



Legislation Details (With Text)

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**Title:** A Local Law to amend the New York city charter in relation to establishing timeframes for the timely process of contracts and extending financial protections to not-for-profit organizations.

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9/17/2003	*	City Council	Referred to Comm by Council	
10/8/2003	*	Committee on Contracts	Hearing Held by Committee	
10/8/2003	*	Committee on Contracts	Laid Over by Committee	
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12/31/2003	*	City Council	Filed (End of Session)	

Int. No. 547

By Council Members Jackson, Barron, Clarke, Comrie, Gennaro, Jennings, Koppell, Liu, Lopez, Martinez, Perkins, Quinn, Stewart, Vann, Yassky, Reyna, Gerson and Moskowitz

A Local Law to amend the New York city charter in relation to establishing timeframes for the timely process of contracts and extending financial protections to not-for-profit organizations.

*Be it enacted by the Council as follows:*

Section 1. The New York city charter is amended by adding a new section 325-a to read as follows:

§325-a. Prompt Contracting for Client Services. (a) New Programs. 1. An agency shall execute a contract for a new client service program within five months from the date of appropriation of any portion of funding directed to the program.

2. In the event that the agency requests that a not-for-profit organization commence operation of such new program prior to registration of the contract, the not-for-profit organization shall be afforded access to a no-interest loan administered by the city for the full amount of funding necessary to operate the program until such contract is registered. The agency and the not-for-profit organization shall jointly determine the amount and schedule of payments from the loan fund. Following registration of the contract, funding furnished to the not-for-profit organization from the loan fund shall be returned to the loan fund by the agency.

(b) Renewal or New Solicitation of an Existing Contract. 1. An agency shall notify the not-for-profit contractor of the agency's intention to renew or terminate a contract no later than ninety days prior to the conclusion of the contract. If the agency does not intend to renew the contract, such notification shall be in writing with reasons provided therefor. Upon notifying a not-for-profit organization of its intent to renew a contract, the agency shall immediately initiate negotiation of a renewal contract.

2. If a new solicitation is issued for an existing program, such solicitation shall be issued no later than seven months prior to the conclusion of the existing contract, and the contract shall be executed by the agency no later than sixty days prior to the conclusion of the existing contract.

3. In the event that an agency requests that a not-for-profit organization continue providing services prior to registration of a new or renewal contract, payment shall continue uninterrupted according to the terms and conditions of the concluded contract.

(c) In the event that unforeseen factors cause that a contract will ultimately not be registered, the agency shall notify the not-for-profit organization immediately. The not-for-profit organization shall be afforded ninety days to discontinue services. During such time, the not-for-profit organization shall continue to receive payments, in the case of new programs from the loan fund, and in the case of pre-existing programs from the agency. The not-for-profit organization shall not be liable for returning funding accessed via the loan fund.

§ 2. This local law shall take effect 45 days after its enactment.

