigarette Retail Dealer Penalty Schedule.

All citations are to Title 20 of the Administrative Code of the City of New York, Title 17 of the Administrative Code of the City of New York, or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs,

subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

Unless otherwise specified by law, a second or third or subsequent violation shall mean a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within three years of the prior violation(s).

For sections of law marked by a single asterisk (*), a second, third or subsequent violation means a violation of Subdivision (b) of § 17-704.1 or Subdivision (a-1) of § 17-706 of Title 17 of the Administrative Code, or any combination of such provisions, whether by admitting to the violation, being found in violation in a decision, or entering into a settlement agreement for violating the provision of law or rule, at the same place of business within a three-year period.

In certain cases, the Department may ask for license suspension or revocation, as permitted by statute. If a respondent is found in violation of multiple provisions that require a suspension period, the suspension periods shall run concurrently.

The parties shall be authorized to present evidence to mitigate the license revocation or suspension period within the date range marked by two asterisks (**).

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin. Code § 20-561(a)(1)	Unlicensed electronic cigarette retail dealer	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day
Admin. Code § 20-561(a)(2)	Permitting premises under person's control to be used as unlicensed electronic cigarette retail dealer	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day
Admin. Code § 17-704.1(b)*	Unlawful delivery of electronic cigarettes	\$1,000	\$1,000	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)
Admin Code § 17-706(a-1)*	Unlawful sale of electronic cigarettes to an individual under 21	\$1,000	\$1,000	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)
Admin Code § 17-706(c)	No minimum age sign violation or missing information on sign	\$500	\$500	\$500	\$500	\$500	\$500
<u>Admin. Code § 17-715(b)</u>	<u>Unlawful sale of flavored electronic cigarettes or flavored e-liquids</u>	<u>\$1,000</u>	<u>\$1,000</u>	<u>\$2,000</u>	<u>\$2,000</u>	<u>\$5,000 (plus 1 to 90 day suspension)**</u>	<u>\$5,000 (plus one year suspension)</u>

§ 2. Section 6-16 of subchapter B of chapter 6 of title 6 of the Rules of the City of New York is amended to read as follows:

§ 6-16 Sidewalk Stands Penalty Schedule.

All citations are to Title 20 of the Administrative Code of the City of New York or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

For the fine amounts marked by a single asterisk, if the respondent timely submits the appropriate proof of having cured a first-time violation, the respondent will not be subject to a civil penalty pursuant to Local Law 153 of 2013.

Unless otherwise specified by law, a second or third or subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

In certain cases, the Department may ask for license suspension or revocation, as permitted by statute. If a respondent is found in violation of multiple provisions that require a suspension period, the suspension periods shall run concurrently.

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-229	Operating an unlicensed newsstand	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day
Admin Code § 20-231	Failure to comply with restrictions and size requirements	\$375	\$500	\$450	\$500	\$500	\$500
Admin Code § 20-233(a)	Operating an unlicensed stoop line stand	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day
Admin Code § 20-233(b)	Improper use of a stoop line stand	\$375	\$500	\$450	\$500	\$500	\$500
Admin Code § 20-237(a) (food items)	Failure to comply with stoop line height, location and size restrictions displaying any food items	\$375	\$500	\$450	\$500	\$500	\$500
Admin Code § 20-237(b) (food items)	Failure to comply with specific stoop line stand length and width restrictions on stands displaying any food items	\$375*	\$500*	\$450	\$500	\$500	\$500
Admin Code § 20-237(a) (non-food items)	Failure to comply with stoop line stand location and size restrictions on stands displaying only non-food items	\$375	\$500	\$450	\$500	\$500	\$500
Admin Code § 20-237(b) (non-food items)	Failure to comply with specific stoop line stand length and width restrictions on stands displaying only non-food items	\$375*	\$500*	\$450	\$500]	\$500	\$500
Admin Code § 20-237(c)	Unlawfully leasing to or permitting another person to use adjacent sidewalk space to display or sell merchandise	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day
Admin Code § 20-240	Unlawfully sleeping in stoop line stand	\$375	\$500	\$450	\$500	\$500	\$500
Admin Code § 20-241.1	<u>Failure to comply with newsstand franchise requirements</u>	<u>\$375</u>	<u>\$500</u>	<u>\$450</u>	<u>\$500</u>	<u>\$500</u>	<u>\$500</u>
6 RCNY § 2-64(d)	<u>Improper alteration or enlargement of newsstand</u>	<u>\$375</u>	<u>\$500</u>	<u>\$450</u>	<u>\$500</u>	<u>\$500</u>	<u>\$500</u>
6 RCNY § 2-65	Failure to comply with newsstand site requirements	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-66	Improper operation of a newsstand	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-68	<u>Failure to comply with procedures for review, approval, replacement or relocation of newsstand</u>	<u>\$375</u>	<u>\$500</u>	<u>\$450</u>	<u>\$500</u>	<u>\$500</u>	<u>\$500</u>
6 RCNY § 2-69	<u>Failure to comply with newsstand obligations</u>	<u>\$375</u>	<u>\$500</u>	<u>\$450</u>	<u>\$500</u>	<u>\$500</u>	<u>\$500</u>
6 RCNY § 2-70.2	Failure to comply with stoop line stand requirements	\$375	\$500	\$450	\$500	\$500	\$500

§ 3. Section 6-35 of subchapter B of chapter 6 of title 6 of the Rules of the City of New York is amended to read as follows:

§ 6-35 Electronic Stores Penalty Schedule.

All citations are to Title 20 of the Administrative Code of the City of New York or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

Unless otherwise specified by law, a second or third or subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

In certain cases, the Department may ask for license suspension or revocation, as permitted by statute. If a respondent is found in violation of multiple provisions that require a suspension period, the suspension periods shall run concurrently.

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-485	Operating without an electronic store license	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day
Admin Code § 20-485.3	Engaging in prohibited practices	\$375	\$500	\$450	\$500	\$500	\$500
Admin Code § 20-485.4	Improper transfer of license	\$375	\$500	\$450	\$500	\$500	\$500
Admin Code § 20-485.5(a), (c), and (d)	Failure to comply with the duties of a licensee	\$375	\$500	\$450	\$500	\$500	\$500
Admin Code § 20-485.5(b)	Failure to display selling price	\$185	\$250	\$225	\$250	\$250	\$250
6 RCNY § 2-341	Failure to comply with regulations pertaining to gray market merchandise	\$375	\$500	\$450	\$500	\$500	\$500

§ 4. Section 6-40 of subchapter B of chapter 6 of title 6 of the Rules of the City of New York is amended to read as follows:

§ 6-40 Etching Acid Penalty Schedule.

All citations are to Title 20 of the Administrative Code of the City of New York or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

Unless otherwise specified by law, a second or third or subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within [two years] one year of the prior violation(s).

§ 5. Section 6-55 of subchapter B of chapter 6 of title 6 of the Rules of the City of New York is amended to read as follows:

§ 6-55 Motorized Scooters Penalty Schedule.

All citations are to Title 20 of the Administrative Code of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

Unless otherwise specified by law, a second or third or subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within [two years] one year of the prior violation(s).

§ 6. Section 6-59 of subchapter B of chapter 6 of title 6 of the Rules of the City of New York is amended to read as follows:

§ 6-59 Employment Agency Penalty Schedule.

All citations are to Chapter 20, Article 11 of the New York General Business Law, Title 20 of the Administrative Code of the City of New York, or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

For the fine amounts marked by a single asterisk, if the respondent timely submits the appropriate proof of having cured a first-time violation, the respondent will not be subject to a civil penalty pursuant to Section 189(5) of the New York General Business Law.

In certain cases, the Department may ask for license suspension or revocation, as permitted by statute. If a respondent is found in violation of multiple provisions that require a suspension period, the suspension periods shall run concurrently.

Unless otherwise specified by law, a second or third or subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

[Title 20, Chapter 5 of the Administrative Code contains two subchapters numbered 14 that include § 20-770, § 20-771, § 20-772, § 20-773, and § 20-774.]

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
NY Gen Bus § 172	Unlicensed activity	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
NY Gen Bus § 175	Failure to notify the Department of changes in license or ownership of the agency	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
NY Gen Bus § 176	Improper assignment or transfer of license, change of location, or addition of a location	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000

NY Gen Bus § 179	Failure to maintain adequate registers and other records	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
NY Gen Bus § 181	Failure to maintain adequate contracts or receipts	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
NY Gen Bus § 182	Failure to provide identification card to nurse or maintain records of investigation and verification of nurses	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
NY Gen Bus § 184	Failure to comply with requirements pertaining to recruitment of domestic or household employees who are residents of other states	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
NY Gen Bus § 184-a	Failure to comply with requirements pertaining to recruitment of domestic or household employees from outside the continental United States	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
NY Gen Bus § 185	Charging or accepting an unlawful fee	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
NY Gen Bus § 185-a	Failure to comply with requirements pertaining to domestic dayworkers who are transported to the place of employment	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
NY Gen Bus § 186	Failure to comply with the requirements pertaining to the return of fees	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
NY Gen Bus § 187	Engaging in prohibited activities or conduct	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
NY Gen Bus § 188	Failure to post the required copies of law	\$750*	\$1,000*	\$4,500	\$5,000	\$5,000	\$5,000
<u>NY Gen Bus § 189</u>	<u>Failure to comply with requirements including inspection of books and records</u>	<u>\$750</u>	<u>\$1,000</u>	<u>\$4,500</u>	<u>\$5,000</u>	<u>\$5,000</u>	<u>\$5,000</u>
Admin Code § 20-771	Failure to provide a statement of employee rights and employer obligations under city, state and federal law	\$375	\$500	\$450	\$500	\$500	\$500
Admin Code § 20-772	Failure to provide a statement of job conditions or maintain required records	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 5-241	Improper financial records	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
6 RCNY § 5-242	Failure to comply with corporate applicant requirements	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
6 RCNY § 5-243	Failure to comply with trade name and partnership certificate requirements	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
6 RCNY § 5-245	Failure to comply with premises requirements	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
6 RCNY § 5-246	Failure to comply with referral card requirements	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
6 RCNY § 5-247	Improper recruitment of domestic or household employees	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
6 RCNY § 5-248	Engaging in prohibited practices	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
6 RCNY § 5-250	Failure to display sign in required form	\$750*	\$1,000*	\$4,500	\$5,000	\$5,000	\$5,000
6 RCNY § 5-251	Improper display of license	\$750*	\$1,000*	\$4,500	\$5,000	\$5,000	\$5,000
6 RCNY § 5-252	Failure to comply with the notice of hearing and subpoena duces tecum requirement	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000

6 RCNY § 5-253	Failure to comply with change of address requirement	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
6 RCNY § 5-254	Failure to comply with judgment requirements	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
6 RCNY § 5-255	Failure to respond to consumer complaints	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
6 RCNY § 5-257	Failure to comply with lost or mutilated license requirements	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000
6 RCNY § 5-259	Failure to provide the "Terms and Conditions" document	\$750	\$1,000	\$4,500	\$5,000	\$5,000	\$5,000

§ 7. Section 6-63 of subchapter B of chapter 6 of title 6 of the Rules of the City of New York is amended to read as follows:

§ 6-63 Air Conditioning System Penalty Schedule.

All citations are to Title 20 of the Administrative Code of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

Unless otherwise specified by law, a second or third or subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within [two years] 18 months of the prior violation(s).

§ 8. Section 6-71 of subchapter B of chapter 6 of title 6 of the Rules of the City of New York is amended to read as follows:

§ 6-71 Bail Bond Agents Penalty Schedule.

All citations are to Title 20 of the Administrative Code of the City of New York or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

Unless otherwise specified by law, a second or third or subsequent violation shall mean a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within [one year] two years of the prior violation(s).

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Amendment of Consumer Affairs Penalty Schedule
REFERENCE NUMBER: 2020 RG 015
RULEMAKING AGENCY: Department of Consumer Affairs

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- is drafted so as to accomplish the purpose of the authorizing provisions of law;
- is not in conflict with other applicable rules;
- to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: February 20, 2020

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Amendment of Consumer Affairs Penalty Schedule
REFERENCE NUMBER: 2020 RG 015
RULEMAKING AGENCY: Department of Consumer Affairs

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- Is understandable and written in plain language for the discrete regulated community or communities;
- Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- A cure period is not provided for the new prohibitions on selling flavored electronic cigarettes because the authorizing statute for the rule does not provide a cure period. However, respondents are afforded notice and an opportunity to be heard with respect to all notices of violation.

/s/ Francisco X. Navarro
Mayor's Office of Operations

February 21, 2020
Date

☛ m26

**Notice of Public Hearing and Opportunity to
Comment on Proposed Rules**

What are we proposing? The Department of Consumer Affairs ("DCA" or "Department") is proposing to add new rules that would require debt collectors to inform consumers about whether certain language access services are available and to retain records relating to language access services, among other things.

When and where is the hearing? DCA will hold a public hearing on the proposed rule via teleconference. The public hearing will take place at 10:00 AM on April 10, 2020. To participate in the public hearing via teleconference, please dial **712-770-4010**, and use the access code **789 503**.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- Website.** You can submit comments to DCA through the NYC rules website at <http://rules.cityofnewyork.us>.
- Email.** You can email comments to Rulecomments@dca.nyc.gov.
- By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling (212) 436-0345. You can also sign up via teleconference before the hearing begins at 10:00 AM on April 10, 2020. You can speak for up to three minutes.

Is there a deadline to submit comments? Yes. You must submit any comments to the proposed rule on or before April 10, 2020.

What if I need assistance to participate in the hearing? You must tell DCA's External Affairs division if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (212) 436-0345. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by April 7, 2020.

This location has the following accessibility option(s) available: wheelchair accessible.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, all comments received by DCA on the proposed rule will be made available to the public online at <http://www1.nyc.gov/site/dca/about/public-hearings-comments.page>.

What authorizes DCA to make this rule? Sections 1043 and 2203(f) of the New York City Charter, and Sections 20-104(b), 20-493(a), and 20-702 of the New York City Administrative Code authorize the Department of Consumer Affairs to make this proposed rule. This proposed rule was not included in the Department's regulatory agenda for this Fiscal Year because it was not contemplated when the Department published the agenda.

Where can I find DCA's rules? The Department's rules are in Title 6 of the Rules of the City of New York.

What laws govern the rulemaking process? DCA must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the City Charter.

Statement of Basis and Purpose of Proposed Rule

The Department of Consumer Affairs ("DCA" or "Department") is proposing to add new rules that would require debt collectors to inform consumers about whether certain language access services are available and to retain records relating to language access services.

Approximately a quarter of the population of New York City does not understand English proficiently. Many debt collectors working to collect debts from New York City consumers, however, are not providing adequate language access services to consumers. For more background on this issue, see the Department's publication, "Lost in Translation: Findings from Examination of Language Access by Debt Collectors." This publication highlights the lack of language access services provided for limited-English proficiency (LEP) consumers by debt collection agencies.

These proposed rules would enable consumers who require language access services to better understand their rights with respect to debt collection and to facilitate communication between collectors and LEP consumers. The proposed recordkeeping requirements would allow the Department to ensure that LEP consumers are receiving sufficient information when contacted by a debt collector. The proposed prohibited practices would ensure that debt collectors are not engaging in deceptive or unfair conduct with respect to language access.

Specifically, the proposed new rules would require debt collectors to:

- Inform consumers—in any initial collection notice and on any public-facing websites maintained by the collector—of the availability of any language access services provided by the collector and of a translation and description of commonly-used debt collection terms in a consumer's preferred language on the Department's website;
- Request, record, and retain, to the extent reasonably possible, a record of the language preference of each consumer from whom it attempts to collect a debt; and
- Maintain a report identifying, by language, the number of consumer accounts on which an employee of the collector attempted to collect a debt in a language other than English, and the number of employees that attempted to collect on such accounts.

The proposed rules would also prohibit debt collectors from:

- Providing false, inaccurate or incomplete translations of any communication to a consumer in the course of attempting to collect a debt; and
- Misrepresenting or omitting a consumer's language preference when returning, selling or referring for litigation any consumer account, where the debt collector is aware of such preference.

DCA's authority for this rule is found in Sections 1043 and 2203(f) of the New York City Charter, and Sections 20-104(b), 20-493(a), and 20-702 of the New York City Administrative Code.

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

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

Proposed Rule Amendments

Section 1. Section 2-193 of Subchapter S of Chapter 2 of Title 6 of the Rules of the City of New York is amended to read as follows:

§ 2-193 Records to be Maintained by Debt Collection Agency.

(a) Unless otherwise prohibited by federal, state or local law, a debt collection agency shall maintain a separate file for each debt that the debt collection agency attempts to collect from each consumer, in a manner that is searchable or retrievable by the name, address and zip code of the consumer and the creditor who originated the debt the agency is seeking to collect. The debt collection agency shall maintain in each file the following records to document its collection activities with respect to each consumer:

- (1) A copy of all communications with the consumer.
- (2) A record of each payment received from the consumer that states the date of receipt, the method of payment and the debt to which the payment was applied.
- (3) A copy of the debt payment schedule and/or settlement agreement reached with the consumer to pay the debt.
- (4) With regard to any debt that the debt collection agency has purchased, a record of the name and address of the entity from which the debt collection agency purchased the debt, the date of the purchase and the amount of the debt at the time of such purchase.

(b) A debt collection agency shall maintain the following records to document its collection activities with respect to all consumers from whom it seeks to collect a debt:

- (1) A monthly log of all calls made to consumers, listing the date, time and duration of each call, the number called and the name of the person reached during the call.
- (2) Recordings of complete conversations with all consumers or with a randomly selected sample of at least 5% of all calls made or received by the debt collection agency and a copy of contemporaneous notes of all conversations with consumers. The method used for randomly selecting the recorded calls shall be included in the file where the tape recordings are maintained.
- (3) A record of all cases filed in court to collect a debt. Such record shall include, for each case filed, the name of the consumer, the identity of the originating creditor, the amount claimed to be due, the civil court index number and the court and county where the case is filed, the date the case was filed, the name of the process server who served process on the consumer, the date, location and method of service of process, the affidavit of service that was filed and the disposition for each case filed. Such record shall be filed in a manner that is searchable or retrievable by the name, address and zip code of the consumer and the creditors who originated the debts that the debt collection agency is seeking to collect.
- (4) The original copy of each contract with a process server for the service of process, and copies of all documents involving traverse hearings relating to cases filed by or on behalf of the debt collection agency. Such records should be filed in a manner that is searchable by the name of the process server.

(5) A record indicating the language preference of the consumer, except where the debt collector is not aware of such preference despite reasonable attempts to obtain it.

(c) A debt collection agency shall maintain the following records relating to its operations and practices:

- (1) A copy of all actions, proceedings or investigations by government agencies that resulted in the revocation or suspension of a license, the imposition of fines or restitution, a voluntary settlement, a court order, a criminal guilty plea or a conviction.
- (2) A copy of all policies, training manuals and guides for employees or agents that direct, describe, suggest or promote how a collector is to interact with consumers in the course of seeking to collect a debt.

(3) An annual report, in a form made publicly available on the Department's website, identifying, by language, (i) the number of consumer accounts on which an employee collected or attempted to collect a debt owed or due or asserted to be owed or due in a language other than English; and (ii) the number of employees that collected or attempted to collect on such accounts in a language other than English.

(d) The records required to be maintained pursuant to this section shall be retained for six years from the date the record was created by the debt collection agency, a document was obtained or received by the debt collection agency, a document was filed in a court action by the debt collection agency, or a training manual or employee guide was superseded, except that recordings of conversations with consumers shall be retained for one year after the date of the last conversation recorded on each completed recording tape.

§ 2. Subdivisions (d), (e), and (f) of Section 5-77 of Part 6 of Subchapter A of Chapter 5 of Title 6 of the Rules of the City of New York are amended, and a new Subdivision (h) is added, to read as follows:

(d) False or misleading representations. A debt collector, in connection with the collection of a debt, shall not make any false, deceptive, or misleading representation. Such representations include:

(1) the false representation or implication that the debt collector is vouched for, bonded by, or affiliated with the United States or any State, including the use of any badge, uniform or facsimile thereof;

(2) the false representation or implication that any individual is an attorney or any communication is from an attorney;

(3) the representation or implication that nonpayment of any debt will result in the arrest or imprisonment of any person or the seizure, garnishment, attachment, or sale of any property or wages of any person unless such action is lawful and the debt collector or creditor intends to pursue such action;

(4) the threat to take any action that cannot legally be taken or that is not intended to be taken;

(5) the false representation or implication that a sale, referral, or other transfer of any interest in a debt shall cause the consumer to:

(i) lose any claim or defense to payment of the debt; or

(ii) become subject to any practice prohibited by this part;

(6) the false representation or implication made in order to disgrace the consumer that the consumer committed any crime or other conduct;

(7) the false representation or implication that accounts have been turned over to innocent purchasers for value;

(8) the false representation or implication that documents are legal process;

(9) the false representation or implication that documents are not legal process forms or do not require action by the consumer;

(10) the false representation or implication that a debt collector operates or is employed by a consumer reporting agency as defined by 15 U.S.C. § 1681a(f);

(11) the use [of] or distribution of any written communication which simulates or is falsely represented to be a document authorized, issued, or approved by any court, official, or agency of the United States or any State, or which creates a false impression as to its source, authorization, or approval;

(12) the use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer;

(13) the use of any business, company, or organization name other than the true name of the debt collector's business, company, or organization, unless the general public knows the debt collector's business, company or organization by another name and to use the true name would be confusing;

(14) after institution of debt collection procedures, the false representation of the character, amount or legal status of any debt, or any services rendered or compensation which may be lawfully received by any debt collector for the collection of a debt, except that the employer of a debt collector may not be held liable in any action brought under this provision if the employer shows by a preponderance of the evidence that the violation was not intentional and occurred despite the maintenance of procedures reasonably adapted to avoid any such violation;

(15) except as otherwise provided under 6 RCNY § 5-77(a) and except for any communication which is required by law or chosen from among alternatives of which one is required by law, the failure to disclose clearly in all communications made to collect a debt or to obtain information about a consumer, that the debt collector is attempting to collect a debt and that any information obtained will be used for that purpose;

(16) the use of any name that is not the debt collector's actual name; provided that a debt collector may use a name other than his actual name if he or she uses only that name in communications with respect to a debt and if the debt collector's employer has the name on file so that the true identity of the debt collector can be ascertained; [or]

(17) any conduct proscribed by New York General Business Law §§ 601(1), (3), (5), (7), (8), or (9)[.];

(18) the false, inaccurate, or partial translation of any communication when the debt collector provides translation services; or

(19) the false representation or omission of a consumer's language preference when returning, selling or referring for litigation any consumer account, where the debt collector is aware of such preference.

(e) Unfair practices. A debt collector may not use any unfair or unconscionable means to collect or attempt to collect a debt. Such conduct includes:

(1) the collection of any amount (including any interest, fee, charge, or expense incidental to the principal obligation) unless such amount is expressly authorized by the agreement creating the debt or permitted by law;

(2) the solicitation or use by a debt collector of any postdated check or other postdated payment instrument for the purpose of threatening or instituting criminal prosecution;

(3) causing charges to be made to any person for communications by misrepresentation of the true purpose of the communication. Such charges include collect telephone calls and telegram fees;

(4) taking or threatening to take any nonjudicial action to effect dispossession or disablement of property if:

(i) there is no present right to possession of the property claimed as collateral;

(ii) there is no present intention to take possession of the property; or

(iii) the property is exempt by law from such dispossession or disablement;

(5) after institution of debt collection procedures, when communicating with a consumer by use of the mails or telegram, using any language or symbol other than the debt collector's address on any envelope, or using any language or symbol that indicates the debt collector is in the debt collection business or that the communication relates to the collection of a debt on a postcard, except that a debt collector may use his or her business name or the name of a department within his or her organization as long as any name used does not connote debt collection;

(6) after institution of debt collection procedures, communicating with a consumer regarding a debt without identifying himself or herself and his or her employer or communicating in writing with a consumer regarding a debt without identifying himself or herself by name and address and in accordance with 6 RCNY § 5-77(e)(5); or

(7) after institution of debt collection procedures, if a consumer owes multiple debts of which any one or portion of one is disputed, and the consumer makes a single payment with respect to such debts:

(i) applying a payment to a disputed portion of any debt; or

(ii) unless otherwise provided by law or contract, failing to apply such payments in accordance with the consumer's instructions accompanying payment. If payment is made by mail, the consumer's instructions must be written. Any communication by a creditor made pursuant to 6 RCNY § 5-77(e)(7)(ii) shall not be deemed communication for the purpose of 6 RCNY § 5-77(b)(1)(iv). The employer of a debt collector may not be held liable in any action brought under 6 RCNY § 5-77(e)(7) if the employer shows by a preponderance of the evidence that the violation was not intentional and resulted despite maintenance of procedures reasonably adapted to avoid any such violation; [or]

(8) engaging in any conduct prohibited by New York General Business Law §§ 601(2) or (4)[.]; or

(9) after institution of debt collection procedures, collecting or attempting to collect a debt without first requesting and recording the language preference of such consumer.

(f) Validation of debts.

(1) Upon acceleration of the unpaid balance of the debt or demand for the full balance due, the following validation procedures shall be followed by debt collectors who are creditors or who are employed by creditors as defined by 15 U.S.C. § 1602(f) [Truth in Lending Act]; but who are not required to comply with 15 U.S.C. § 1637(a)(8) [Fair Credit Billing Act];, and who do not provide consumers with an opportunity to dispute the debt which is substantially the same as that outlined in 15 U.S.C. § 1637(a)(8) and regulations promulgated thereunder: Within five days of any further attempt by the creditor itself to collect the debt, it shall send the customer a written notice containing:

(i) the amount of the debt;

(ii) a statement that unless the consumer, within thirty days after receipt of the notice, disputes the validity of the debt, or any portion thereof, the debt will be assumed valid by the debt collector;

(iii) a statement that, if the consumer notifies the debt collector in writing within the thirty-day period at the address designated by the debt collector in the notice, that the debt, or any portion thereof is disputed, the debt collector shall either:

(A) make appropriate corrections in the account and transmit to the consumer notification of such corrections and an explanation of any change and, if the consumer so requests, copies of documentary evidence of the consumer's indebtedness; or

(B) send a written explanation or clarification to the consumer, after having conducted an investigation, setting forth to the extent applicable the reason why the creditor believes the account of the consumer was correctly shown in the written notice required by 6 RCNY § 5-77(f)(1) and, upon the consumer's request, provide copies of documentary evidence of the consumer's indebtedness. In the case of a billing error where the consumer alleges that the creditor's billing statement reflects goods not delivered in accordance with the

agreement made at the time of the transaction, a creditor may not construe such amount to be correctly shown unless it determines that such goods were actually delivered, mailed, or otherwise sent to the consumer and provides the consumer with a statement of such determination.

(iv) if the debt collector is not the original creditor, a statement that, upon the consumer's written request within the thirty-day period, sent to the address designated by the debt collector in the notice, the debt collector will provide the consumer with the name and address of the original creditor;

(v) an address to which the consumer should send any writing which disputes the validity of the debt or any portion thereof or any writing requesting the name and address of the original creditor.

(2) Within five days after the initial communication with a consumer in connection with the collection of any debt, a debt collector who is not a creditor and not employed by a creditor shall, unless the following information is contained in an initial written communication, or the consumer has paid the debt, send the consumer a written notice containing:

(i) the amount of the debt;

(ii) the name of the creditor to whom the debt is owed;

(iii) a statement that unless the consumer, within thirty days after receipt of the notice, disputes the validity of the debt, or any portion thereof, the debt will be assumed to be valid by the debt collector;

(iv) a statement that if the consumer notifies the debt collector in writing within the thirty-day period at the address designated by the debt collector in the notice that the debt, or any portion thereof, is disputed, the debt collector will obtain verification of the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by the debt collector;

(v) a statement that, upon the consumer's written request within the thirty-day period sent to the address designated by the debt collector in the notice, the debt collector will provide the consumer with the name and address of the original creditor, if different from the current creditor; [and]

(vi) an address to which the consumer should send any writing which disputes the validity of the debt or any portion thereof or any writing requesting the name and address of the original creditor[.];

(vii) a statement informing the consumer of any language access services available, including whether the consumer may obtain from the debt collector a translation of any communication into a language other than English; and

(viii) a statement that a translation and description of commonly-used debt collection terms is available in multiple languages on the Department's website, www.nyc.gov/dca.

(3) If, pursuant to 6 RCNY §§ 5-77(f)(1) or 5-77(f)(2) of this Regulation the consumer notifies the debt collector in writing within the thirty-day period that the debt, or any portion thereof, is disputed, or that the consumer requests the name and address of the original creditor, the debt collector shall not attempt to collect the amount in dispute until the debt collector obtains and mails to the consumer verification of the debt or a copy of the judgment or the name and address of the original creditor. The debt collector shall maintain for one year from the date the notice was mailed, records containing documentation of the date such notice was mailed, the date the response, if any, was received and any action taken following such response.

(4) The failure of a consumer to dispute the validity of a debt under 6 RCNY § 5-77(f) shall not be construed by any court as an admission of liability by the consumer.

(h) Public Websites. Any debt collector that maintains a website accessible to the public must clearly and conspicuously disclose on such website:

(1) a statement informing the consumer of any language access services available, including whether the consumer may obtain from the debt collector a translation of any communication into a language other than English; and

(2) a statement that a translation and description of commonly-used debt collection terms is available in multiple languages on the Department's website, www.nyc.gov/dca.

§ 3. Section 6-62 of subchapter B of chapter 6 of title 6 of the Rules of the City of New York is amended to read as follows:

All citations are to Title 20 of the Administrative Code of the City of New York or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

Unless otherwise specified by law, a second or third or subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

In certain cases, the Department may ask for license suspension or revocation, as permitted by statute. If a respondent is found in violation of multiple provisions that require a suspension period, the suspension periods shall run concurrently.

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-490	Acting as a debt collection agency without a DCA license	\$750, plus \$100 per day & \$100 per instance of contact	\$1,000, plus \$100 per day, & \$100 per instance of contact	\$900, plus \$100 per day, & \$100 per instance of contact	\$1,000, plus \$100 per day, & \$100 per instance of contact	\$1,000, plus \$100 per day, & \$100 per instance of contact	\$1,000, plus \$100 per day, & \$100 per instance of contact
Admin Code § 20-493.1(a)(i)	Failure to provide a call back number answered by a natural person	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
Admin Code § 20-493.1(a)(ii)	Failure to provide the name of the debt collection agency	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
Admin Code § 20-493.1(a)(iii)	Failure to provide the originating creditor of the debt	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
Admin Code § 20-493.1(a)(iv)	Failure to provide the name of the person to call back	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
Admin Code § 20-493.1(a)(v)	Failure to provide the amount of the debt at the time of communication	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
Admin Code § 20-493.1(b)	Failure to provide written confirmation to the consumer within 5 business days of any debt payment schedule or settlement agreement	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000

Admin Code § 20-493.2(a)	Attempting to collect or contact a consumer about a debt after failing to provide adequate verification of the debt upon request	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
Admin Code § 20-493.2(b)	Contacting a consumer about a debt for which the statute of limitations has expired without first providing required notice	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-190	Failure to provide specified written documentation verifying the debt	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-191	Failure to provide specified statute of limitations disclosure regarding the debt	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-192	Failure to provide specified written confirmation of the debt payment schedule or settlement agreement	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 2-193	Failure to comply with debt collection agency record-maintenance requirements	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-194	Failure to comply with call-back number requirements	\$750	\$1,000	\$900	\$1,000	\$1,000	\$1,000
6 RCNY § 5-77(a)	Failure to comply with requirements pertaining to acquisition of location information	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-77(b)	Failure to comply with requirements pertaining to communicating in connection with the collection of a debt	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-77(c)	Engaging in harassment or abuse in connection with the collection of a debt	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-77(d)	Making a false, deceptive, or misleading representation in connection with the collection of a debt	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-77(e)	Using an unfair or unconscionable means to collect or attempt to collect a debt	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-77(f)	Failure to comply with the validation procedures for debt collectors who are creditors or who are employed by creditors	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-77(h)	<u>Failure to comply with requirements for public websites</u>	<u>\$260</u>	<u>\$350</u>	<u>\$315</u>	<u>\$350</u>	<u>\$350</u>	<u>\$350</u>
6 RCNY § 5-78	Designing, compiling, or furnishing a form to create false consumer belief that a third party is participating in the collection of a debt	\$260	\$350	\$315	\$350	\$350	\$350

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Language Access Services for Debt Collection
REFERENCE NUMBER: 2020 RG 005
RULEMAKING AGENCY: Department of Consumer Affairs

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: February 27, 2020

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

**RULE TITLE: Language Access Services for Debt Collection
REFERENCE NUMBER: 2020 DCA 104
RULEMAKING AGENCY: Department of Consumer Affairs**

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) No cure period/mechanism is provided because the authorizing statute for the rule does not provide a cure period. However, respondents are afforded notice and an opportunity to be heard with respect to all notices of violation.

/s/ *Mandu Sen*
Mayor's Office of Operations

March 2, 2020
Date

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**Notice of Public Hearing and Opportunity to
Comment on Proposed Rules**

What are we proposing? The Department of Consumer Affairs ("DCA" or "Department") is proposing to amend the Department's consumer protection law penalty schedule to add entries for some violations currently missing from the penalty schedule, including for violations of section 5-38 of chapter 5 of title 6 of the Rules of the City of New York, which requires sellers to comply with certain requirements when selling goods declared to be temporarily in short supply. The Department is also proposing to add language to provide for maximum penalties of \$500 in the event of a knowing violation of the consumer protection law code and rules.

When and where is the hearing? DCA will hold a public hearing on the proposed rule via teleconference. The public hearing will take place at 10:30 AM on April 17, 2020. To participate in the public hearing via teleconference, please dial **712-770-4010**, and use the access code **789 503**.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to DCA through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to Rulecomments@dca.nyc.gov.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling (212) 436-0345. You can also sign up on the teleconference before the hearing begins at 10:30 AM on April 17, 2020. You can speak for up to three minutes.
 - **To speak or listen at the public hearing via teleconference, please dial 712-770-4010 (access code 789 503).** The hearing begins at 10:00 AM on March 25, 2020.

Is there a deadline to submit comments? Yes. You must submit any comments to the proposed rule on or before April 17, 2020.

What if I need assistance to participate in the hearing? You must tell DCA's External Affairs division if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (212) 436-0345. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by April 14, 2020.

This location has the following accessibility option(s) available: wheelchair accessible.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, all comments received by DCA on the proposed rule will be

made available to the public online at <http://www1.nyc.gov/site/dca/about/public-hearings-comments.page>.

What authorizes DCA to make this rule? Sections 1043 and 2203(f) of the New York City Charter and sections 20-104(e) and 20-702 of the New York City Administrative Code authorize the Department of Consumer Affairs to make this proposed rule. This proposed rule was not included in the Department of Consumer Affairs' regulatory agenda for this Fiscal Year because it was not contemplated when the Department published the agenda.

Where can I find DCA's rules? The Department's rules are in Title 6 of the Rules of the City of New York.

What laws govern the rulemaking process? DCA must meet the requirements of Section 1043 of the New York City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the New York City Charter.

Pursuant to section 1043(d)(4)(ii) of the New York City Charter, this proposed rule is exempt from review and certification under Charter section 1043(d).

Statement of Basis and Purpose of Proposed Rule

The Department of Consumer Affairs ("DCA" or "Department") is proposing to amend the Department's consumer protection law penalty schedule to add an entry for violations of section 5-38 of chapter 5 of title 6 of the Rules of the City of New York, which requires sellers to comply with certain requirements when selling goods declared to be temporarily in short supply. The Department is also proposing to add entries for:

- Violations of section 5-09, which imposes limitations on offers made by sellers;
- Violations of section 5-33, which creates requirements for transactions negotiated in Spanish; and
- Violations of section 5-50, which creates requirements for the delivery of furniture and major appliances.

The penalty for each of these added entries is found in section 20-703 of the New York City Administrative Code.

The Department is also proposing to add language to the penalty schedule to incorporate a maximum penalty of \$500 for knowing violations of the consumer protection law code and rules, which is provided for by section 20-703 of the New York City Administrative Code.

Sections 1043 and 2203(f) of the New York City Charter and sections 20-104(e) and 20-702 of the New York City Administrative Code authorize the Department of Consumer Affairs to make this proposed rule.

Pursuant to section 1043(d)(4)(ii) of the New York City Charter, this proposed rule is exempt from review and certification under Charter section 1043(d).

New material is underlined.

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

Proposed Rule Amendments

Section 1. Section 6-47 of subchapter B of chapter 6 of title 6 of the Rules of the City of New York is amended to read as follows:

§ 6-47 Consumer Protection Law Penalty Schedule.

All citations are to Title 20 of the Administrative Code of the City of New York or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

For the fine amounts marked by a single asterisk, if the respondent timely submits the appropriate proof of having cured a first-time violation, the respondent will not be subject to a civil penalty pursuant to Local Law 153 of 2013.

Pursuant to Section 20-703(b) of the Administrative Code of the City of New York, the knowing violation of any provision of subchapter 1 of chapter 5 of title 20 of the Administrative Code of the City of New York or of any rule promulgated thereunder is subject to a maximum penalty of \$500.

Unless otherwise specified by law, a second or third or subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

<u>Citation</u>	<u>Violation Description</u>	<u>First Violation</u>	<u>First Default</u>	<u>Second Violation</u>	<u>Second Default</u>	<u>Third and Subsequent Violation</u>	<u>Third and Subsequent Default</u>
Admin Code § 20-700	Engaged in an unlawful deceptive or unconscionable trade practice	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-09	<u>Failure to comply with the requirements for limitations on offers</u>	<u>\$260</u>	<u>\$350</u>	<u>\$315</u>	<u>\$350</u>	<u>\$350</u>	<u>\$350</u>
6 RCNY § 5-23	Failure to meet the requirement(s) for layaway plans	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-24	Failure to meet requirement(s) for credit card limitations	\$260*	\$350*	\$315	\$350	\$350	\$350
6 RCNY § 5-32	Failure to meet the requirement(s) for documentation of transactions	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-33	<u>Failure to comply with the requirements for transactions negotiated in Spanish</u>	<u>\$260</u>	<u>\$350</u>	<u>\$315</u>	<u>\$350</u>	<u>\$350</u>	<u>\$350</u>
6 RCNY § 5-36	Failure to meet the requirement(s) for sale of used items	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-37	Failure to comply with disclosure of refund policy requirements	\$260*	\$350*	\$315	\$350	\$350	\$350
6 RCNY § 5-38	<u>Failure to comply with requirements for selling goods temporarily in short supply</u>	<u>\$350</u>	<u>\$350</u>	<u>\$350</u>	<u>\$350</u>	<u>\$350</u>	<u>\$350</u>
6 RCNY § 5-39	Failure to meet the requirements for cancellation of home appointment	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-40	Improper limit or disclaimer of liability for negligence	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-40(e)	Improper posting of sign that business is not liable for negligence	\$260*	\$350*	\$315	\$350	\$350	\$350
6 RCNY § 5-41	Collected sales tax on sale of good or service not subject to such tax under Article 28 of the NYS Tax Law or rule and regulations promulgated thereunder	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-46	Failure to meet the requirement(s) for a car rental business	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-46(d)	Failure to post notice of consumer protection law	\$260*	\$350*	\$315	\$350	\$350	\$350
6 RCNY § 5-47	Failure to meet the requirement(s) for jewelry sellers and appraisers	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-50	<u>Failure to comply with the requirements for delivery of furniture and major appliances</u>	<u>\$260</u>	<u>\$350</u>	<u>\$315</u>	<u>\$350</u>	<u>\$350</u>	<u>\$350</u>
6 RCNY § 5-51	Failure to meet the requirement(s) for retail sale of gasoline	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-54	Failure to meet the requirement(s) for repairs of consumer goods	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-55	Failure to meet the requirement(s) for meat and poultry advertising	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-56	Failure to meet the requirement(s) for window gates	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-57	Failure to meet the requirement(s) for utility bill payments	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-58	Improper offer of sale of food in damaged containers	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-59	Improper imposition of restaurant surcharges	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-60	Failure to meet the requirement(s) for franchises	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-61	Failure to meet the requirement(s) for public performance seats	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-63	Failure to meet the requirement(s) for catering contracts	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-68	Failure to meet the requirements for dealers at flea markets	\$260	\$350	\$315	\$350	\$350	\$350

6 RCNY § 5-69	Failure to meet the requirements of blood pressure reading services	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-70	Failure to meet the requirements for retail service establishments	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-73	Failure to meet the requirement(s) for the sale of box cutters	\$350	\$350	\$350	\$350	\$350	\$350
6 RCNY § 5-75	Failure to post the Buyer's Guide when selling or offering to sell any used automobile	\$260	\$350	\$315	\$350	\$350	\$350
6 RCNY § 5-87 through 6 RCNY § 5-103	Prohibited conduct in offering sales or discounts and related recordkeeping requirements	\$260	\$350	\$315	\$350	\$350	\$350



SPECIAL MATERIALS

MAYOR'S OFFICE OF CONTRACT SERVICES

■ NOTICE

Notice of Intent to Issue New Solicitations Not Included in FY 2020 Annual Contracting Plan and Schedule

NOTICE IS HEREBY GIVEN that the Mayor will be issuing the following solicitations not included in the FY 2020 Annual Contracting Plan and Schedule that is published, pursuant to New York City Charter § 312(a):

Agency: Department of Design and Construction
Description of services sought: Design Services Distribution and Trunk Water Main Replacement in Rockaway Boulevard between So. Conduit Avenue and Porter Road

Start date of the proposed contract: 6/1/2020

End date of the proposed contract: 6/30/2025

Method of solicitation the agency intends to utilize: RFP

Personnel in substantially similar titles within agency: Administrative Architect, Administrative Architect NM, Administrative Construction Project Manager, Administrative Construction Project Manager NM, Administrative City Planner, Administrative Engineer, Administrative Engineer NM, Administrative Landmarks Preservationist, Administrative Landscape Architect, Administrative Landscape Architect NM, Administrative Project Manager, Administrative Project Manager NM, Architect, Assistant Architect, Assistant Civil Engineer, Assistant Electrical Engineer, Assistant Environmental Engineer, Assistant Landscape Architect, Assistant Mechanical Engineer, Associate Project Manager, Associate Urban Designer, Civil Engineer, Civil Engineer Intern, City Planner, Electrical Engineer, Highways and Sewers Inspector, Landscape Architect, Mechanical Engineer, Mechanical Engineering Intern, Project Manager, Project Manager Intern

Headcount of personnel in substantially similar titles within agency: 697

Agency: Department of Design and Construction
Description of services sought: Construction Management Distribution and Trunk Water Main Replacement in Rockaway Boulevard between So. Conduit Avenue and Porter Road

Start date of the proposed contract: 6/1/2020

End date of the proposed contract: 6/30/2025

Method of solicitation the agency intends to utilize: RFP

Personnel in substantially similar titles within agency: Administrative Architect, Administrative Architect NM, Administrative Construction Project Manager, Administrative Construction Project Manager NM, Administrative Engineer, Administrative Engineer NM, Administrative Landmarks Preservationist, Administrative Landscape Architect, Administrative Landscape Architect NM, Administrative Project Manager, Administrative Project Manager NM, Architect, Assistant Architect, Assistant Electrical Engineer, Assistant Mechanical Engineer, Assistant Landscape Architect, Assistant Civil Engineer, Associate Project Manager, Civil Engineer, Construction Project Manager, Construction Project Manager Intern, Electrical Engineer, Highways and Sewers Inspector, Mechanical Engineer, Project

Manager, Project Manager Intern, Surveyor

Headcount of personnel in substantially similar titles within agency: 775

Agency: Department of Design and Construction
Description of services sought: Resident Engineering Inspection Services Distribution and Trunk Water Main Replacement in Rockaway Boulevard between So. Conduit Avenue and Porter Road

Start date of the proposed contract: 6/1/2020

End date of the proposed contract: 6/30/2025

Method of solicitation the agency intends to utilize: RFP

Personnel in substantially similar titles within agency: Administrative Architect, Administrative Architect NM, Administrative Construction Project Manager, Administrative Construction Project Manager NM, Administrative Engineer, Administrative Engineer NM, Administrative Landmarks Preservationist, Administrative Landscape Architect, Administrative Landscape Architect NM, Administrative Project Manager, Administrative Project Manager NM, Architect, Assistant Architect, Assistant Electrical Engineer, Assistant Mechanical Engineer, Assistant Landscape Architect, Assistant Civil Engineer, Associate Project Manager, Civil Engineer, Construction Project Manager, Construction Project Manager Intern, Electrical Engineer, Highways and Sewers Inspector, Mechanical Engineer, Project Manager, Project Manager Intern, Surveyor

Headcount of personnel in substantially similar titles within agency: 775

Agency: Department of Design and Construction

Description of services sought: Consultant Contract Administration:

research, training, data analysis, and expert testimony, including services related to damages for delay claims, Distribution and Trunk Water Main Replacement in Rockaway Boulevard between So. Conduit Avenue and Porter Road

Start date of the proposed contract: 6/1/2020

End date of the proposed contract: 6/30/2025

Method of solicitation the agency intends to utilize: RFP

Personnel in substantially similar titles within agency: Accountant, Administrative Accountant, Administrative Architect, Administrative Architect NM, Administrative Engineer, Administrative Engineer NM, Administrative Landscape Architect, Administrative Landscape Architect NM, Administrative Project Manager, Administrative Project Manager Intern, Architect, Assistant Architect, Assistant Landscape Architect, Assistant Civil Engineer, Assistant Electrical Engineer, Associate Investigator, Associate Project Manager, Civil Engineer, Civil Engineering Intern, Construction Project Manager, Construction Project Manager NM, Electrical Engineer, Estimator (Electrical), Estimator (General Construction), Estimator (Mechanical), Investigator, Landscape Architect, Management Auditor, Mechanical Engineer, Mechanical Engineering Intern, Project Manager, Project Manager Intern, Senior Estimating Mechanic, Senior Estimator-General Construction, Supervisor of Electrical Installations & Maintenance, Supervisor Mechanics & Maintenance

Headcount of personnel in substantially similar titles within agency: 832

Agency: Department of Design and Construction

Description of services sought: Construction Support Services: asbestos, boring, testing, monitoring, sampling, site safety, inspections and environmental, Distribution and Trunk Water Main Replacement in Rockaway Boulevard between So. Conduit Avenue and Porter Road

Start date of the proposed contract: 6/1/2020

End date of the proposed contract: 6/30/2025

Method of solicitation the agency intends to utilize: RFP

Personnel in substantially similar titles within agency: Asbestos Hazard Investigator, Assistant Environmental Engineer, Environmental Engineer, Industrial Hygienist, Safety Auditor, Safety Code Compliance Auditor, Safety Investigator

Headcount of personnel in substantially similar titles within agency: 10

Agency: Department of Design and Construction

Description of services sought: Contract Administration: fiscal audit, reconciliation of accounts, preparation of change orders, analyzing and

finalizing financial transactions and contract close out, Distribution and Trunk Water Main Replacement in Rockaway Boulevard between So. Conduit Avenue and Porter Road
 Start date of the proposed contract: 6/1/2020
 End date of the proposed contract: 6/30/2025
 Method of solicitation the agency intends to utilize: RFP
 Personnel in substantially similar titles within agency: Accountant, Administrative Accountant, Administrative Architect, Administrative Architect NM, Administrative Engineer, Administrative Engineer NM, Administrative Landscape Architect, Administrative Landscape Architect NM, Administrative Project Manager, Administrative Project Manager Intern, Architect, Assistant Architect, Assistant Landscape Architect, Assistant Civil Engineer, Assistant Electrical Engineer, Associate Investigator, Associate Project Manager, Civil Engineer, Civil Engineering Intern, Construction Project Manager, Construction Project Manager NM, Electrical Engineer, Estimator (Electrical), Estimator (General Construction), Estimator (Mechanical), Investigator, Landscape Architect, Management Auditor, Mechanical Engineer, Mechanical Engineer Intern, Project Manager, Project Manager Intern, Senior Estimating Mechanic, Senior Estimator-General Construction, Supervisor of Electrical Installations & Maintenance, Supervisor Mechanics & Maintenance
 Headcount of personnel in substantially similar titles within agency: 832

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Notice of Intent to Issue New Solicitation(s) Not Included in FY 2020 Annual Contracting Plan and Schedule

NOTICE IS HEREBY GIVEN that the Mayor will be issuing the following solicitation(s) not included in the FY 2020 Annual Contracting Plan and Schedule that is published, pursuant to New York City Charter § 312(a):

Agency: Department of Environmental Protection
 Description of services sought: Periodic Inspection and repair of gas piping systems at waste water facilities. Required Certified NYCDOB licensed plumber to perform inspection, repair as needed and certification of gas piping systems of buildings.
 Start date of the proposed contract: 6/1/2020
 End date of the proposed contract: 5/31/2023
 Method of solicitation the agency intends to utilize: MWBE NCSP
 Personnel in substantially similar titles within agency: None
 Headcount of personnel in substantially similar titles within agency: 0

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CHANGES IN PERSONNEL

COMMUNITY COLLEGE (QUEENSBORO) FOR PERIOD ENDING 02/21/20

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
PRISTUPA	VALERIE H	10102	\$15.0000	RESIGNED	YES	01/17/19	464
PRISTUPA	VALERIE H	10102	\$23.5700	RESIGNED	YES	10/06/18	464
RAKOS	ROBERT L	10102	\$16.1300	RESIGNED	YES	06/02/18	464
RAMIREZ	MARIELA	10102	\$15.3000	RESIGNED	YES	02/22/19	464
RAMUSEVIC	BUKURIJE	04802	\$35728.0000	RESIGNED	NO	08/24/18	464
RANDAZZO	GIOVANNA	10102	\$13.7700	RESIGNED	YES	12/21/18	464
REGO	ANN MARI	10102	\$17.5600	RESIGNED	YES	08/15/19	464
REHMAN	AMINA	10102	\$13.7700	RESIGNED	YES	04/21/18	464
RESTREPO PEREZ	LINA M	10102	\$13.7700	RESIGNED	YES	03/31/18	464
RESTREPO PEREZ	LINA M	10102	\$13.7700	RESIGNED	YES	03/31/18	464
REYES	JOSE M	10102	\$15.0000	RESIGNED	YES	01/01/18	464
RHEIN	JANET L	04804	\$55108.0000	RETIRED	NO	10/16/19	464
RHODES	BENJAMIN S	10102	\$15.3000	RESIGNED	YES	07/12/19	464
RICHARDSON	TRAVIS	04802	\$40758.0000	RESIGNED	NO	04/30/19	464
RIVERA	DAINA O	04802	\$36443.0000	RESIGNED	NO	08/25/18	464
ROCHFORD	REGINA	04685	\$58.2600	APPOINTED	YES	01/21/20	464
RODRIGUEZ	DANELLY	10102	\$15.3000	RESIGNED	YES	04/05/19	464
RODRIGUEZ	DANELLY	10102	\$24.0400	RESIGNED	YES	04/05/19	464
RODRIGUEZ	KRYSTAL	04017	\$44308.0000	RESIGNED	YES	02/15/20	464
RODRIGUEZ BARRI	ANGEL L	10102	\$13.7700	RESIGNED	YES	09/30/18	464
RODRIGUEZ BARRI	ANGEL L	10102	\$23.5700	RESIGNED	YES	09/30/18	464
ROTH	GABRIEL M	10102	\$12.1300	RESIGNED	YES	06/10/16	464

COMMUNITY COLLEGE (QUEENSBORO) FOR PERIOD ENDING 02/21/20

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
SAHNEY	KERMIT S	10102	\$13.7700	RESIGNED	YES	05/05/18	464
SALEH	NOURHAN M	10102	\$12.1300	RESIGNED	YES	11/01/16	464
SALEH	YOUSIF W	10102	\$15.0000	RESIGNED	YES	01/17/19	464
SANTOS	CARMEN	10102	\$13.7700	RESIGNED	YES	08/31/18	464
SARABDIAL	NIRMALA	10102	\$15.0000	RESIGNED	YES	01/26/19	464
SARKISIAN	ARTUR L	10102	\$17.0000	APPOINTED	YES	02/03/20	464
SCHEDLBAUER	JESSICA L	10102	\$15.3000	RESIGNED	YES	09/05/19	464
SCHMIDT	ROBERT M	10102	\$15.1000	RESIGNED	YES	01/15/19	464
SCHMIDT	ROBERT M	10102	\$23.5700	RESIGNED	YES	01/15/19	464
SEMANATE	CARMITA J	04804	\$51549.0000	RESIGNED	YES	08/21/18	464
SEWNAIRINE	ASHMINI	10102	\$13.7700	RESIGNED	YES	06/29/18	464
SHAMIM	SUMAIRA	10102	\$13.7700	RESIGNED	YES	08/21/18	464
SHEY	SARAH J	10102	\$21.7700	RESIGNED	YES	05/03/18	464
SHIVCHARAN	ARIANA F	10102	\$15.6100	RESIGNED	YES	02/01/20	464

SIDELL	RONNIE	10102	\$13.7700	RESIGNED	YES	10/18/18	464
SINGH	DOONAUT	04844	\$44967.0000	RESIGNED	NO	08/09/18	464
SINGH	KAMALJIT	10102	\$15.3000	RESIGNED	YES	09/03/19	464
SINGH	MICHELLE H	10102	\$15.3000	RESIGNED	YES	07/01/19	464
SINGH	SHANE B	10102	\$15.6100	APPOINTED	YES	02/03/20	464
SMITH	SHANTA D	10102	\$21.0500	RESIGNED	YES	05/04/19	464
SOLIZ	GENESIS L	10102	\$15.3000	RESIGNED	YES	05/04/19	464
SORIANO	BERN	10102	\$15.0000	RESIGNED	YES	12/31/18	464
SPENCE	ANDRE A	04844	\$33825.0000	INCREASE	YES	11/15/19	464
SPEZIO	STEFAN W	04689	\$42.9500	APPOINTED	YES	01/27/20	464
STEPHEN	MOSES	10102	\$13.7700	RESIGNED	YES	08/14/18	464
STEPIEN	JUSTYNA	10102	\$15.0000	RESIGNED	YES	12/31/18	464
STUART	TANISHA	10102	\$13.7700	RESIGNED	YES	04/07/18	464
SUNMER	RAWLRIC A	10102	\$15.3000	RESIGNED	YES	01/08/20	464
SUN	JIAXIN	10102	\$15.3000	RESIGNED	YES	11/03/19	464
SYED	HABIBA	04625	\$36.6400	APPOINTED	YES	02/03/20	464
TAN	YINGXIAN	10102	\$15.3000	RESIGNED	YES	09/03/19	464
THAKUR	DIVYA	10102	\$15.3000	RESIGNED	YES	07/06/19	464
TUCCI	STACI	10102	\$14.7700	RESIGNED	YES	10/11/18	464
VELASQUEZ	HEAVEN L	10102	\$15.6100	APPOINTED	YES	02/03/20	464
VICARI	MARIA C	10102	\$13.7700	RESIGNED	YES	04/11/18	464
VICARI	SALVATOR F	10102	\$13.7700	RESIGNED	YES	04/28/18	464
VILIER	SARA E	10102	\$15.0000	RESIGNED	YES	01/19/19	464
WANG	ADAM Y	10102	\$15.0000	RESIGNED	YES	12/31/18	464
WANG	WANLING	10102	\$13.7700	RESIGNED	YES	05/02/18	464
WANG	YIMING	10102	\$15.0000	RESIGNED	YES	12/31/18	464
WANG	ZHENYI	10102	\$15.0000	RESIGNED	YES	12/31/18	464
YABLONSKY	LAURA L	10102	\$17.6600	RESIGNED	YES	11/24/18	464
YE WANG	RUI R	10102	\$13.7000	RESIGNED	YES	01/10/18	464
YE WANG	RUI R	10102	\$19.3900	RESIGNED	YES	01/10/18	464
YI	ISAAC	10102	\$13.7700	RESIGNED	YES	11/22/18	464
YIN	HONGBO	10102	\$15.6100	RESIGNED	YES	02/01/20	464
YU	YUNKE	10102	\$15.3000	RESIGNED	YES	09/03/19	464
ZAMAN	AYUB M	10102	\$15.3000	RESIGNED	YES	06/29/19	464
ZENG	XIAOGUAN	10102	\$15.3000	RESIGNED	YES	08/23/19	464
ZHANG	ZEREN	10102	\$15.0000	RESIGNED	YES	01/24/19	464
ZHENG	LISA X	10102	\$15.3000	RESIGNED	YES	08/31/19	464

COMMUNITY COLLEGE (QUEENSBORO) FOR PERIOD ENDING 02/21/20

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ZHUANG	MEIHUI	10102	\$15.3000	RESIGNED	YES	05/09/19	464

COMMUNITY COLLEGE (KINGSBORO) FOR PERIOD ENDING 02/21/20

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ABUSAFE	MINA	04099	\$61593.0000	APPOINTED	YES	02/03/20	465
ADRY	YAAKOV C	10102	\$15.3000	RESIGNED	YES	10/12/19	465
AFIF	TONY H	04294	\$48.3540	APPOINTED	YES	02/02/20	465
ALI	BILAL	10102	\$15.3000	RESIGNED	YES	03/24/19	465
ALI	KALSOOM	10102	\$13.5000	RESIGNED	YES	01/01/18	465
ALICEA JR	GILBERTO	10102	\$15.3000	RESIGNED	YES	09/22/19	465
AMAROSA	LOUISE	04800	\$45406.0000	RETIRED	NO	03/20/19	465
ANJUM	NOREEN	10102	\$15.3000	RESIGNED	YES	11/03/19	465

LATE NOTICE

FIRE DEPARTMENT

FISCAL-CONTRACT DEVELOPMENT

■ INTENT TO AWARD

Services (other than human services)

HOSTED PREDICTIVE DIALER SYSTEM - Sole Source - Available only from a single source - PIN# 057210000002 - Due 4-1-20 at 4:00 P.M.

The Fire Department intends to enter into sole source negotiations with Vanguard Direct Inc., to provide hosting, training, maintenance and technical support services for ARCS® a predictive dialer system, to improve outreach for potential candidates for the Fire Department. Any firm that believes that it can provide these services is invited to do so in writing. Written requests shall be sent to Contracts@fdny.nyc.gov, Attention: Cecily Halliburton, telephone: (718) 999-2845.

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.

Fire Department, Cecily Halliburton (718) 999-2845;
 Fax: (718) 999-0177; Email: hallibc@fdny.nyc.gov

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READER'S GUIDE

The City Record (CR) is published each business day. The Procurement section of the City Record is comprised of notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Notice of solicitations and other notices for most procurement methods valued at or above \$100,000 for goods, services, and construction must be published once in the City Record, among other requirements. Other procurement methods authorized by law, such as sole source procurements, require notice in the City Record for five consecutive editions. Unless otherwise specified, the agencies and offices listed are open for business Monday through Friday from 9:00 A.M. to 5:00 P.M., except on 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 Comptroller's Office at www.comptroller.nyc.gov, and click on Prevailing Wage Schedules to view rates.

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 \$17 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. Registration for these lists is free of charge. To register for these lists, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application, which can be found online at www.nyc.gov/sellnyc. To request a paper copy of the application, or if you are uncertain whether you have already submitted an application, call the Vendor Enrollment Center 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 at 110 William Street, New York, NY 10038. Sessions are convened on the second Tuesday of each month from 10:00 A.M. to 12:00 P.M. For more information, and to register, call (212) 618-8845 or visit www.nyc.gov/html/sbs/nycbiz and click on Summary of Services, followed by Selling to Government.

PRE-QUALIFIED LISTS

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstances. When an agency decides 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 lists 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 an Agency 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 3-10 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists. For information regarding specific pre-qualified lists, please visit www.nyc.gov/sellnyc.

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, and the Housing Authority. Suppliers interested in applying for inclusion on bidders lists for Non-Mayoral entities should contact these

entities directly at the addresses given in the Vendor Information Manual.

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 9:30 A.M. to 5:00 P.M., except on legal holidays. For more information, contact the Mayor's Office of Contract Services at (212) 341-0933 or visit www.nyc.gov/mocs.

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 this program, contact the Department of Small Business Services at (212) 513-6311 or visit www.nyc.gov/sbs and click on M/WBE Certification and Access.

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 pays interest on all late invoices. 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's website at www.nyc.gov/sellnyc

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:

ACCO	Agency Chief Contracting Officer
AMT	Amount of Contract
CSB	Competitive Sealed Bid including multi-step
CSP	Competitive Sealed Proposal including multi-step
CR	The City Record newspaper
DP	Demonstration Project
DUE	Bid/Proposal due date; bid opening date
EM	Emergency Procurement
FCRC	Franchise and Concession Review Committee
IFB	Invitation to Bid
IG	Intergovernmental Purchasing
LBE	Locally Based Business Enterprise
M/WBE	Minority/Women's Business Enterprise
NA	Negotiated Acquisition
OLB	Award to Other Than Lowest Responsive Bidder/Proposer
PIN	Procurement Identification Number
PPB	Procurement Policy Board
PQL	Pre-qualified Vendors List
RFEI	Request for Expressions of Interest
RFI	Request for Information
RFP	Request for Proposals
RFQ	Request for Qualifications
SS	Sole Source Procurement
ST/FED	Subject to State and/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:
CSP	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	CSB or CSP from Pre-qualified Vendor List/ Advance qualification screening needed
CP/PQ/4	Demonstration Project
DP	Sole Source Procurement/only one source
SS	Procurement from a Required Source/ST/FED
RS	Negotiated Acquisition
NA	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; CSP not advantageous
WA	Solicitation Based on Waiver/Summary of Circumstances (Client Services/CSB or CSP 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 A.M.	Bid submission due 4-21-03 by 11:00 A.M.; bid opening date/time is the same.
Use the following address unless otherwise specified or submit bid/proposal documents; etc.	Paragraph at the end of Agency Division listing providing Agency
◀	Indicates New Ad
m27-30	Date that notice appears in The City Record