



Legislation Text

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Int. No. 215-A

By Council Members Moskowitz, Avella, Baez, Barron, Brewer, Clarke, Comrie, DeBlasio, Diaz, Dilan, Foster, Gennaro, Jackson, Katz, Liu, Martinez, McMahon, Monserrate, Nelson, Recchia, Reyna, Rivera, Sanders, Stewart, Yassky, Gallagher, Golden, and Lanza; also Council Members Addabbo, Jr., Seabrook and Quinn

A Local Law to amend the New York City charter, in relation to requiring the chancellor of the city school district to submit to the Council quarterly reports on the status of all school capital projects.

Be it enacted by the Council as follow:

Section 1. Chapter 20 of the New York City Charter is hereby amended by adding new subdivisions e, f, and g to section 521 to read as follows:

e. Not later than the first day of February of the year two thousand and three and on a quarterly basis thereafter, not later than May first, August first, November first, and February first of each year, the chancellor of the city school district shall submit to the council an itemized statement covering the status of every school capital project that was completed during the immediately preceding fiscal quarter or not completed but for which funding was appropriated. This statement shall include, but not be limited to, the following information for each such project: (1) the total amount appropriated for the school capital project; (2) the original and current total estimated cost of the school capital project, disaggregated by project phase, including, but not limited to, scope, design, and construction; (3) the projected or actual start and end date of each such project phase; (4) the total amount expended on the project as of the last day of the immediately preceding fiscal quarter, disaggregated by project phase; (5) a clear explanation of the reasons for any projected or actual cost overrun of ten percent or more of the total estimated cost of the project; (6) a clear explanation of the reasons for any delay of sixty days or longer with respect to any phase of the project and (7) the name, office phone number

and e-mail address of the project manager, or person responsible for reporting on the project, within three months of appropriation for the school capital project.

f. The chancellor of the city school district shall provide additional electronic notification to the council within thirty days of learning of any of the following with respect to any school capital project: (1) any projected or actual delay of sixty days or more with respect to any phase of the project and (2) any projected or actual change of ten percent or more of the total estimated cost of the project. The chancellor of the city school district shall also provide the information required by this subdivision to the council member who represents the district in which the project is located.

g. The office of management and budget shall provide electronic notification to the council immediately upon issuing a certificate to proceed for every school capital project. The office of management and budget shall also provide the information required in this subdivision to the council member who represents the district in which the project is located.

h. For purposes of subdivisions e, f, and g, “school capital project” shall mean: (1) any project included in any current or prior five-year educational facilities capital plan; and (2) any capital project for a school facility for which funding was appropriated to the department of education or its successor pursuant to sections two hundred eleven, two hundred forty-nine, or two hundred fifty- four.

§2. If any subsection, section, 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 shall remain in full force and effect.

§3. This local law shall take effect immediately after its enactment into law.

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Final Version