Legislation Details (With Text)

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Int. No. 2293

By Council Member Holden

A Local Law to amend the administrative code of the city of New York, in relation to procurement opportunities for veteran owned business enterprises

Be it enacted by the Council as follows:

Section 1. Section 6-138 of the administrative code of the city of New York, as added by local law number 144 for the year 2013, is amended to read as follows:

§ 6-138 Participation by veteran owned business enterprises in city procurement. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Commissioner. The term “commissioner” means the commissioner of small business services.

Veteran owned business enterprise. The term “veteran owned business enterprise” means a business enterprise authorized to do business in this state, including sole proprietorships, partnerships and corporations,

in which (i) at least 51 percent of the ownership interest is held by United States citizens or lawful permanent residents who are veterans, as defined in section 3101 of the charter; (ii) the ownership interest of such individuals is real, substantial and continuing; and (iii) such individuals have and exercise the authority to control independently the day to day business decisions of the enterprise. Veteran owned business enterprise includes a business enterprise that is licensed by or located in the city of New York and that has been verified as a service-disabled veteran-owned small business or a veteran-owned small business pursuant to part 74 of title 38 of the code of federal regulations, or certified as a service-disabled veteran-owned business enterprise pursuant to subdivision 5 of section 369-i of the executive law.

b. Report. The commissioner [of the department of small business services], in consultation with the city chief procurement officer, shall analyze veteran owned business enterprises and opportunities for such business enterprises in city procurements and shall, by December 1, 2014, determine the need for a citywide program to promote opportunities in city procurement for veterans. At such time, the commissioner shall submit to the council a report on such analysis including the basis for such determination. If the commissioner determines that there is a need for such a citywide program, such report shall also contain recommendations concerning measures to enhance the opportunities of such businesses with respect to city procurement, which shall include but need not be limited to, outreach and notification of contract opportunities, certification of veteran owned business enterprises, recommendations regarding the establishment of participation goals, and tracking and reporting the utilization of such business enterprises. The commissioner shall periodically review opportunities for veterans in city procurement and, if the commissioner determines necessary, prepare and submit an updated report to the council with recommendations for additional city procurement opportunities for veteran owned business enterprises.

c. Registration as veteran owned business enterprise. The commissioner, in consultation with the city chief procurement officer, shall include a mechanism wherever businesses register to conduct business with the city, including on the city website and any other means of registration, for veteran owned business enterprises

to identify as a veteran owned business enterprise.

d. Veteran leadership advisory program. The commissioner, in consultation with the department of veterans' services, shall establish a veteran leadership advisory program to educate veteran owned business enterprises about federal, state and city procurement opportunities and to support veteran owned business enterprises when applying for such procurement opportunities. The veteran leadership advisory program shall be located within the department of small business services and shall coordinate and facilitate technical assistance and educational programs, including but not limited to procurement workshops and mentorship programs, to enhance participation in city procurement for veteran owned business enterprises.

§ 2. This local law takes effect 120 days after it becomes law.

JSA
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