



Legislation Text

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Res. No. 358

Resolution calling upon the New York State Legislature to introduce and pass, and the Governor to sign a law, which would amend the General Municipal Law to afford municipalities greater latitude to advance social goals through procurement.

By Council Members Rosenthal, Chin, Levine, Mendez, Reynoso, Torres, Rodriguez, Dromm and Miller

Whereas, According to the New York City Annual Procurement Indicators Report, in any given year, the City of New York spends between \$10-\$20 billion on procurement; and

Whereas, The City's procurement rules are guided by New York State law; and

Whereas, The purpose of New York State's procurement laws is to protect the public fisc by requiring competitive bidding to obtain the best value for goods and services and to prevent corruption, fraud and waste in the awarding of public contracts; and

Whereas, According to the Public Contracts section of the General Municipal Law, with some exceptions, the City must use a bidding process for all "public work" and "purchase contracts" over certain amounts; and

Whereas, When considering winning bids, the City must award the contract to the responsible contractor that bids the lowest price and meets the minimum qualifications; and

Whereas, However, the City cannot consider other important factors such as a vendor's employment practices, environmental record, or business and community relations; and

Whereas, The City's inability to consider these additional factors prevents it from using its significant purchasing power to pursue its public policy agenda, including but not limited to minimum wage and labor standards to address inequality and poverty, worker training requirements that seek to bolster the workforce, and binding non-discrimination and equal opportunity requirements to ensure that there is a level playing field for historically marginalized and oppressed groups, among others; and

Whereas, New York State should amend the General Municipal Law to give municipalities greater flexibility in

making purchasing decisions so that the City has the ability to pursue its public policy agenda directly through its contracting, which can often be more effective than passing laws for which it is sometimes difficult to ensure compliance and enforce; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to introduce and pass, and the Governor to sign a law, which would amend the General Municipal Law to afford municipalities greater latitude to advance social goals through procurement.

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