

The RFP document is also available on the official HHC web site located at nyc.gov/hhc under the link "Contracting Opportunities."

All firms must submit the following completed forms: Doing Business Data Form, Supply and Service Employment Report, Vendex Form, Affirmation, Certification regarding Business Dealings with Northern Ireland and Substitute Form W-9 along with their proposals. These forms are also available at <http://www.nyc.gov/html/hhc/html/contracting/standard-forms.shtml>.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Health and Hospitals Corporation, 346 Broadway, 11th Floor, Room 1115, New York, NY 10013.
Dona Green (212) 788-3600, Victor.Kim@nychhc.org; Dona.Green@nychhc.org

j18

HEALTH AND MENTAL HYGIENE

INTENT TO AWARD

Human/Client Service

HOUSING OPPORTUNITY FOR PEOPLE WITH AIDS – Negotiated Acquisition – PIN# 11AE019201R0X00 – DUE 06-23-10 AT 4:00 P.M. – The NYC DOHMH intends to enter in a Negotiated Acquisition Extension with Federation Employment and Guidance Services, Inc. (FEGS) to continue providing Housing Opportunities for People With AIDS. FEGS will continue rendering the same service provided in the current contract ending on 6/30/10. The term of this contract will be from 7/1/10 to 6/30/11. Any vendor that believes it can also provide these services for such procurement in the future is invited to indicate an expression of intent by letter.

This procurement was selected by means of a Negotiated Acquisition Extension, pursuant to Section 3-04(b)(2)(iii) of the Procurement Policy Board Rules.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Health and Mental Hygiene, 40 Worth Street, A-1, 1502, New York, 10013. John Rojas (212) 788-3692;
jrojas@health.nyc.gov

j16-22

HOUSING OPPORTUNITY FOR PEOPLE WITH AIDS – Negotiated Acquisition – PIN# 11AE019301R0X00 – DUE 06-23-10 AT 4:00 P.M. – The NYC DOHMH intends to enter in a Negotiated Acquisition Extension with the Institute For Community Living, Inc (ICL) to continue providing Housing Opportunities for People With AIDS. ICL will continue rendering the same service provided in the current contract ending on 6/30/10. The term of this contract will be from 7/1/10 to 6/30/11. Any vendor that believes it can also provide these services for such procurement in the future is invited to indicate an expression of intent by letter.

This procurement was selected by means of a Negotiated Acquisition Extension, pursuant to Section 3-04(b)(2)(iii) of the Procurement Policy Board Rules.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Health and Mental Hygiene, 40 Worth Street, A-1, 1502, New York, 10013. John Rojas (212) 788-3692;
jrojas@health.nyc.gov

j16-22

AGENCY CHIEF CONTRACTING OFFICER

AWARDS

Human/Client Service

INFANT MORTALITY REDUCTION INITIATIVE – BP/City Council Discretionary – PIN# 10FN057201R0X00 – AMT: \$251,450.00 – TO: The Bronx Health Link, 851 Grand Concourse, Suite 914, Bronx, NY 10451.

j18

INTENT TO AWARD

Human/Client Service

CLINICAL INFORMATION DATA SYSTEM – Sole Source - Available only from a single source – PIN# 11FN024101R0X00 – DUE 07-06-10 AT 4:00 P.M. The Department of Health and Mental Hygiene (DOHMH) intends to enter into a sole source negotiation with Nurse-Family Partnership to provide technical assistance to each agency participating in the Nurse-Family Partnership Program, a program to improve the lives of low income, first time mothers and their children. Specially-trained nurses make regular visits to new mothers during their first pregnancies and the first two years of their children's lives to help them to have healthier pregnancies, be better parents, and have emotionally and physically healthier children. The Nurse-Family Partnership will enter into an implementation agreement with each participating NYC agency designated by DOHMH and approved by NFP to assist them with: clinical information system set-up; program development; ongoing support; home visit guidelines, and use of the clinical information data system. The term of this contract would be from July 1, 2010 - June 30, 2013, and the maximum contract amount would be \$254,933. Any vendor that believes it can also provide these services is invited to indicate an expression of interest by letter which must be received no later than July 6, 2010 by 4:00 P.M. (PIN #11FN024101R0X00).

Expressions of interest should be sent to: DOHMH, Office of the Chief Agency Contracting Office, 93 Worth Street, Room 812, New York, NY 10013. Attn: Joyce Scott (212) 219-5878, jscott1@health.nyc.gov.

j17-23

HOMELESS SERVICES

OFFICE OF CONTRACTS AND PROCUREMENT

SOLICITATIONS

Human/Client Service

CORRECTION: TRANSITIONAL RESIDENCES FOR HOMELESS/ DROP-IN CENTERS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-27-11 AT 10:00 A.M. CORRECTION: The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Homeless Services, 33 Beaver Street, 13th Floor, New York, NY 10004. Marta Zmoira (212) 361-0888, mzmoira@dhs.nyc.gov

j6-20

HOUSING AUTHORITY

SOLICITATIONS

Goods & Services

GSD_REMOVAL AND INSTALLATION OF VINYL COMPOSITION FLOOR TILE – Competitive Sealed Bids – DUE 07-13-10 –
PIN# 26961 - at St. Marys and Moore Due at 10:35 A.M.
PIN# 26962 - at Riis I and II Due at 10:00 A.M.
PIN# 26963 - at Brownsville Houses Due at 10:05 A.M.
PIN# 26964 - at Highbridge Houses Due at 10:25 A.M.
PIN# 26965 - at Kings Towers Due at 10:40 A.M.
PIN# 26966 - at Berry Houses Due at 10:30 A.M.
PIN# 26967 - at St. Nick Houses Due at 11:55 A.M.
PIN# 26968 - at Woodside Houses Due at 11:20 A.M.
PIN# 26544 - at Rangel Houses Due at 11:00 A.M.
PIN# 26956 - at Manhattanville Houses Due at 10:55 A.M.
PIN# 26957 - at Astoria Houses Due at 10:45 A.M.
PIN# 26958 - At Red Hook East Due at 11:45 A.M.
PIN# 26959 - at Queensbridge North and South Due at 11:50 A.M.
PIN# 26605 - at Adams Houses Due at 10:15 A.M.
PIN# 26969 - at Langston Hughes Houses Due at 11:25 A.M.
PIN# 26970 - at Haber Houses Due at 10:10 A.M.
PIN# 26971 - at Manhattan South Due at 11:10 A.M.
PIN# 26972 - at Brooklyn East Due at 11:05 A.M.
PIN# 26973 - at Gun Hill Houses Due at 10:50 A.M.
PIN# 26974 - at Howard Houses Due at 11:30 A.M.
PIN# 26975 - at South Beach Houses Due at 11:35 A.M.
PIN# 26976 - at Manhattan North Due at 11:15 A.M.
PIN# 26977 - at Jackson Houses Due at 10:20 A.M.
PIN# 26978 - at West Brighton I and II Due at 11:40 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.
Housing Authority, 90 Church Street, 12th Floor, New York, NY 10007. Wanda Mealing (212) 306-6619.

j18

PURCHASING DIVISION

SOLICITATIONS

Goods

SCO-PUMP STEEL, F/MULTI PAC AND ARROW COMPACTORS – Competitive Sealed Bids – SCO# 26955 RJ – DUE 07-01-10 AT 10:45 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.
Housing Authority, 23-02 49th Avenue, 5th Floor, Long Island City, NY 11101. Renato Jedreicich (718) 707-5431.

j18

SCO-FURNISHING PLANTRONICS HEADSETS – Competitive Sealed Bids – SCO# 26950 AS – DUE 07-14-10 AT 10:40 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.
Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101. Bid documents available via internet ONLY:
http://www.nyc.gov/html/nychal/html/business/goods_materials.shtml
Atul Shah (718) 707-5450.

j18

Goods & Services

REFUSE CHUTE HOPPER DOORS AND PARTS – Competitive Sealed Bids – RFQ# 26915 WL – DUE 07-07-10 AT 10:30 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.
Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101. Bid documents available via internet ONLY:
http://www.nyc.gov/html/nychal/html/business/goods_materials.shtml
Wayne Lindenberg (718) 707-5464.

j18

JUVENILE JUSTICE

SOLICITATIONS

Human/Client Service

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

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

jy1-d16

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

SOLICITATIONS

Services (Other Than Human Services)

IT CONSULTING SERVICES IN CONNECTION WITH THE SCA'S WORKDAY HUMAN CAPITAL MANAGEMENT SYSTEM – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 10-00060R-1 – DUE 06-29-10 AT 2:00 P.M. – Please see attachment in City Record On-Line for additional details.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue 1st Floor, Long Island City, NY 11101.
Seema Menon (718) 472-8284, fax: (718) 752-8284, smenon@nycsca.org

j15-21

AGENCY RULES

PARKS AND RECREATION

NOTICE

Notice of Adoption

Revision of Parks Department Rules

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the Department of Parks & Recreation ("Parks") by section 533(a) (9) of the New York City Charter, and in accordance with the requirement of section 1043 of the New York City Charter, that Parks hereby revises §§1-02 and 1-05(b) of Title 56 of the Official Compilation of Rules of the City of New York.

Written comments regarding the rules were received in accordance with notice published in the City Record and a public hearing was held on April 23, 2010 at the Chelsea Recreation Center, 430 West 25th Street, New York, NY 10010. Written comments and a transcript of the oral testimony from the hearing are available for public inspection between the hours of 9:00 A.M. and 5:00 P.M. at The Arsenal, Room 313, 830 Fifth Avenue, New York, NY 10065.

These amendments were not included in the Parks regulatory agenda because the Department was not aware of the necessity for amendments at the time the regulatory agenda was prepared.

New material is indicated by underlining. Deletions are indicated by brackets.

Section 1. Section 1-02 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to add a new definition to read as follows:

Expressive Matter. "Expressive matter" means materials or objects with expressive content, such as newspapers, books, or writings, or visual art such as paintings, prints, photography, or sculpture.

§ 2. Section 1-05(b) of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:

§ 1-05

(b) Unlawful Vending.

(1) No person in or on any property under the jurisdiction of the Department [park, or street adjacent to or abutting a park (including all public sidewalks of such abutting streets)] shall sell, offer for sale, hire, lease or let anything whatsoever, or provide or offer to provide services or items in exchange for a donation (hereinafter "vend"), except under and within the terms of a permit, or except as otherwise provided by law. For the purposes of this entire section, persons who vend as defined herein may be referred to as "vendor" or "vendors."

(2) Persons may vend expressive matter, as defined in section 1-02 of this title, on property under jurisdiction of the Department without a permit, but must comply with all applicable provisions of these rules. However, in the specific locations enumerated in paragraph (3) expressive matter vendors may only vend expressive matter at the specifically designated spots identified by the Commissioner in the accompanying maps and as marked by a Department decal.

medallion, or other form of marking, on the specific location of the approved vending spot, unless they are only vending expressive matter without using a cart, display stand or other device and without occupying a specific location for longer than necessary to conduct a transaction and are otherwise in compliance with Department rules. These spots shall be allocated upon a first come, first serve basis except as otherwise provided by law and any expressive matter vendor may only vend expressive matter centered directly behind the Department decal, medallion, or other form of marking. Only one expressive matter vendor is authorized to vend directly behind the Department decal, medallion, or other form of marking as indicated by the Department decal, medallion, or other form of marking and if multiple expressive matter vendors attempt to vend expressive matter at any one Department decal, medallion, or other form of marking and if it cannot be otherwise determined which expressive matter vendor arrived first, then all such expressive matter vendors at such spot will be in violation of this section and may be directed to leave the area of that Department decal, medallion, or other form of marking immediately. Any such expressive matter vendor failing to leave the area of the Department decal, medallion, or other form of marking immediately upon direction as required under the preceding sentence will be in violation of these rules. Expressive matter vendors can only occupy the designated spots for the purpose of vending expressive matter and only during posted times, which will be consistent with the hours of operation for the park where such designated spots are located in or adjacent to. The designated spots may deviate from the restrictions enumerated in subsection 5(i), (iv), (v), or (vi), if such spots are determined to be appropriate by the Commissioner given the specific features of the park.

(3) Expressive matter vendors may not vend in the following general areas unless they vend at the specifically designated spots for such vending on the accompanying maps and in compliance with all other applicable Department rules:

- (i) Central Park at the following locations: (A) the perimeter of the park between East 85th Street and East 60th Street, including all sidewalks and plazas (B) the perimeter of the park between West 86th Street and West 60th Street, including all sidewalks and plazas (C) all of Central Park South, including all sidewalks and plazas (D) Wien Walk and Wallach Walk, (E) pedestrian pathways parallel to East Drive between Grand Army Plaza and the Center Drive, (F) Grand Army Plaza, (G) Pulitzer Plaza, and (H) Columbus Circle.
- (ii) Battery Park, including all perimeter sidewalks.
- (iii) Union Square Park, including all perimeter sidewalks.
- (iv) Elevated portions of High Line Park.

(4)(i) No vendor in or on any property under the jurisdiction of the Department shall allow any item or items used or offered in conjunction with vending to touch, lean against or be affixed permanently or temporarily to any street or park furniture installed on public property or any rock formation, tree, shrub or other planting.

(ii) No vendor shall block any person from using any street or park furniture installed on public property by way of the vending activity.

(iii) No vendor shall vend anything in such a manner that would damage or otherwise injure Department property, including, but not limited to lawns, plants, animals or buildings.

(iv) No vendor shall vend anything that is placed immediately on a sidewalk or park path, or on a blanket or board placed immediately upon such surface or on the top of a trash receptacle or cardboard box.

(v) No vendor shall vend anything over any ventilation grill, cellar door, manhole, transformer vault or subway access grating.

(vi) No vendor shall vend anything directly from any parked or double parked motor vehicle except for food vendors with appropriate Department and New York City Department of Health and Mental Hygiene permits.

(vii) No vendor shall vend anything in an unsuitable location because the location is a specialized area including, but not limited to, a zoo, swimming pool, playground, athletic field or court, or skating rink;

(5) No vendor shall vend anything whatsoever using a display stand that:

(i) provides less than a twelve (12) foot wide clear pedestrian path measured from the display on the sidewalk or park path to the opposite edge of the sidewalk or park path, except that when there is street or park furniture on the pedestrian path the measurement must be taken from the display to two feet from the street or park furniture in order to determine whether there is less than a twelve (12) foot wide clear pedestrian path;

(ii) is placed on any other part of a sidewalk under the Department's jurisdiction other than that which abuts the curb, unless otherwise authorized;

(iii) is within any bus stop, carriage horse stand, pedicab stand, or taxi stand, or is within ten (10) feet of any subway entrance or exit;

(iv) is within five (5) feet from any street or park furniture, public telephone, disabled access ramp, tree, or from individuals or entities authorized by permit or license by the Commissioner to operate at a specific location;

(v) is within ten (10) feet from any crosswalk on any path or on any sidewalk under the jurisdiction of the Department;

(vi) is placed within fifty (50) feet from any monument or other public art installation, including, but not limited to ornamental fountains;

(vii) occupies more than eight (8) linear feet of public space parallel to the curb or park path;

(viii) occupies more than three (3) linear feet in depth;

(ix) is more than five (5) feet high or less than twenty-four (24) inches above the sidewalk or park path where the display surface is parallel to the sidewalk or park path, and may not be less than twelve (12) inches above the sidewalk or park path where the display surface is vertical;

(x) where a rack or other display structure is placed on the top or above a table or other base, the size of the base is not less than the size of any rack or display structure placed thereon. Nothing shall be placed on the base so as to exceed the size limitations contained in this section;

(xi) uses any areas other than that area immediately beneath the surface of the display stand for the storage of items for sale, unless permitted by Department license or permit for the use of a fixed location to store items for sale; or

(xii) fails to use an opaque covering to shield any items stored beneath the surface of the display stand.

(6) For the purposes of this section a display stand shall mean a movable, portable or collapsible structure, framework, device, container or other contrivance used by a vendor in any property under the jurisdiction of the Department for the purpose of displaying, keeping or storing any goods, wares, merchandise, foodstuffs or expressive matter.

(7) For the purposes of this section, street or park furniture

shall mean any City-installed, maintained or approved structure, including but not limited to, benches, newspaper boxes, tree guards, fire hydrants, trash receptacles, telephone kiosks, newsstands, bus shelters, barricades, bollards, traffic signs, traffic lights, walls, water fountains, or fences located in any property under the jurisdiction of the Department.

(8) Where exigent circumstances exist and a Department employee or police officer gives notice to a vendor to move temporarily from any location such vendor shall not vend from such location. For the purposes of this section, exigent circumstances shall include, but not be limited to, unusually heavy pedestrian or vehicular traffic, the existence of any obstruction in the park, an accident, fire, or other emergency situation, a parade, special event, demonstration, construction project, maintenance operations, or other such event at or near such location, including periods of set up and take down for such exigent circumstances.

STATEMENT OF BASIS AND PURPOSE

These rules are promulgated pursuant to the authority of the Commissioner of the Department of Parks and Recreation (the "Commissioner") under sections 389, 533(a)(9) and 1043 of the New York City Charter. The Commissioner is authorized to establish and enforce rules for the use, governance and protection of public parks and of all property under the charge or control of the Department of Parks and Recreation.

The rules provide reasonable opportunities – by and through limited time, place, and manner restrictions – for expressive matter vendors to display and sell their wares on parkland. These rules respond to the need to provide greater clarity for vendors regarding where and how they can operate on parkland, and help ensure that City parks provide the public with enjoyable and accessible open space.

These rules address concerns raised by park visitors, vendors, and other members of the public, as well as Department staff, related to the proliferation, in certain parks, of expressive matter vendors and the impact they can have on parkland and other park visitors. In fact, in the absence of Department rules regarding expressive matter vendors, the number of these vendors combined for Battery Park, Central Park, and Union Square Park has almost tripled since 2001, when the Department ended its old lottery system for vendor permits in these parks pursuant to the New York City Administrative Code. This dramatic increase in the number of vendors changed conditions in certain parks and required the Department to develop regulations to balance use by expressive matter vendors and other park visitors, and address other concerns related to maintaining and operating open space under the jurisdiction of the Department.

Therefore, to accommodate the interests of a broad range of park visitors, including the interests of expressive matter vendors who wish to operate on parkland, the rules establish general park locations where vendors may operate and minimum requirements regarding vending activity, such as the set-up and size of display stands. These rules follow many of the provisions of the New York City Administrative Code that regulate vendors who operate on the City's streets, but have been adapted to address the nature of property under the Department's jurisdiction.

The rules also include additional regulations in and around the three parks most impacted by expressive matter vendors (certain designated areas of Central Park, Union Square Park and Battery Park), and the park most likely to also be significantly affected by expressive matter vendors due to its unique use and character (High Line Park). Specifically, the Department has identified locations within these areas where expressive matter vendors can operate, giving consideration to areas where such vendors have previously been operating. In these locations, the general rules concerning vending, established by this amendment, are not sufficient to properly regulate expressive matter vending so as to avoid such areas from being overwhelmed by vendors in a manner that significantly interferes with the experience and comfort of the public visiting the parkland in question, or, in some cases such general rules may unduly limit expressive matter vending in an area where it can be accommodated without interfering with other park uses. The Department has, therefore, established specific spots within these locations that demark the only spaces that expressive matter vendors can use. These spots are indicated on the maps accompanying these rules and will be further indicated by a Department decal, medallion, or other form of marking on the specific location of the approved vending spot. The Department contemplated, among other considerations, the following factors before determining these designated vending spots:

- 1) accommodation of park visitors, given the number of people who regularly use the park in and around the location;
- 2) competing uses by park visitors, including but not limited to active and passive recreation, performances, demonstrations, and the viewing of historical monuments and public art exhibits;
- 3) the presence of park elements, including but not limited to trees, tree pits, benches, or park entrances;
- 4) the presence of street furniture, including but not limited to bus stops, fire hydrants, crosswalks, or subway entrances;
- 5) the integrity of the overall design of the park, including but not limited to, the need to preserve particular landscapes or scenic views; and
- 6) the presence of any Department facilities or Department concessions near the location.

After publishing the proposed rules in the City Record, comments were received from the public. The Rules have been modified to reflect some of the recommendations received. Additional spaces for expressive matter vendors have been added in Central Park and Union Square Park and certain of the maps of authorized vending spots have been expanded to provide a clearer picture of where the expressive matter vendors can operate. Further clarifications have been made based on comments received to address concerns about how Parks will manage the first come first serve policy regarding designated vending spots. Technical changes have been made to the rules, including changes to conform the rules to parallel provisions in the Administrative Code regarding vending regulations and clarifying certain definitions. In addition, the rules have been modified to clarify that the designated vending spots can deviate from certain of the general provisions regarding vending based upon the specific features of the parks that contain the designated spots.

Below is a description of the parks that require additional vending regulations and the conditions that led to the Department's designation of specific vending spots therein.

Central Park

Central Park is one of the most visited parks in the City. In fact, more than twenty-five (25) million visitors enjoy Central Park each year, which makes congestion and pedestrian flow along the perimeter of the park a foremost concern. Indeed, congestion at the park is amplified in certain areas by, among other sources, the many streetscape and park features in and around the park, the presence of historical monuments and public art exhibits along the southern perimeter of the park, and the number of hotels and other attractions proximate to the park.

Streetscape features include subway entrances in the park near Grand Army Plaza at the southeast corner of the park and at Columbus Circle at the southwest corner of the park and at west 60th Street on the perimeter of the park. Also, horse carriages and pedicabs compete for customers all along Central Park South, from Grand Army Plaza to Columbus Circle.

Park features include the numerous benches along the park-side of the sidewalk, frequently interspersed with street trees, and additional street trees are also found along the curbside of the street. Other park features include the many monuments interspersed throughout the park. For example, at Columbus Circle there is a 100-foot column topped by a statue of Christopher Columbus, as well as a monument to the sailors lost in the explosion of the battleship "Maine." In addition, the plaza where the Avenue of the Americas meets Central Park South features three monumental sculptures of Simon Bolivar, Jose de San Martin and Jose Marti. At Grand Army Plaza, Fifth Avenue and Central Park South, there is a sculpture by Augustus Saint-Gaudens of Civil War General William Tecumseh Sherman, facing the Pulitzer Fountain. In addition, at Doris Freedman Plaza there are temporary displays of contemporary sculptures on a continuous basis. Furthermore, Wien and Wallach Walks and the pedestrian pathways parallel to the East Drive experience large crowds because of their proximity to the Central Park Zoo and Wollman Rink. Finally, Central Park West between 60th Street and 86th Street is congested around the entrances to the park, particularly at 72nd Street, because of the large number of visitors to Strawberry Fields.

Nearby City attractions serve as contributing factors to congestion at the park in certain areas. The many museums along Fifth Avenue, such as the Metropolitan Museum of Art, attract a number of visitors and cause crowded conditions in the area from East 85th Street to East 79th Street. Moreover, nearby hotels accommodate a large number of tourists who tend to make a point of visiting the park during their stay.

Given the above, and taking into consideration all relevant factors, the Department designated specific locations for expressive matter vendors located at the perimeter of the park along Fifth Avenue between East 85th Street and East 60th Street, all of Central Park South, Wien Walk and Wallach Walk, the pedestrian pathways parallel to the East Drive, Central Park West between 60th Street and 86th Street, Grand Army Plaza, Pulitzer Plaza, and Columbus Circle. In addition, based upon comments received from the public and additional review and inspection by Department staff, nineteen (19) additional spots for expressive matter vendors have been added, including spots around the perimeter of the Park, Columbus Circle, and by the Metropolitan Museum of Art. These additional spots can be established without otherwise interfering with the other park uses and park visitors at those locations. Further, a few vendor spots have been slightly moved from where they were initially proposed based upon further observations at the sites in question. For all other areas of the park, the general vending regulations that are set forth under the rules would apply.

Union Square Park

Union Square Park is a congested and heavily used park that is one of only three parks located within the Manhattan midtown business district. It is accessible by multiple subway lines, and located within a commercial and residential area that has become increasingly busy. Indeed, during the summer season, up to 200,000 people visit the park a day. Because Union Square Park is one of the City's most popular destinations, despite its relatively modest size, there are particular challenges that the Department faces when seeking to address undue congestion while, at the same time, ensuring that the park is open and accessible to a broad range of park visitors, including expressive matter vendors.

Streetscape features include three subway entrances located in the southeast, southwest, and northwest corners of the park, all of which serve one of the busiest subway stations in the City. In fact, the Union Square subway station, which is home to the L, N, Q, R, W, 4, 5 and 6 lines, is one of the busiest transportation hubs in the City, serving over 35 million passengers a year. Moreover, the park is flanked by busy traffic thoroughfares, including Broadway, Park Avenue South, and 14th Street.

Park features include the steps of the South Plaza, which were designed as a "Spanish Steps" to allow visitors to sit and congregate. This area has become a very popular gathering area for visitors to the Park and a space often used for special events and demonstrations. Park features also include two monuments in the southern section of the park, a large equestrian statue of George Washington, which faces the South Plaza, and a statue of Mohandas Gandhi is located at the southern end of the West Plaza. In addition, the traffic island southeast of the main body of the park is frequently programmed with temporary public art exhibits, which further attracts visitors to the South Plaza. The North Plaza, meanwhile, has currently just undergone renovations and is home to a popular Greenmarket that has operated four days a week since 1979. The North Plaza is also heavily used for recreation and other activities, including large-scale special events, when the Greenmarket is not in operation.

Given the unique conditions at the park and taking into consideration all relevant factors the Department designated spots for expressive matter vendors on the west side of the park, from 14th Street to 15th Street, and on the east side of the park, from 14th Street to 15th Street. In addition, based upon comments received from the public and review and inspection by Department staff, forty (40) additional spots for expressive matter vendors have been added, which will be available on Sunday, Tuesdays, and Thursday (days when the Greenmarket is not operating) and one initially proposed vendor spot has been moved slightly based upon further observations of the site. Such additional spots will permit a

more robust grouping of expressive matter vendors, allowing them to continue plying their wares while not otherwise crowding out other park uses and users. Other areas of the park, however, are reserved for other park uses, such as passive recreation, musical performances, and other park activities.

Battery Park

Battery Park is home to many unique streetscape and park features. These features, combined with the fact that more than four (4) million people visit the park annually, contribute to the Department's concerns over congestion and the ability to accommodate multiple park uses and visitors.

Streetscape features include the busy bus, subway and ferry stops located in and around the park. A subway entrance is located just inside the northeast corner of the park. Bus stops for tour, local, and express buses, meanwhile, are located along the north and east perimeters of the park. Moreover, long lines tend to queue within the park itself for the ferry service to Ellis and Liberty Islands.

Park features include the park's multiple benches, tree pits, and gardens. Park features also include the numerous monuments within the park, such as the East Coast War Memorial, American Merchant Marine Monument, Korean War Memorial, the memorial to the World Trade Center tragedy, and the historic Castle Clinton.

Given these conditions and taking into consideration all relevant factors, the Department designated spots for expressive matter vendors along the perimeter of the park. In addition, because of the extensive construction work that is currently occurring in the park, the Department has established temporary locations for these vendors, which will eventually be replaced with permanent spaces upon the completion of the work in the park.

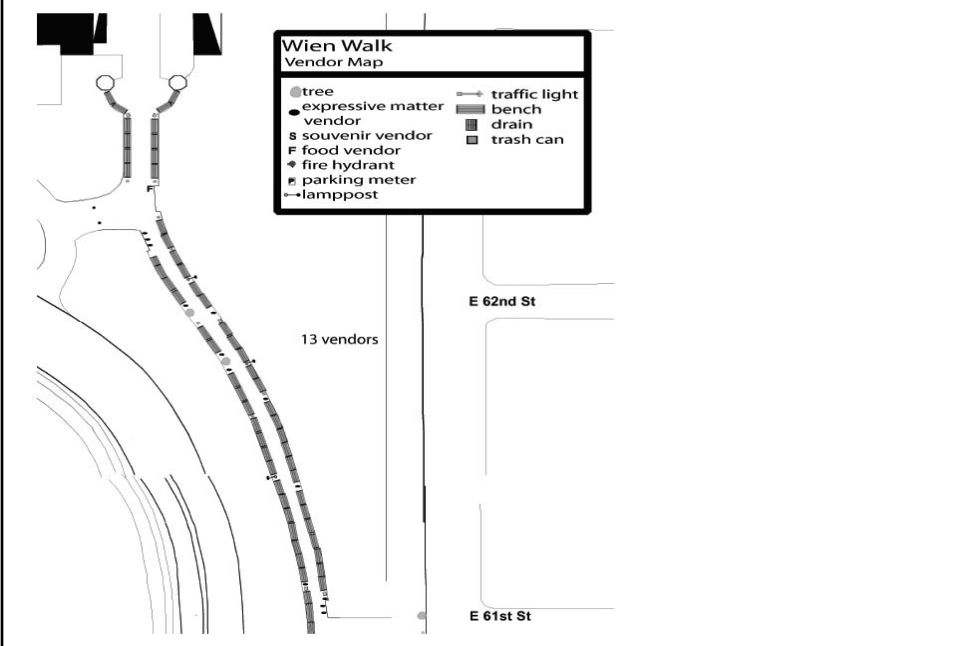
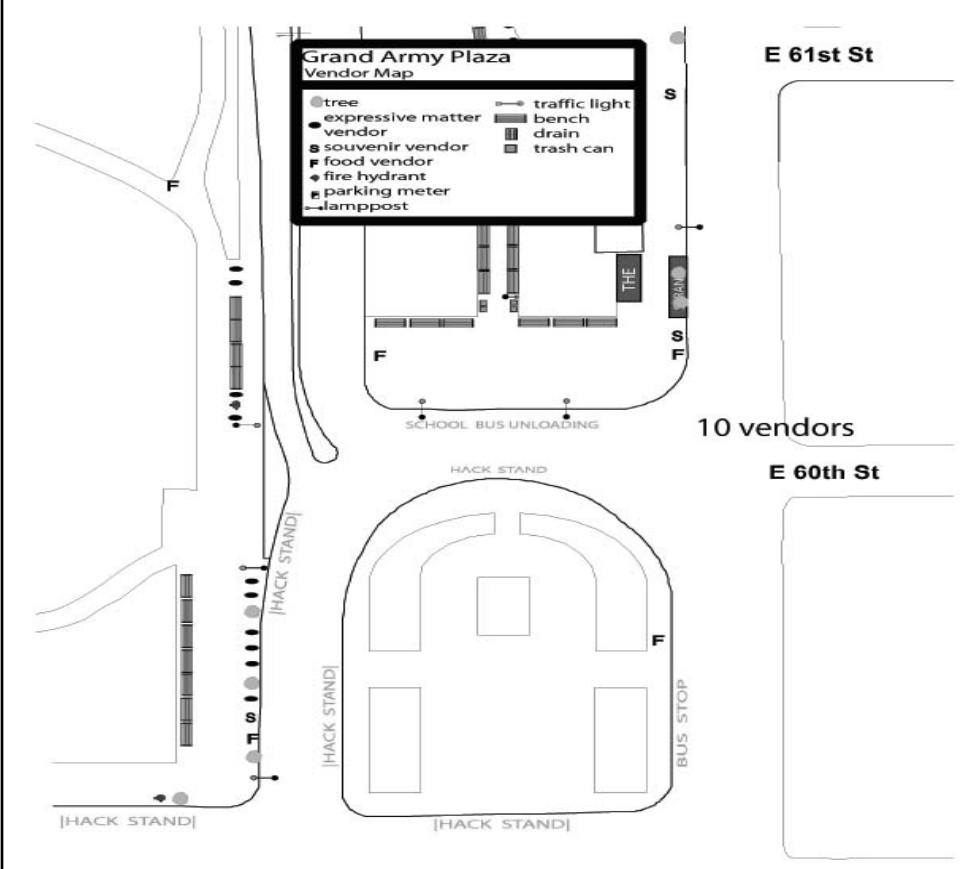
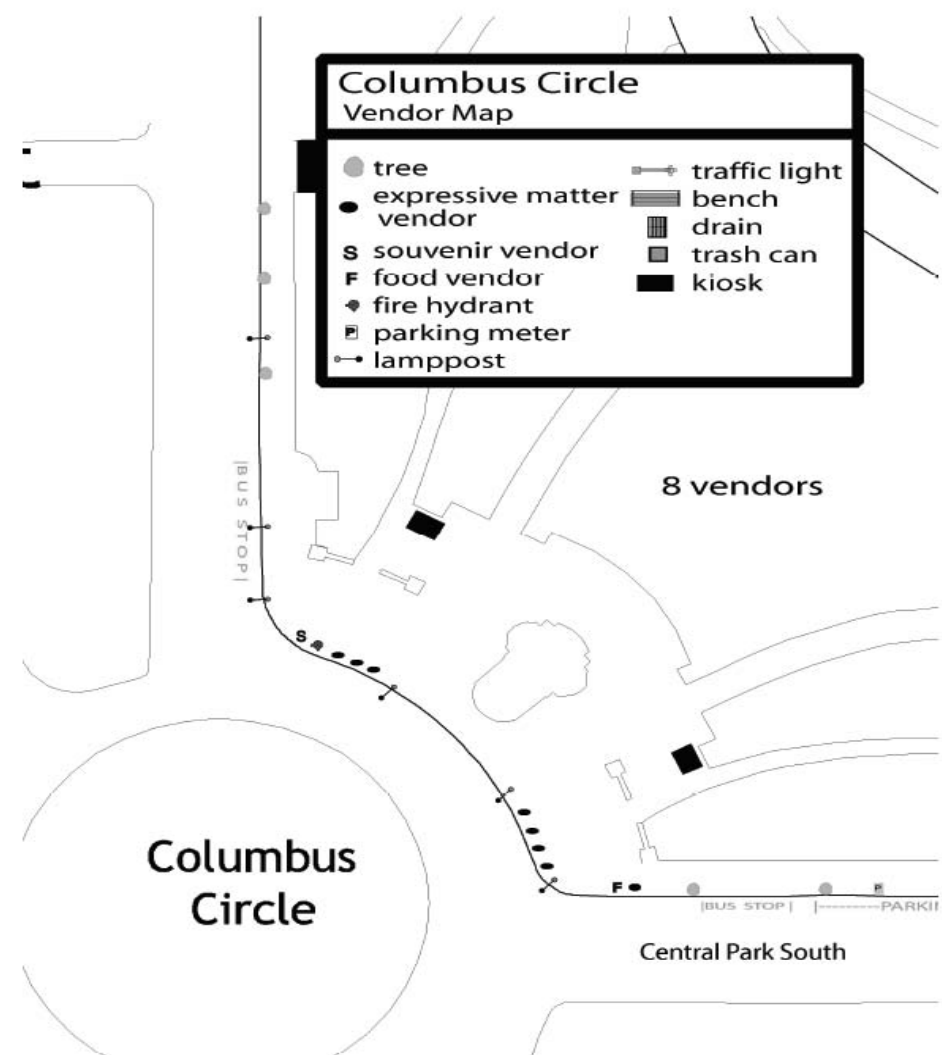
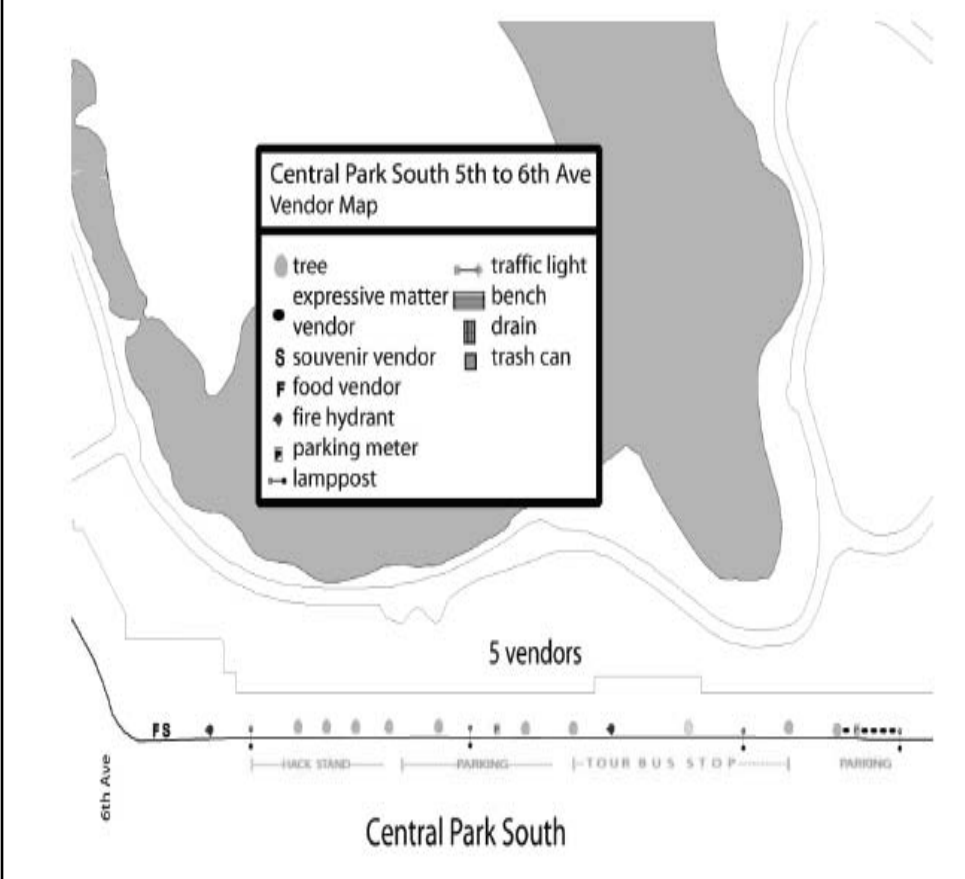
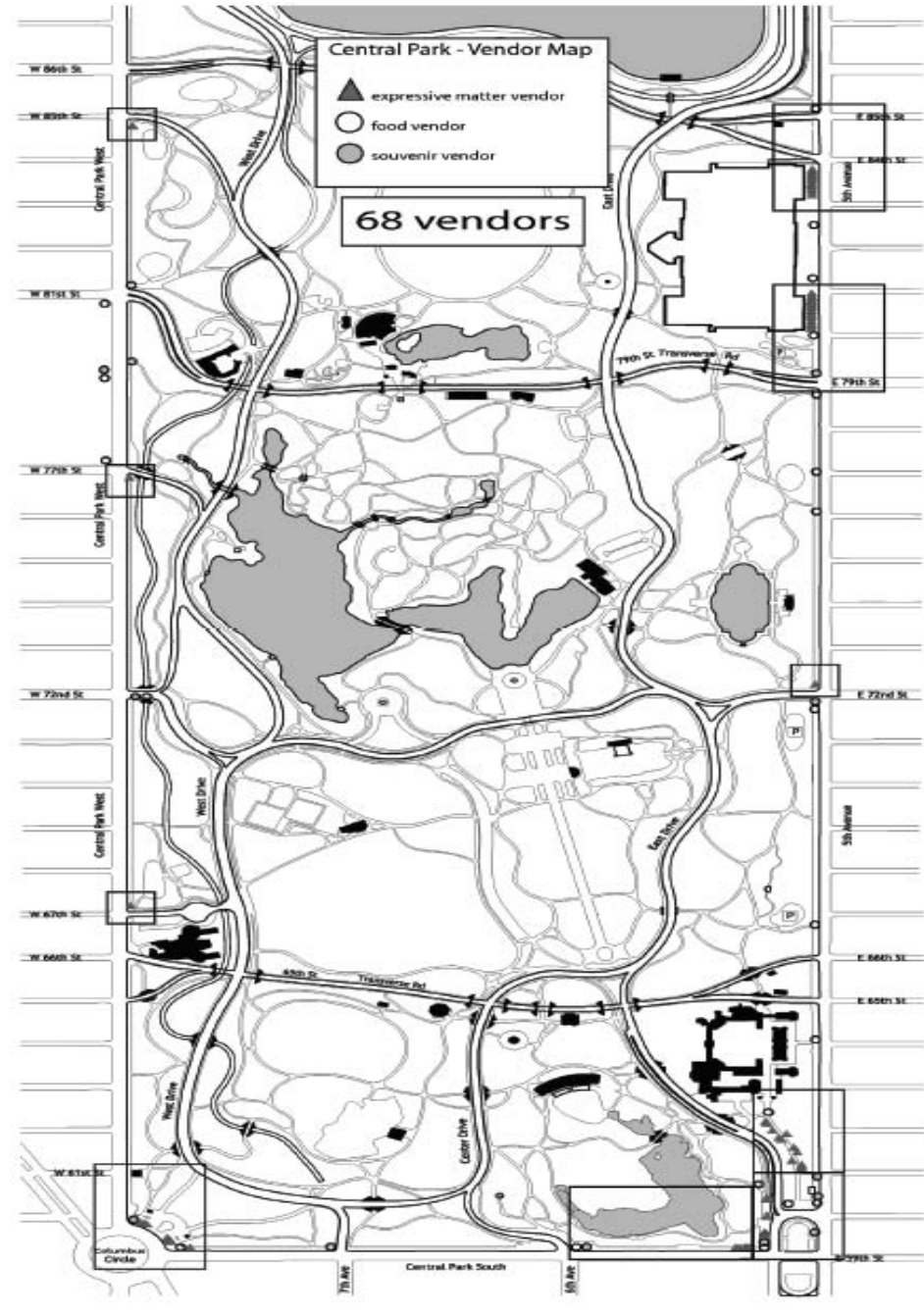
High Line Park

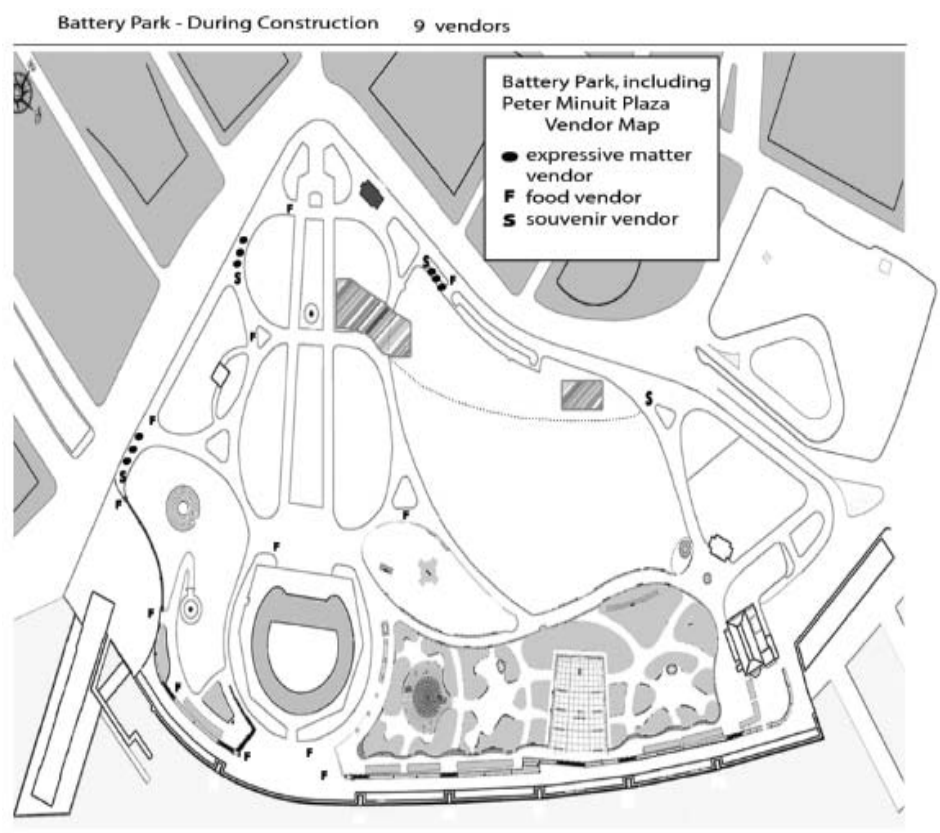
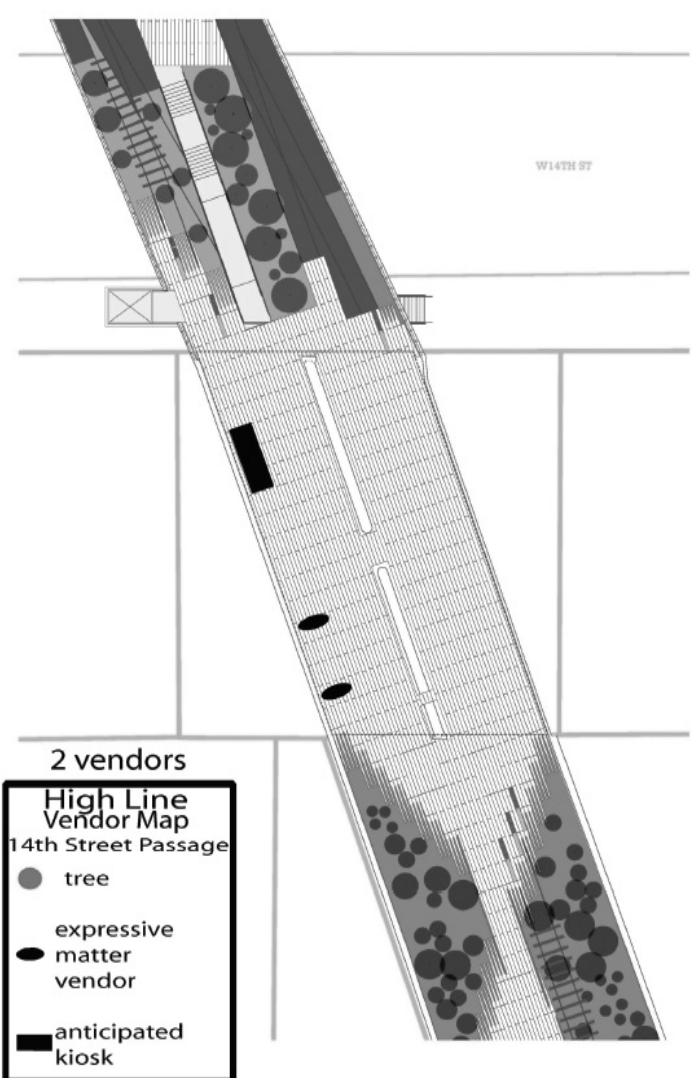
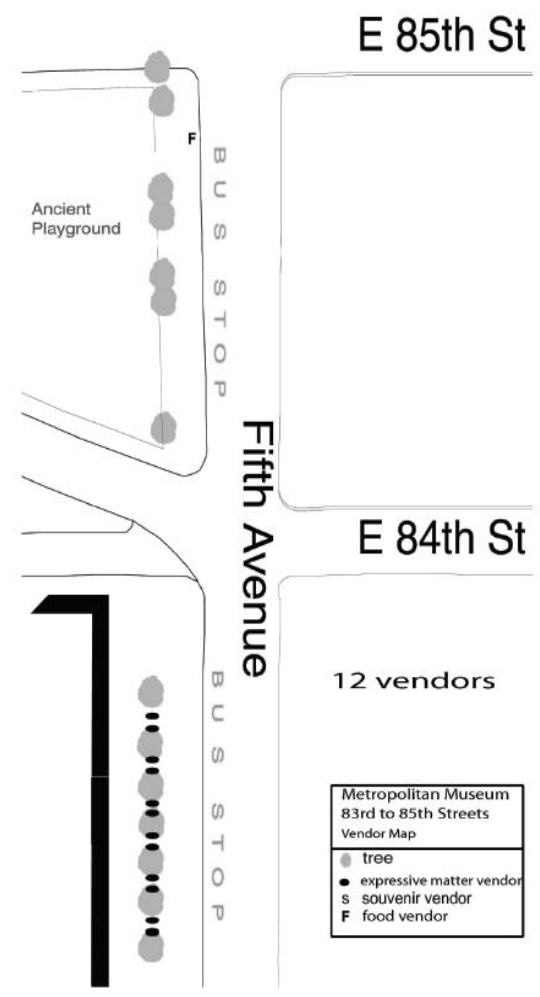
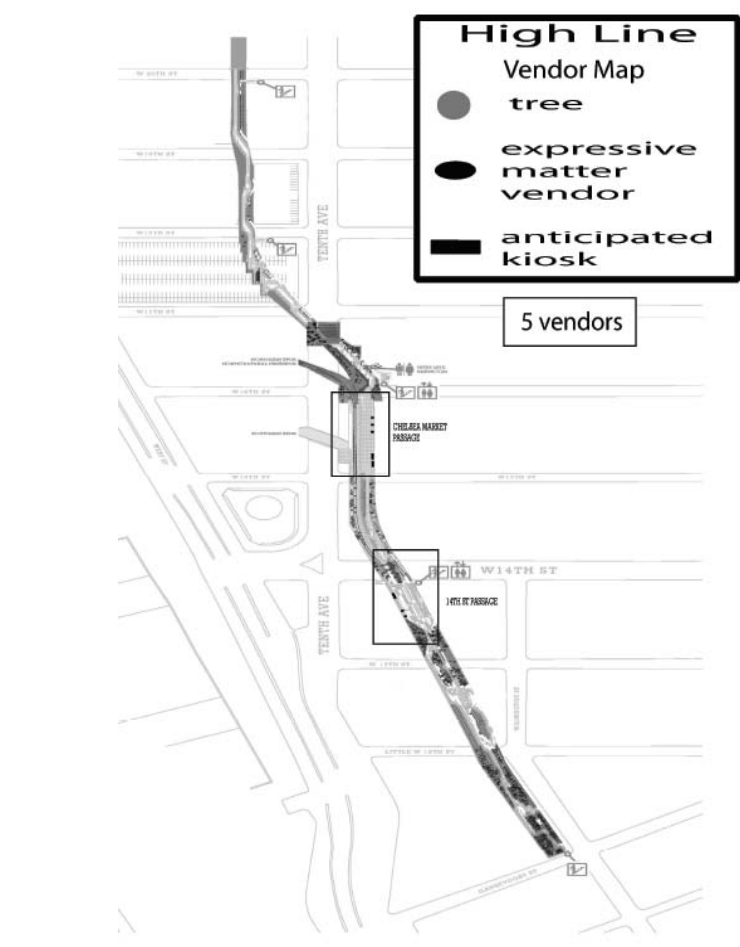
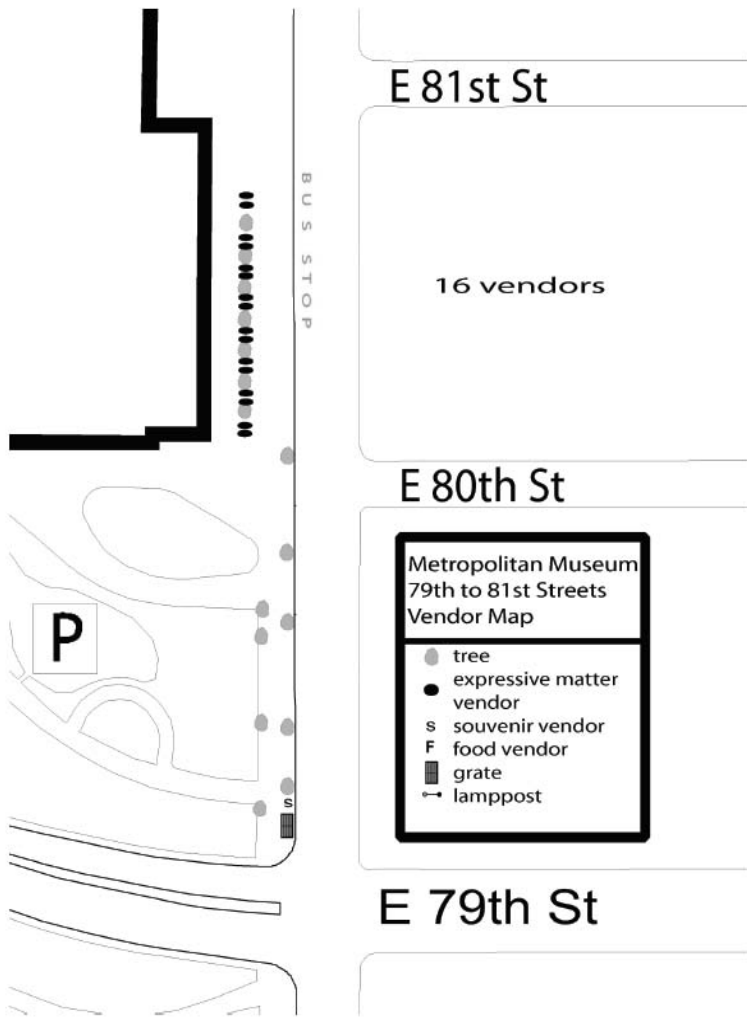
High Line Park is one of the newest, and most unique, properties in the park system. Originally constructed in the 1930s to lift dangerous freight trains above Manhattan's busy

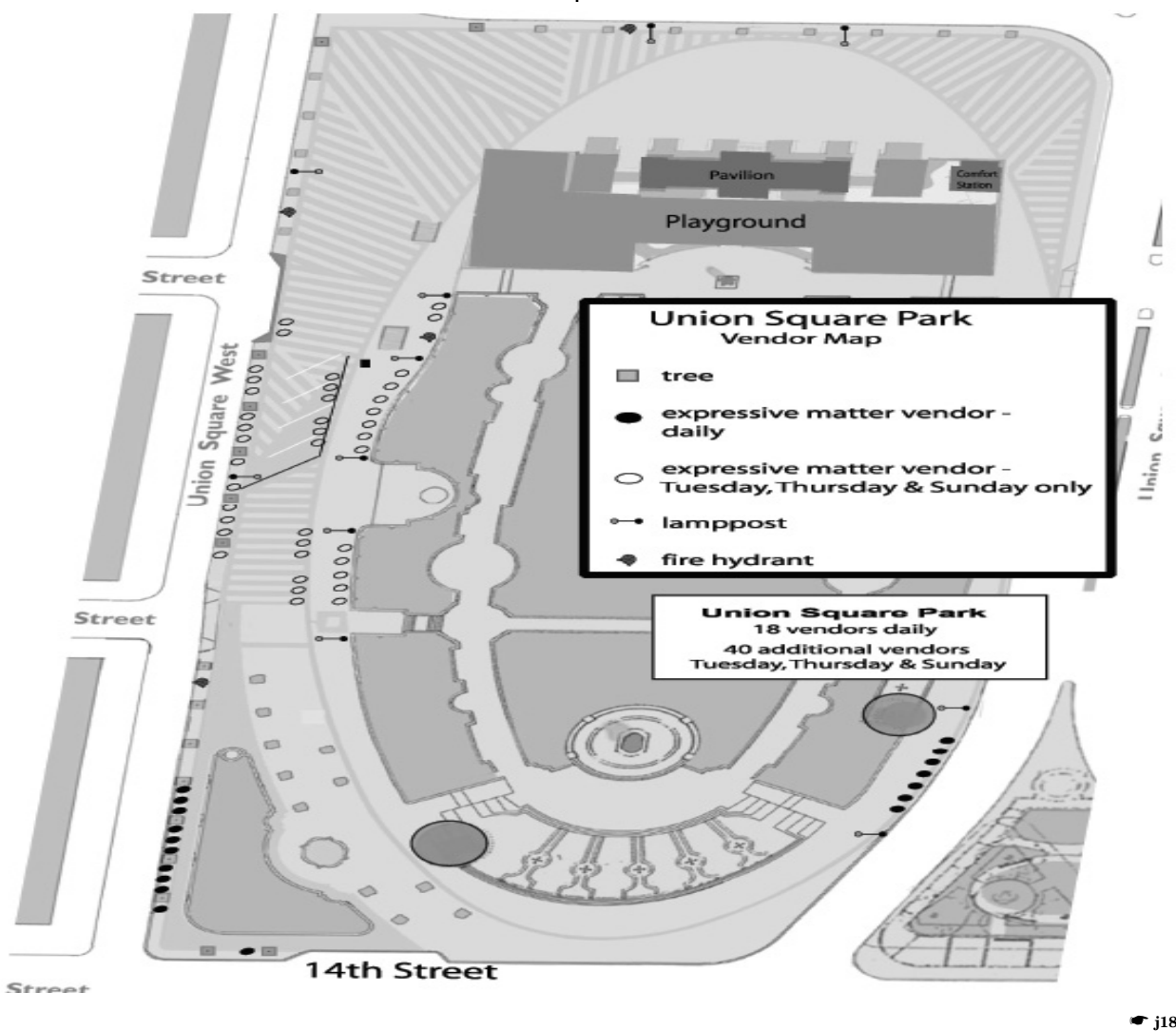
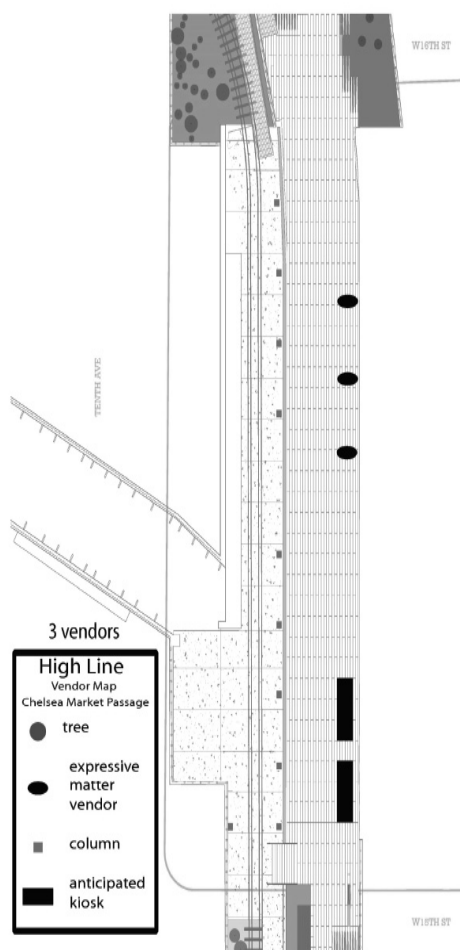
streets, the High Line is now an elevated public park, which will, when complete, serve as a promenade extending through the West Side neighborhoods of the Meatpacking District and West Chelsea.

Streetscape features include the limited street-level access points to the elevated park. Park features include the delicate plantings, fixed and movable seating options, and narrow walkways therein, all of which prevent the High Line from accommodating uses that would be appropriate for other parks, such as active recreation. Indeed, the overall design of the Park emphasizes passive recreation and the unobstructed views that can be enjoyed from the unique, elevated vantage point that the park provides.

Given its particular use and design, and taking into consideration all relevant factors, the Department has designated a limited number of spaces appropriate for vending in High Line Park. These spots ensure that vendors do not unduly interfere with the flow of visitors to the Park, or cause dangerous levels of congestion and pedestrian gridlock around park entrances.







(v) seventy-five percent or more of the bicycle, which includes the handlebars, pedals and frames are rusted, along with any chain affixing such bicycle to public property.

(2) “Ghost rider” shall mean a derelict bicycle that has been placed on public property and apparently intended as a memorial for someone who is deceased, and which may be painted white or have a sign posted on or near it, or flowers or other mementos in the basket.

(3) “Public property” shall mean city property or property maintained by the city, or any public sidewalk or roadway, including, but not limited to any light pole, bus pole, parking meter, tree, tree pit, railing or similar structure. For purposes of this section, public property shall not include any bicycle rack installed by the department of transportation, any business improvement district or any private organization or entity authorized by the department of transportation.

(b) In the event that a derelict bicycle is affixed to public property, a notice shall be affixed to the derelict bicycle advising the owner that such derelict bicycle must be removed within five days from the date of the notice. This notice shall also state that the failure to remove such derelict bicycle within the designated time period will result in the removal and disposal of the derelict bicycle by the department of sanitation.

(c) Notwithstanding subdivision (b) of this section, in the event that a ghost rider is affixed to public property, a notice shall be affixed to the ghost rider advising the owner that such ghost rider must be removed within thirty days from the date of the notice. This notice shall also state that the failure to remove such ghost rider within the designated time period will result in the removal and disposal of the ghost rider by the department of sanitation.

(d) Nothing in this section shall preclude the immediate removal of any bicycle, including a derelict bicycle or ghost rider, or the taking of any other action by any city agency if the presence of such bicycle which creates a dangerous condition by restricting vehicular or pedestrian traffic, or otherwise violates the law.

STATEMENT OF BASIS AND PURPOSE

The Commissioner of the New York City Department of Sanitation is authorized to adopt rules relating to street cleanliness pursuant to section 753(a) and (b) of the New York City Charter. Additionally, sections 16-122 and 16-128 of the New York City Administrative Code empower the Department to remove “movable property”, also referred to as “encumbrances”, from public property.

The Department has noticed an increase in the number of bicycles affixed to public property including, but not limited to, traffic signs and parking meters throughout the City. Some of these bicycles have missing parts, are rusted, contain flat tires, are crushed and/or appear to be unusable. These bicycles are an eyesore, a potential public safety hazard and a constant source of complaints from residents, community groups and elected officials.

In order to alleviate the concerns of interested parties, including residents, community groups and bicycle owners, the Department proposes to establish criteria that will enable it to classify certain bicycles that are affixed to public property as derelict, and allow for their removal and disposal. Under the proposed criteria, a bicycle will be deemed derelict only if (1) it is affixed to public property, which for purposes of this rule only, does not include bicycle racks installed by the Department of Transportation (“DOT”), any business improvement district or any private organization or entity authorized by DOT; and (2) such bicycle meets three or more of the following criteria: (i) the bicycle appears to be crushed or not usable; (ii) the bicycle is missing parts, other than the seat and front wheel (which are typically removed by a bicycle owner to prevent theft), including, but not limited to handlebars, pedal or pedals, rear wheel and chain; (iii) the bicycle has flat or missing tires; (iv) the handlebars or pedals are damaged, or the existing forks, frames or rims are bent; or (v) seventy-five percent or more of the bicycle, which includes the handlebars, pedals and frames are rusted, along with any chain affixing such bicycle to public property.

Once the Department makes the determination that a bicycle is derelict, a notice shall be affixed to the bicycle advising the owner that such bicycle must be removed within five days from the date of the notice. This notice shall also state that the failure to remove such bicycle within the designated time period will result in the removal and disposal of the derelict bicycle by the Department.

The proposed rule also allows for an exception for “memorial bicycles,” commonly referred to in the bicycling community as “Ghost riders.” The rule defines “ghost rider” as a derelict bicycle that has been placed on public property and apparently intended as a memorial for someone who is deceased, and which may be painted white or have a sign posted on or near it, or flowers or other mementos in the basket. In the event that a ghost rider is affixed to public property, a notice shall be affixed to the ghost rider advising the owner that such ghost rider must be removed within thirty days from the date of the notice. This notice shall also state that the failure to remove such ghost rider within the designated time period will result in the removal and disposal of the ghost rider by the department of sanitation.

This rule does not authorize DSNY to remove for disposal from public property any bicycles that do not meet the derelict bicycle criteria. Additionally, nothing in this rule shall be interpreted to preclude the immediate removal of any bicycle, including a derelict bicycle or ghost rider, or the taking of any other action by any city agency if the presence of such bicycle creates a dangerous condition by restricting vehicular or pedestrian traffic or is otherwise in violation of the law.

SANITATION

■ NOTICE

PROPOSED RULES GOVERNING THE REMOVAL AND DISPOSAL OF DERELICT BICYCLES

NOTICE IS HEREBY GIVEN in accordance with the requirements of Section 1043 of the New York City Charter and pursuant to the authority vested in the Commissioner of the Department of Sanitation by section 753(a) and (b) of the New York City Charter and by sections 16-122 and 16-128 of the New York City Administrative Code that the Department proposes to adopt the following rule governing the removal and disposal of derelict bicycles. This rule adds a new section 1-05.1 of Chapter 1 of Title 16 of the Rules of the City of New York. Existing provisions to be deleted are shown below in brackets and new provisions are underlined.

Written comments regarding this proposed rule may be sent to the office of the Deputy Commissioner for Legal Affairs, New York City Department of Sanitation, 125 Worth Street, Room 710, New York, New York 10013 or comments may be submitted electronically through NYC RULES at www.nyc.gov/nycrules on or before July 20, 2010. In addition, a public hearing regarding the proposed amendment will be held on July 20, 2010 at 125 Worth Street, Room 819, New York, New York from 9:30 A.M. to 11:30 A.M. Persons seeking to testify are requested to notify the Deputy Commissioner at the foregoing address. Persons who request that a language interpreter or sign language interpreter or other form of reasonable accommodation for a disability be

provided at the hearing are asked to notify Edna Luna by July 13, 2010. Ms. Luna may be contacted by fax at (212) 788-3876 or by mail at 125 Worth Street, Room 710, New York, New York 10013. Written comments and a summary of oral comments received at the hearing will be available for public inspection, within a reasonable time after receipt, between the hours of 9:00 A.M. and 5:00 P.M. at the office of the Deputy Commissioner. Dated: June 18, 2010. John J. Doherty, Commissioner.

The rule was not included in the Department’s FY 2011 regulatory agenda because it was not contemplated at the time the Department published its FY 2011 regulatory agenda in the *City Record* on May 7, 2010.

Section 1. Chapter 1 of title 16 of the rules of the city of New York is amended by adding a new section 1-05.1 to read as follows:

§ 1-05.1 Removal of derelict bicycles.

- (a) Definitions. When used in this section,
- (1) “Derelict bicycle” shall mean any bicycle that is affixed to public property and also contains three or more of the following characteristics:
 - (i) the bicycle appears to be crushed or not usable;
 - (ii) the bicycle is missing parts, other than the seat and front wheel, including, but not limited to handlebars, pedal or pedals, rear wheel and chain;
 - (iii) the bicycle has flat or missing tires;
 - (iv) the handlebars or pedals are damaged, or the existing forks, frames or rims are bent; or

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