

**MATERIALS MANAGEMENT****■ SOLICITATIONS***Human / Client Services***PHYSICIAN PRODUCTIVITY, EFFICIENCY AND COMPENSATION OF HEALTHCARE**

**PROFESSIONALS FOR HHC** – Request for Proposals – PIN# DCN2081 – DUE 04-26-13 AT 4:00 P.M. – There will be a mandatory pre-proposal conference on 04/11/13 at 2:30 P.M. Address: 125 Worth Street, Room 532, NY, NY 10013.

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, Room 1136, New York, NY 10013-3990. Andreea Mera (212) 442-3989; Andreea.Mera@nychhc.org*

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**HOUSING AUTHORITY****■ SOLICITATIONS***Goods & Services***SMD SOLICITATION FOR SAFETY SHOE MOBILE**

Request for Proposals – PIN# 59412 – DUE 04-24-13 AT 2:00 P.M. – NYCHA is currently obligated pursuant to certain of its collective bargaining agreements to annually reimburse (up to a certain dollar amount) certain employees serving principally in janitorial, maintenance, skilled trade and inspection titles, for an annual, one-time expenditure for safety shoes. NYCHA desires the ability of the eligible employees to conveniently purchase their required safety shoes at the particular job location to which they are assigned. In order to achieve this, NYCHA seeks for the selected Proposer to provide both a mobile shoe service and a walk-in-store where employees have the opportunity to procure safety shoes at a cost to NYCHA equivalent to the current reimbursement mechanism. NYCHA is seeking Proposals from Proposers to provide the opportunity for certain NYCHA employees ("Eligible Employees") to purchase approved safety shoes at their work locations. According to the terms of this Request for Proposals (RFP), NYCHA anticipates selecting one Proposer to perform the scope of services. Each Proposal should contain sufficient information to enable NYCHA to evaluate the Proposal in accordance with the criteria.

A conference for vendors submitting proposals in response to this RFP will be held on Wednesday, April 10, 2013 at 10:00 A.M. in Room 12-331 at 90 Church Street, New York, N.Y. 10007. Attendance is not mandatory, although it is recommended that all interested prospective Proposers attend. Proposers who plan to attend the conference should notify NYCHA's Coordinator by no later than 12:00 P.M. on Friday, April 5, 2013.

Interested firms are invited to obtain a copy on NYCHA's website: Doing Business with NYCHA.

Http://www.nyc.gov/nychabusiness; Select "Selling to NYCHA." Vendors are instructed to access the "Getting Started: Register or Log-in" link. If you have supplied goods or services to NYCHA in the past and you have your log-in credentials, click "Returning Supplier users. Log-in here." If you do not have your log-in credentials, select "Click here to Request a Log-in ID." Upon access, select "Sourcing Supplier" then "Sourcing Homepage," conduct a search for RFP number.

Vendors electing to obtain a non-electronic bid (paper document) will be subject to a \$25.00 non-refundable fee payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFP documents requested. Remit payment to NYCHA Finance Department at 90 Church Street, 6th Floor - obtain receipt. A bid package will be generated at time of request.

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, Supply Management Department, 90 Church Street, 6th Floor, N.Y., N.Y. Meddy Ghabaee (212) 306-4539; Fax: (212) 305-5108; Meddy.Ghabaee@nychc.nyc.gov*

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*Construction / Construction Services***HURRICANE SANDY REPAIRING OF SINK HOLES AT VARIOUS DEVELOPMENTS**

Competitive Sealed Bids – PIN# GD1306663 – DUE 04-18-13 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA. Documents can also be obtained by registering with I-supplier and downloading documents.

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

*Housing Authority, 90 Church Street, New York, NY 10007. Vaughn Banks (212) 306-6727; Fax: (212) 306-5152; vaughn.banks@nychc.nyc.gov*

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**HUMAN RESOURCES ADMINISTRATION****■ AWARDS***Human / Client Services***SCHOOL BASED TEEN RELATIONSHIP ABUSE PREVENTION PROGRAM**

Negotiated Acquisition – Judgment required in evaluating proposals – PIN# 06913H083301 – AMT: \$982,352.00 – TO: Edwin Gould Services for Children and Families, 151 Lawrence Street, Brooklyn, New York 11201. TERM: 07/01/2012-06/30/2013. E-PIN: 06908X0046CNVN002.

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**INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS****EXECUTIVE DIVISION****■ SOLICITATIONS***Services (Other Than Human Services)***CITYWIDE ENTERPRISE STRATEGIC PLANNING FOR TECHNOLOGY**

Negotiated Acquisition – PIN# 85807O0053CNVN002 – DUE 04-02-13 AT 3:00 P.M. – DoITT intends to enter into negotiations with Gartner, Inc. Any firm which believes it can provide the required services in the future is invited to express interest via email to acco@doitt.nyc.gov by April 2, 2013 at 3:00 P.M.

The services cannot be timely procured through competitive sealed bidding or competitive sealed proposals. DoITT is utilizing the Negotiated Acquisition Extension source method to provide the services in order to continue to provide uninterrupted service.

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 Information Technology and Telecommunications, 255 Greenwich Street, 9th Floor, New York, NY 10007. Anne Cody (212) 788-6276; Fax: (347) 788-4082; acody@doitt.nyc.gov*

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**LAW****■ SOLICITATIONS***Services (Other Than Human Services)***QUESTIONNAIRE TO LEGAL STAFFING FIRMS FOR THE AWARD OF A CONTRACT FOR TEMPORARY ATTORNEY SERVICES**

Negotiated Acquisition – Judgment required in evaluating proposals – PIN# 02513X100008 – DUE 04-30-13 AT 5:00 P.M. – The New York City Law Department (the "Department") seeks proposals from legal staffing firms regularly engaged in the provision of temporary attorney services to law firms, legal departments of corporations, and/or government agencies. The proposals must be submitted in the form of responses to a Questionnaire available from the New York City Law Department beginning Monday, March 25, 2013.

The Department intends to enter into negotiations with one or more legal staffing firms and anticipates awarding one or more contracts in order to insure that the Department's need for experienced and qualified temporary attorney services will be met in a timely and cost effective manner. It is anticipated that the term of the contract(s) will be three years, commencing as of approximately July 1, 2013. The selected legal staffing firm(s) will be required to provide the Department with temporary attorneys who are (i) members in good standing of the New York State Bar; (ii) registered with the New York State Office of Court Administration; and (iii) where applicable, admitted to practice before the United States District Courts for the Southern and Eastern Districts of New York. The temporary attorneys should also have experience with litigation motion practice, taking and defending depositions and other litigation-related services. To receive the Questionnaire, interested legal staffing firms must send a written Expression of Interest requesting the Questionnaire by: (1) mail, messenger, or overnight carrier to Esther S. Tak, Assistant Corporation Counsel, New York City Law Department, 100 Church Street, Room 5-208, New York, New York 10007; or (2) e-mail to: etak@law.nyc.gov. Please specify in your request whether you wish to receive the Questionnaire by mail or by e-mail. The Department encourages interested firms to request the Questionnaire by e-mail. Responses to the Questionnaire will be evaluated by the Department to determine which firm(s) will be recommended for award of the contract(s). Firms under consideration for award of the contract(s) may also be requested to appear for an interview by Department staff.

The Questionnaire Responses must be submitted at the place, and prior to the deadline, stated in this Notice. Esther S. Tak, Assistant Corporation Counsel, is the Law Department's sole authorized contact person for this procurement. All communications with the Department with respect to this procurement must be directed to the authorized contact person. She can be reached by e-mail at etak@law.nyc.gov, or by phone at (212) 356-1122.

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 4-313, 4th Floor, New York, New York 10007. Esther Tak (212) 356-1122; Fax: (212) 356-4066; etak@law.nyc.gov*

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**PARKS AND RECREATION****REVENUE AND CONCESSIONS****■ SOLICITATIONS***Services (Other Than Human Services)***SALE OF SPECIALTY FOOD FROM MOBILE FOOD UNITS**

Competitive Sealed Proposals – Judgment required in evaluating proposals – PIN# CWP-2013-A – DUE 05-02-13 AT 3:00 P.M. – At various locations, Citywide.

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, 830 5th Avenue, Rm. 407, New York, NY 10065. Lauren Standke (212) 360-1397; Fax: (917) 849-6638; lauren.standke@parks.nyc.gov*

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**SCHOOL CONSTRUCTION AUTHORITY****■ SOLICITATIONS***Construction / Construction Services*

Competitive Sealed Bids – PIN# SCA13-14645D-1 – DUE 04-11-13 AT 10:30 A.M. –

P.S. 145 (Brooklyn). Project Range: \$1,100,000.00 - \$1,160,000.00. Non-refundable Bid Document Charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

*School Construction Authority, 30-30 Thomson Avenue, Procurement Department, 1st Floor, Long Island City, NY 11101. Ekoko Omadeke (718) 752-5854; Fax: (718) 472-0477; eomadeke@nyscsa.org*

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**AGENCY RULES****MAYOR'S OFFICE OF MEDIA AND ENTERTAINMENT****■ NOTICE****CITY OF NEW YORK  
MAYOR'S OFFICE OF FILM, THEATRE AND BROADCASTING****NOTICE OF ADOPTION OF RULE RELATING TO THE "MADE IN NEW YORK" MARKETING CREDIT PROGRAM**

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Commissioner of the Mayor's Office of Film, Theatre & Broadcasting ("MOFTB") by sections 389(b) and 1043 of the New York City Charter, that the Mayor's Office of Film, Theatre & Broadcasting has adopted amendments to its rules by adding a new Chapter 15 to Title 43 of the Rules of the City of New York, establishing the "Made in New York Marketing Credit Program."

This rule was published for comment in the City Record on January 28, 2013 and the agency did not receive any written comments from the public. A hearing was held on February 27, 2013 and no oral or written comments on the proposal were received at such hearing.

**STATEMENT OF BASIS AND PURPOSE**

The Mayor's Office of Media and Entertainment ("MOME"), which includes the Office of Film, Theatre and Broadcasting, works to support various media and entertainment industries in New York City. Since its creation over forty years ago, thousands of television shows, feature films, commercials, music videos, documentaries, print ad campaigns and theatrical projects have been made in New York City, the entertainment capital of the world. The local entertainment production industry contributes more than \$7 billion a year to the City's economy and employs over 130,000 New Yorkers. A primary goal of MOME is to both support and grow this dynamic local industry.

In keeping with this mission, New York City's "Made in NY" Marketing Credit Program ("the Program") offers "Made in NY" film and television productions a number of opportunities to promote their project in New York City — the top media market in the country. "Made in NY" productions are projects where at least 75% of the overall production was made in New York City. "Made in NY" productions that apply and are approved for this program will be offered marketing opportunities at various media outlets, including bus stops and City-owned television stations. The amount of media advertising will be determined by certain below-the-line production costs as defined in this rule.

In conjunction with the marketing credit, a "cultural benefit" in the form of a monetary contribution is required for participation in the Program. The total cost of the monetary contribution is determined by certain production costs as defined in this rule. The monetary contribution is donated to an IRC § 501(c)(3) non-profit entity that has been chosen by the production and sanctioned or identified by the New York City Department of Cultural Affairs. The donation is intended to support theatrical, film, writing, and other local art institutions that nurture upcoming talent and strengthen the City's creative community. The Program recognizes that the "Made in NY" logo has become a mark of distinction in the industry as well as among local New Yorkers, and thus the agency requires that this logo be included in all media used by the marketing credit applicants. By featuring the logo graphic in the media, projects can promote the fact that they were shot in New York City and showcase the efforts of MOME and the City as a production center.

The purpose of this rule is to outline the application process for the Program. These procedures govern the allocation of marketing credits, including the application process, standards for assessing evaluations, and other provisions necessary and appropriate for fulfilling the purposes of the Program.

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this Board, unless otherwise specified or unless the context clearly indicates otherwise. New matter in the following rule is underlined.

Title 43 of the Rules of the City of New York is amended by adding a new chapter 15, to read as follows:

**Chapter 15****NEW YORK CITY "MADE IN NEW YORK MARKETING CREDIT PROGRAM"**

**§ 15-01 Purpose and general description.****§ 15-02 Definitions.****§ 15-03 Application process.****§ 15-04 Evaluation of applications.****§ 15-05 Allocation of New York City Made in New York marketing credit.****§ 15-06 Appeal process.****§ 15-07 Final Report.****§ 15-08 Record retention.****§15-01 Purpose and general description.**

(a) The "Made in New York Marketing Credit Program" ("the Program"), established and administered by the Mayor's Office of Media and Entertainment ("MOME"), offers "Made in New York" film and television productions a number of opportunities to promote their project in major media markets that are City-owned assets or are privately owned and operated media outlets with which the City has established relationships. Qualified "Made in New York" productions that apply and are approved for this Program will be provided media outlets including, but not limited to, bus shelters, subway cars, and broadcasts on New York City Media group television stations. The amount of media advertising offered will be determined by certain production costs as defined in this rule. In exchange for the marketing credits, recipients will be required to make a monetary contribution to a New York City Cultural Institution identified by the New York City Department of Cultural Affairs. The "Made in NY" logo must be included in all media advertising.

(b) The purpose of this rule is to outline the application process for the Program. These procedures govern the allocation of marketing credits, including the application process, standards for assessing evaluations, and other provisions necessary and appropriate for fulfilling the purposes of the Program.

(c) In order to receive the marketing credit, an authorized applicant must donate a Cultural Benefit to a New York City Cultural Institution within thirty (30) days of approval of an application.

**§15-02 Definitions.** As used in this rule, the following terms have the following meanings:

(a) "Application form" means the document created by the Office that is submitted by an authorized applicant to receive "Made in New York Marketing Credit Program" credit after it has completed production of a qualified film. The application form will include a list of non-profit organization cultural institutions identified by the New York City Department of Cultural Affairs as eligible for Program donations.

(b) "Authorized applicant" means a qualified film/television production and/or distribution company that is distributing a qualified film.

(c) "Certificate of marketing credit" means a certificate issued by the Office which establishes the amount of media assets for which the approved applicant has qualified, based on the Office's analysis according to the provisions of this chapter. The certificate will include such information as name and address of the authorized applicant; name of the qualified film in connection with which the credit applies; the amount of media assets to be received by the approved applicant; and a disclaimer stating that actual receipt of the marketing credit is subject to availability of media assets for the Program.

(d) "Completion of the application" means that all questions on an application have been fully addressed by an authorized applicant and that any additional supporting documents requested by the Office have been provided in a manner sufficient to allow the Office to properly evaluate the application.

(e) "Commissioner" means the Commissioner of the New York City Office of Media and Entertainment.

(f) "Cultural benefit" means a monetary contribution to a New York City Cultural Institution of (1) a minimum of \$10,000 (ten thousand dollars) for any qualified film with qualified production costs equal to \$10,000,000 (ten million dollars) or more, or (2) 0.1 % (one-tenth per cent) of the qualified production costs for any qualified film having qualified production costs less than \$10,000,000 (ten million dollars).

(g) "Effective date" means the date of the first usage of the marketing credit, i.e., when media assets are first utilized. The effective date is determined by the authorized applicant based on media asset availability provided by the Office.

(h) "Feature-length film" means a production intended for commercial distribution to a motion picture theater or directly to the public that is sixty (60) minutes or longer in length.

(i) "Marketing credit" means an allocation of media assets available free of charge to a qualified film.

(j) "Media asset" means available advertising media including, but not limited to, bus shelters, subway cars, taxi TV, and broadcasts on New York City Media group television stations that the Office makes available for this purpose.

(k) "New York City cultural institution" means an Internal Revenue Code § 501(c)(3) non-profit organization identified by the New York City Department of Cultural Affairs as an organization which supports theatrical, film, writing, and other local arts or cultural institutions that nurture emerging talent and strengthen New York City's creative community.

(l) "Office" or "MOME" means the New York City Mayor's Office of Media and Entertainment.

(m) "Priority number" means the number assigned by the Office to determine allocation of the marketing credit. "Priority number" will be based on the date an authorized applicant has submitted a completed application; provided, however, that in the event that there is more than one application with the same date, priority will be given to the authorized applicant having the earliest anticipated date of release of the qualified film.

(n) "Production costs" means any costs for tangible property used and services performed directly and predominantly (including pre-production and post-production) in the production of a qualified film. "Production costs" do not include (1) costs for a story, script or scenario to be used for a qualified film or (2) wages, salaries or other compensation for writers, directors (including music directors), producers, actors and performers (other than background actors or other performers with no scripted lines). "Production costs" generally include below-the-line costs, as defined by industry standards, including but not limited to technical and crew production costs, such as expenditures for film production facilities props, makeup, wardrobe, film processing, camera, sound recording, set construction, lighting, shooting, editing and meals.

(o) "Qualified film" means a feature-length film, television film, television special, television pilot and/or each episode of a television series, regardless of the medium by means of which the film, pilot or episode is created or conveyed, of which: (1) 75% of its total shooting days take place in New York City, or (2) 75% of its production costs are qualified production costs. "Qualified film" does not include a production for which records are required under § 2257 of Title 18, United States Code, to be maintained with respect to any performer in such production (reporting of books, films, etc. with respect to sexually explicit conduct).

(p) "Qualified film/television production and or distribution company" means a corporation, partnership, limited partnership, or other entity or individual that is principally engaged in the distribution of a qualified film, controls the qualified film during release, and is responsible for payment of the cultural component.

(q) "Qualified production costs" means the below-the-line production costs only to the extent such costs are incurred directly in New York City and are attributable to the use of tangible property or the performance of services within New York City directly and predominantly in the production (including pre-production and post-production) of a qualified film.

(r) "Release of a qualified film" means that the post-production work in connection with a qualified film has been finished and a cut negative, video master or other final locked form of the qualified film is ready for broadcast or delivery to a distributor.

(s) "Television film," also known as "movie-of-the-week," "MOW," "made for television movie," or "mini-series," means a production intended for broadcast on television, whether free or through a subscription-based service, that has a running time of at least ninety (90) minutes in length (inclusive of commercial advertisement and interstitial programming).

(t) "Television pilot" means the initial episode produced for a proposed episodic television series. This category includes shorter formats, which are known as "television presentation," productions of at least fifteen (15) minutes in length that are produced for the purposes of selling a proposed television series, but are not intended for broadcast.

(u) "Television special" means a production intended for broadcast on television, whether free or through a subscription-based service, that has a running time of at least (30) minutes in length (inclusive of commercial advertisement and interstitial programming). "Television special" includes, but is not limited to, an awards show and a telethon.

(v) "Television series" means a regularly occurring production on television, whether free or through a subscription-based service, that has a running time of at least thirty (30) minutes in length (inclusive of commercial advertisement and interstitial programming). "Television series" includes, but is not limited to, late-night variety series, daily news series, situation comedies, single camera comedies, reality series, game shows, morning news and newsmagazine shows.

**§15-03 Application process.** For the purposes of this chapter, only an authorized applicant will be eligible to apply for the New York City Made in New York Marketing Credit Program.

(a) The application form required for the Program will be available on the Office's website, and must be completed and submitted by an authorized applicant to the Office through its U.S. postal mail or email address as set forth in the application form. In addition, applicants may submit such application through private delivery services including, but not limited to, Federal Express, United Postal Service (UPS) or private messenger. In addition to providing contact information including its name, postal address, electronic (email) address and fax number, the applicant must also submit information about total production costs at film production facilities in and outside of New York; the total number of shooting days in and outside of New York; and any other information the Office determines is necessary to properly evaluate the application.

(b) The applicant must include information about the date that the qualified film or television series is set to make its debut in theatres, on television, online, on DVD or any and all media.

(c) Applications will be reviewed by the Office in the order they are received.

(d) The Office will approve or disapprove the application based upon criteria outlined in § 15-04(a) of these rules.

(e) The Office will advise the authorized applicant about whether its request has been approved, by U.S. postal service or electronic mail, no later than twenty (20) business days from receipt of the application. The notification will inform the applicant of such approval or disapproval. If approved, the notification will inform the applicant the amount and type of media assets available for the promotional media campaign during the dates requested on the application.

**§15-04 Evaluation of applications.**

(a) In order to be approved for marketing credit, each of the following requirements must be satisfied:

(1) the application is substantially complete;

(2) the authorized applicant is a producer and/or distributor with a qualified film or television series;

(3) the authorized applicant's qualified production costs paid or incurred are attributable to the use of tangible property or the performance of services in the production of a qualified film; and

(4) the authorized applicant has identified the cultural organization to which it will make a payment as part of the Program.

(b) In the event that all of the criteria outlined in this section are not met, or in the event that the Office concludes that the authorized applicant has knowingly submitted false or misleading information, the Office will disapprove the application.

**§15-05 Allocation of New York City Made in New York marketing credit.**

(a) When an application has been approved by the Office, if the qualified production's release date is within sixty (60) days of the submission of the application, the Office will allocate the credit in order of priority based upon submission date of an application and subject to the availability of media assets. In the event that an applicant's qualified production is not actually released within sixty (60) days of the submission of the application, the applicant will lose its "first come, first served" status and will be accommodated after other applicants' needs have been met.

(b) The Office will allocate the credit based on a project's qualified production costs. The amount of qualified production costs will determine which of the following three tiers an applicant would qualify for:

Tier 1: Qualified production costs of \$10 million (ten million dollars) or more

Tier 2: Qualified production costs of \$5 million (five million dollars) and less than \$10 million (ten million dollars)

Tier 3: Qualified production costs of less than \$5 million (five million dollars)

Depending on the availability of media assets, the Office will determine the amount and type of media assets assigned to each tier, which will be allocated to applicants according to their tier category.

**§15-06 Appeal process.**

(a) If an authorized applicant's application is disapproved by the Office, or if an approved applicant disagrees with the amount of the media assets granted by the Office, each such applicant may appeal such determination.

(b) In the case of an appeal from a disapproval of an application, an applicant can request an appeal by sending a letter to the Mayor's Office of Media and Entertainment, Attn: Commissioner, to the address and by the means specified in the application form, within thirty (30) days from the date of the denial letter issued by the Office.

(c) In the case of an appeal from a determination of the amount of media assets, an applicant can request an appeal by sending a letter to the Commissioner as provided in subdivision (b), within thirty (30) days from the date of issuance of the certificate of marketing credit.

(d) If an applicant fails to request an appeal within thirty (30) days of the Office's denial decision and/or allocated amount of media assets, such decision will be deemed final.

(e) Upon receipt of a timely letter of appeal, the Commissioner will appoint an appeal officer within the Office to review the matter. The appeal officer may reverse, affirm or modify the original determination and provide a written explanation of his or her finding in a report to the Commissioner. The Commissioner or his or her designee must issue a final order within sixty (60) days of the report. A copy of the final order will be issued to the appealing applicant within ten (10) days after the date the Commissioner or his designee renders the final order.

**§15-07 Final report.**

As part of the cultural benefit component of the Program, within thirty (30) days after the completion of an authorized applicant's media campaign, an approved applicant must submit to the Office by U.S. mail, email or fax, proof of payment to the identified New York City cultural institution, in the form of a cancelled check or letter of acknowledgment.

Applicants who have not satisfied this component of the Program will be required to make a payment to MOME in an amount equivalent to 100% of the value of the media assets received, as determined by MOME.

#### § 15-08. Record retention.

Each authorized and approved applicant must maintain records, in paper or electronic form, of any qualified productions costs used to calculate the media assets received through this Program for a minimum of three years from the date of filing of the tax return applicable to the time period for which the applicant claims the marketing credit. The Office has the right to request such records upon reasonable notice.

/s/

Katherine Oliver  
Commissioner

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## SPECIAL MATERIALS

### CITY PLANNING

#### NOTICE

#### POSITIVE DECLARATION

##### Project Identification

East Fordham Road Rezoning  
CEQR No. 13DCP107X  
ULURP Nos. TBD  
SEQRA Classification: Unlisted

##### Lead Agency

City Planning Commission  
22 Reade Street  
New York, NY 10007  
Contact: Robert Dobruskin  
(212) 720-3423

#### Name, Description and Location of Proposal:

##### East Fordham Road Rezoning

The applicant, The New York City Department of City Planning (DCP) is seeking zoning map and text amendments, (collectively, the "Proposed Action") to facilitate commercial, residential and community facility development, preserve existing neighborhood character, reinforce the existing commercial character and promote an active, vibrant streetscape on twelve partial blocks in the Belmont neighborhood of Bronx, Community District 6. The area affected by the Proposed Action is bounded by East 191st street to the north, East 187th street to the south, Southern Boulevard to the east and Bathgate Avenue to the west. The Proposed Action would rezone all or portions of Blocks 3059, 3066, 3067, 3077, 3078, 3091, 3115 and 3273 from the current C8?1, R6, R6/C2-3 and R6/C2-4 to C4-5D, R6 and R6B districts, map C2?4 commercial overlays and make the Inclusionary Housing Program (IH) zoning regulations applicable in the proposed C4-5D district. The rezoning area comprises approximately 887,187 square feet covering 157 lots.

In order to assess the potential environmental effects of the Proposed Action, a Reasonable Worst Case Development Scenario was established. Nine projected development sites were identified as most likely to be developed in the future with the proposed action. It is anticipated that the Proposed Action would result in the net increase of 352 dwelling units, of which 73 would be affordable under the Inclusionary Housing program, 118,951 square feet of commercial space, 81,179 square feet of office space and 761 square feet of community facility space. Additionally, seven potential development sites were identified as less likely to be developed in the future with the Proposed Action. These sites could be redeveloped with a residential, commercial and community facility uses. The Inclusionary Housing Program (IH) would apply here as well.

Absent the proposed actions, the rezoning area is expected to generate limited commercial and community facility development. This includes a decrease of 12 dwelling units, an increase of 104,057 square feet of commercial retail space, 538 square feet of office space and 86,179 square feet of community facility space.

The affected area is currently zoned C8-1, R6, R6/C2-3 and R6/C2-4, C8-1 districts are general service districts that allow commercial and community facility uses in Use Groups 4 through 14 and 16. Residential uses are not permitted. The maximum commercial (FAR) is 1.0. Community facility uses are permitted a maximum FAR of 2.4. R6 districts typically result in developments between three and twelve stories. Residential FAR ranges from 0.78 to 2.43, with the higher ratio applicable to buildings that provide more open space. Community facility uses are permitted a maximum FAR is 4.8. Residential development under the Quality Housing Program within an R6 District has a maximum FAR of 2.2 on narrow streets and a maximum of 3.0 FAR on wide streets. C2- districts permit Use Groups 1 through 9 and 14. When C2 commercial overlay districts are mapped with R6 residential districts the maximum commercial FAR is 2.0 with commercial uses limited to one or two floors in a mixed use building and always located below residential uses.

The rezoning area contains a mix of uses and building types. Along East Fordham Road between Bathgate Avenue and Crotona is characterized by 1-3 story developments. The uses range from gas/service stations, small retail establishments and medical-related facilities. Residential uses are concentrated north of East Fordham Road along East 191st Street and south of East Fordham Road. East 191st Street is characterized by 2-3 story row houses and small apartment buildings. South of East Fordham Road is characterized by small apartment buildings ranging in height from 4-6 stories. Residential buildings with ground floor retail are

concentrated along Arthur Avenue.

The proposed C4-5D zoning district is a medium density commercial district, which permits Use Groups 1-6, 8-10 and 12 as-of-right. Under the Inclusionary Housing program, C4-5D zoning districts have a base FAR of 4.2 and a maximum FAR of 5.6. R6 districts typically result in developments between three and twelve stories. Residential FAR ranges from 0.78 to 2.43, with the higher ratio applicable to buildings that provide more open space. Community facility uses are permitted a maximum FAR is 4.8. R6B is a typical row house district that permits residential and community facility uses up to a maximum FAR of 2.0. Building base heights must be between 30 and 40 feet, with a 50 foot maximum building height after a setback of 15 feet. C2-4 commercial districts permit Use Groups 1 through 9 and 14. The maximum permitted FAR is 2.0 for all commercial uses.

The Proposed Action also involves a Zoning Text Amendment to establish the Inclusionary Housing program in the C4-5D district within the proposed rezoning area in Community District 6, the Bronx.

The analysis year for the proposed action is 2023.

In order to avoid significant impacts related to hazardous materials, (E) designations for hazardous materials (E-304) would be placed on the following properties:

The (E) designation requirements related to hazardous materials would apply to the following development sites:

##### Projected Development Sites

Block 3273, Lot 301 (Site A)  
Block 3273, Lot 261 (Site B)  
Block 3273, Lot 203, 204, 205, 206, 207 (Site C)  
Block 3059, Lot 32, 36 (Site D)  
Block 3091, Lot 17, 20, 22, 24, 26 (Site E)  
Block 3091, Lot 87 (Site F)  
Block 3115, Lot 25 (Site G)  
Block 3115, Lot 28 (Site H)  
Block 3066, Lot 53, 54 (Site I)

##### Potential Development Sites

Block 3273, Lot 297, 332 (Site 1)  
Block 3273, Lot 265 (Site 2)  
Block 3273, Lot 257 (Site 3)  
Block 3273, Lot 252 (Site 4)  
Block 3067, Lot 52 (Site 5)  
Block 3067, Lot 54 (Site 6)  
Block 3078, Lot 14, 16 (Site 7)

The text for the (E) designations related to hazardous materials is as follows:

#### Task 1-Sampling Protocol

**The applicant submits to OER, for review and approval, a Phase 1A of the site along with a soil and groundwater testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented.**

**If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data.**

**Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.**

#### Task 2-Remediation Determination and Protocol

**A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.**

**If remediation is indicated from the test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.**

**A OER-approved construction-related health and safety plan would be implemented during evacuation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.**

**All demolition or rehabilitation would be conducted in accordance with applicable requirements for disturbance, handling and disposal of suspect lead-paint and asbestos-containing materials. For all projected and potential development sites where no E-designation is recommended, in addition to the requirements for lead-based paint and asbestos, requirements (including those of NYSDEC) should petroleum tanks and/or spills be identified and for off-site disposal of soil/fill would need to be followed**

With the implementation of the above (E) designation, no significant adverse impacts related to hazardous materials would occur.

#### Statement of Significant Effect:

On behalf of the CPC, the Environmental Assessment and Review Division has determined, pursuant to 6 NYCRR Part 617.7, that the proposed action may have a significant effect on the quality of the environment as detailed in the following environmental impacts, and that an environmental impact statement will be required:

1. The actions, as proposed, may result in significant adverse impacts on publicly accessible open space in the vicinity of the affected area.
2. The actions, as proposed, may result in significant adverse shadow impacts in the vicinity of the affected area.
3. The actions, as proposed, may result in significant adverse impacts to transportation systems including traffic, parking, transit, and pedestrian conditions in the vicinity of the affected area.
4. The actions, as proposed, may result in significant adverse impacts to air quality in the vicinity of the affected area.
5. The actions, as proposed, may result in significant adverse noise impacts in the vicinity of the affected area.
6. The actions, as proposed, may result in significant adverse impacts on neighborhood character in the vicinity of the affected area.
7. The action, as proposed, may result in significant adverse public health impacts.

#### Supporting Statement:

The above determination is based on an Environmental Assessment Statement prepared for the action which finds that:

1. An Environmental Assessment Statement (EAS), dated March 22, 2013, was prepared for the proposed actions. The EAS concluded that, based on standard methodologies using *CEQR Technical Manual* guidelines and employing reasonable, worst-case assumptions, the proposed actions would not result in significant adverse impacts with respect to Land Use, Zoning and Public Policy, Socioeconomic Conditions, Community Facilities, Historic and Cultural Resources, Urban Design and Visual Resources, Natural Resources, Hazardous Materials, Infrastructure, Solid Waste and Sanitation Services, Energy, Green House Gases, and Construction.
2. The proposed actions would introduce a new residential population which could place additional demands on available open space resources.
3. The proposed actions would permit construction of new buildings which could exceed the 50-foot threshold identified in the CEQR Technical Manual as requiring an assessment of potential shadow impacts.
4. The proposed actions would induce new development which would result in additional vehicular, pedestrian, and transit trips and additional parking demand in the vicinity of the affected area.
5. The proposed actions would induce new residential development which would result in increased mobile source (vehicular) and stationary source (HVAC system) emissions, and would introduce new residential uses which may be affected by air emissions from existing large-scale residential, commercial, and institutional sources in vicinity of the project site.
6. The proposed actions would introduce new sensitive receptors into an area which may be characterized by high ambient noise levels, and would induce new residential development which could result in additional mobile-source noise.
7. The proposed actions would alter the type and intensity of the land use within the proposed rezoning area which could alter existing neighborhood character.
8. The proposed actions would result in new development which could potentially result in public health concerns if unmitigated adverse impacts are found in other CEQR analysis areas, such as air quality or noise.
9. The Draft Environmental Impact Statement to be prepared for the proposed actions will identify and describe any other potential effects on the environment.

#### Public Scoping:

The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting will be held on Tuesday, April 30th at 10:00 AM at the New York City Department of City Planning-Bronx Office One Fordham Plaza 5th Floor, Bronx, New York, 10458. Written comments will be accepted by the