Legislation Details (With Text)

File #:	Res 1977-2009	**Version:**	*	**Name:**	Authorize political subdivisions to award public competitively bid contracts to businesses that participate in programs designed to foster participation by small local businesses. (S.3514/A.7369)
Type:	Resolution			**Status:**	Adopted
				In control:	Committee on Contracts
On agenda:	5/20/2009				
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Title: Resolution calling upon the New York State Legislature to pass and the Governor to enact S.3514 and A.7369 of 2009, which authorize political subdivisions to award public competitively bid contracts to businesses that participate in programs designed to foster participation by small local businesses in public procurement at a cost premium not to exceed ten percent of the lowest bid.

Sponsors:

Indexes:

Attachments: 1. Committee Assignment Change, 2. Committee Report 6/25/09, 3. Heairng Transcript 6/25/09, 4. Hearing Testimony 6/2509, 5. Hearing Testimony (Con't) 6/25/09, 6. Committee Report 7/28/09, 7. Hearing Transcript 7/28/09, 8. Press Release, 9. Hearing Transcript - Stated Meeting 7/29/09

Date	Ver.	Action By	Action	Result
5/20/2009	*	City Council	Introduced by Council	
5/20/2009	*	City Council	Referred to Comm by Council	
6/9/2009	*	City Council	Referred to Comm by Council	
6/25/2009	*	Committee on Contracts	Hearing Held by Committee	
6/25/2009	*	Committee on Contracts	Laid Over by Committee	
7/28/2009	*	Committee on Contracts	Hearing Held by Committee	
7/28/2009	*	Committee on Contracts	Approved by Committee	Pass
7/29/2009	*	City Council	Approved, by Council	Pass

Res. No. 1977

Resolution calling upon the New York State Legislature to pass and the Governor to enact S.3514 and A.7369 of 2009, which authorize political subdivisions to award public competitively bid contracts to businesses that participate in programs designed to foster participation by small local businesses in public procurement at a cost premium not to exceed ten percent of the lowest bid.

By Council Members Comrie, Seabrook, Dickens, Fidler, Gonzalez, Mealy, Reyna, Sanders Jr., White Jr., Jackson, James, de Blasio, Stewart, Mark-Viverito, Garodnick, Liu and Weprin

Whereas, According to the New York City Economic Development Corporation, there are over 220,000 small businesses in New York City, employing nearly half of all New Yorkers employed in the private sector;

and

Whereas, According to the New York City Comptroller, the economic downturn could cause up to 165,000 New Yorkers to be laid off over the next two years in New York City; and

Whereas, New York City's small businesses are the cornerstones of its neighborhoods; and

Whereas, The health of New York City's economy depends on the health of its small businesses; and

Whereas, During these difficult economic times, small businesses are hardest hit, as it is particularly difficult for them to operate due to the decline of access to capital and credit; and

Whereas, New York City procures over $15 billion per year in goods and services; and

Whereas, New York State General Municipal Law section 103 requires that qualifying contracts be awarded to the lowest responsible bidder and prohibits the City from exercising any flexibility in the award of such contracts; and

Whereas, General Municipal law section 104-a currently allows political subdivisions to exercise a price preference when purchasing recycled products at a cost premium not to exceed ten percent of what a non-recycled product would cost; and

Whereas, Amending section 104-a of the General Municipal law in a similar way would allow New York City and other political subdivisions to give a small price preference, not to exceed ten percent of the lowest bid received, to small locally based businesses when awarding qualifying competitively bid contracts under $1 million in value; and

Whereas, In order for political subdivisions to exercise the price preference, each political subdivision would be required to establish a program designed to foster participation by small local businesses in public procurement in order to authenticate whether the businesses are small and locally based; and

Whereas, Senate bill S.3514 and Assembly bill A.7369 of 2009, would allow the City and other political subdivisions to give a price preference to small locally based businesses in order to ensure that millions of dollars are injected directly into local economies while supporting the health and vitality of those businesses;

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now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to enact S.3514 and A.7369 of 2009, which authorize political subdivisions to award public competitively bid contracts to businesses that participate in programs designed to foster participation by small local businesses in public procurement at a cost premium not to exceed ten percent of the lowest bid.

LC
LS # 7103
04/09/09