



## Legislation Details (With Text)

<b>File #:</b>	Int 0111-2002	<b>Version:</b>	A	<b>Name:</b>	Public hearings on contract awards.
<b>Type:</b>	Introduction	<b>Status:</b>	Enacted	<b>In control:</b>	Committee on Contracts
<b>On agenda:</b>	4/10/2002				
<b>Enactment date:</b>	6/13/2002	<b>Enactment #:</b>	2002/008		
<b>Title:</b>	A Local Law to amend the charter of the city of New York, in relation to public hearings on contract awards.				
<b>Sponsors:</b>	Gifford Miller, Robert Jackson, Eva S. Moskowitz, Joseph P. Addabbo, Jr., Yvette D. Clarke, Lewis A. Fidler, Miguel Martinez, Michael C. Nelson, Bill Perkins, Larry B. Seabrook				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Committee Report 4/15, 2. Hearing Transcript 4/15, 3. Committee Report 6/4, 4. Hearing Transcript 6/4, 5. Committee Report 6/5, 6. Hearing Transcript - Stated Meeting 6/5, 7. Fiscal Impact Statement, 8. Local Law				

Date	Ver.	Action By	Action	Result
4/10/2002	*	City Council	Introduced by Council	
4/10/2002	*	City Council	Referred to Comm by Council	
4/15/2002	*	Committee on Contracts	Hearing Held by Committee	
4/15/2002	*	Committee on Contracts	Laid Over by Committee	
4/26/2002	*	Committee on Contracts	Hearing Held by Committee	
4/26/2002	*	Committee on Contracts	Deferred	
6/4/2002	*	Committee on Contracts	Hearing Held by Committee	
6/4/2002	*	Committee on Contracts	Amendment Proposed by Comm	
6/4/2002	*	Committee on Contracts	Amended by Committee	
6/4/2002	A	Committee on Contracts	Approved by Committee	Pass
6/5/2002	A	City Council	Sent to Mayor by Council	
6/5/2002	A	City Council	Approved by Council	Pass
6/13/2002	A	Mayor	Hearing Held by Mayor	
6/13/2002	A	Mayor	Signed Into Law by Mayor	
6/14/2002	A	City Council	Recved from Mayor by Council	

Int. No. 111-A

By the Speaker (Council Member Miller) and Council Members Jackson, Moskowitz, Addabbo Jr., Clarke, Fidler, Martinez, Nelson, Perkins and Seabrook

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

Be it enacted by the Council as follows:

Section 1. Section 326 of the charter of the city of New York is hereby 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 [head or deputy head of 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 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.