



Legislation Details (With Text)

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Title: A Local Law to amend the administrative code of the city of New York, in relation to the qualifications of security guards hired or employed by the city.

Sponsors: Peter F. Vallone, Jr., James F. Gennaro, Vincent J. Gentile, Michael C. Nelson, David I. Weprin

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Int. No. 314

By Council Members Vallone Jr., Gennaro, Gentile, Nelson and Weprin

A Local Law to amend the administrative code of the city of New York, in relation to the qualifications of security guards hired or employed by the city.

Be it enacted by the Council as follows:

Section 1. Chapter one of title ten of the administrative code of the city of New York is hereby amended by adding a new section 10-164 to read as follows:

§10-164. Security guard services.

a. For purposes of this section only, the following terms have the following meanings:

(1) “Contract” means any written agreement or instrument whereby the city is committed to expend or does expend funds in return for security guard services.

(2) “City agency” means a city, county, borough, or other office, position, administration, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of

which are paid in whole or in part from the city treasury.

(3) “Contractor” means a security guard company as defined in section 89-f (5) of the general business law.

(4) “Security guard” means a security guard as defined in section 89-f (6) of the general business law.

b. No city agency shall hire security guards as employees or procure security guard services from a contractor unless in addition to the training and background checks required pursuant to article 7-A of the general business law, (i) such contractor complies with the American National Standards Institute Disaster/Emergency Management and Business Continuity Standard (ANSI-NFPA 1600) and (ii) such security guards have received at least 25 hours of counter terrorism training.

c. (1) The requirements of this section may be waived by the city agency for emergency contracts entered into pursuant to section 315 of the charter and for which no entity which complies with the requirements of this section and which is capable of fulfilling such contract is immediately available, or where compliance with the requirements of this section would violate or be inconsistent with the terms or conditions of a grant, subvention or contract with a public agency or the instructions of an authorized representative of any such agency with respect to any such grant, subvention or contract.

d. Nothing in this section shall be construed to limit the city’s authority to cancel or terminate a contract, deny or withdraw approval to perform a subcontract or provide supplies, issue a non-responsibility finding, issue a non-responsiveness finding, deny a person or entity pre-qualification, or to otherwise deny a person or entity city business.

e. This section shall only apply to agency hiring or contracts entered into or renewed on or after the effective date of the local law that added this section.

§2. If any section, subsection, sentence, clause, phrase or other portion of this local law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the

remaining portions of this law, which remaining portions shall continue in full force and effect.

§3. This local law shall take effect one hundred and twenty days after its enactment.

Int 652/2005
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