



Legislation Details (With Text)

File #: Int 0265-2004 **Version:** A **Name:** Public hearings on contract awards.
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On agenda: 3/10/2004

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Title: A Local Law to amend the New York city charter, in relation to public hearings on contract awards.

Sponsors: Robert Jackson, Letitia James, Kendall Stewart, David I. Weprin, Sara M. Gonzalez, (by request of the Mayor)

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Attachments: 1. Committee Report 5/4, 2. Committee Report 5/19, 3. Committee Report 5/19 Stated Meeting, 4. Fiscal Impact Statement - A, 5. Local Law, 6. Hearing Transcript 5/4, 7. Hearing Transcript 5/19, 8. Hearing Transcript - Stated Meeting 5/19

| Date | Ver. | Action By | Action | Result |
|-----------|------|------------------------|-----------------------------|--------|
| 3/10/2004 | * | City Council | Introduced by Council | |
| 3/10/2004 | * | City Council | Referred to Comm by Council | |
| 5/4/2004 | * | Committee on Contracts | Hearing Held by Committee | |
| 5/4/2004 | * | Committee on Contracts | Laid Over by Committee | |
| 5/19/2004 | * | Committee on Contracts | Hearing Held by Committee | |
| 5/19/2004 | * | Committee on Contracts | Amendment Proposed by Comm | |
| 5/19/2004 | * | Committee on Contracts | Amended by Committee | |
| 5/19/2004 | A | Committee on Contracts | Approved by Committee | Pass |
| 5/19/2004 | A | City Council | Approved by Council | Pass |
| 5/19/2004 | A | City Council | Sent to Mayor by Council | |
| 6/3/2004 | A | Mayor | Hearing Held by Mayor | |
| 6/3/2004 | A | Mayor | Signed Into Law by Mayor | |
| 6/4/2004 | A | City Council | Recvd from Mayor by Council | |

Int. No. 265-A

By Council Members Jackson, James, Stewart, Weprin and Gonzalez (by request of the Mayor)

A Local Law to amend the New York city charter, in relation to public hearings on contract awards.

Be it enacted by the Council as follows:

Section 1. Section 326 of the New York city charter, as amended by local law number 8 for the

year 2002, is amended to read as follows:

§ 326. Public hearings on contract awards. a. Prior to entering into any contract for goods, services or construction to be awarded by other than competitive sealed bidding or competitive sealed bids from prequalified vendors, the value of which exceeds one hundred thousand dollars, the agency shall upon reasonable public notice conduct a public hearing to receive testimony regarding the proposed contract. Notwithstanding the preceding sentence, if within a period of time after such notice, which period of time shall be determined by the procurement policy board, no individual requests an opportunity to speak at such a public hearing with respect to any such proposed contract the value of which does not exceed [five hundred thousand] one million dollars, then such public hearing need not be conducted. The procurement policy board may by rule exempt from this public hearing requirement contracts to be let which do not differ materially in terms and conditions, as defined by the board, from contracts currently held by the city where the parties to such contracts are the same; provided, that under no circumstance may such exemption apply to any contract in value exceeding ten million dollars.

b. The requirements of this section shall not apply to any procurement (i) let pursuant to a finding of an emergency under section three hundred fifteen, (ii) required to be made on an accelerated basis due to markets which experience significant, short-term price fluctuations, as identified by rule of the board, or (iii) where a public hearing would disclose litigation strategy or otherwise impair the conduct of litigation by the city.

§ 2. This local law shall take effect 45 days after adoption, provided that the City agencies affected, including, but not limited to, the procurement policy board may take any actions necessary to effectuate the provisions of this local law prior to its effective date.