File #: Int 1309-2025, **Version:** *

Int. No. 1309

By Council Members Menin, Won, Louis, Narcisse, Brannan, Ung, Lee, Avilés, Brooks-Powers, Zhuang, Holden, Williams, Restler, Banks, Feliz, Gutiérrez and Brewer

A Local Law to amend the New York city charter in relation to approval for emergency procurements and submission of contracts for audit

Be it enacted by the Council as follows:

Section 1. Section 315 of the New York city charter, as amended by local law number 135 for the year 2013, is amended to read as follows:

§ 315. Emergency procurement. Notwithstanding the provisions of section three hundred twelve of this chapter, in the case of unforeseen danger to life, safety, property or a necessary service, an emergency procurement may be made with the [prior] approval of the comptroller and corporation counsel, provided that such procurement shall be made with such competition as is practicable under the circumstances, consistent with the provisions of section three hundred seventeen of this chapter. A contract entered into pursuant to this section shall have a term of duration of no more than 30 days, provided that any such contract may be renewed for additional terms of up to 30 days with the approval of the comptroller and corporation counsel. A written determination of the basis for the emergency and the selection of the contractor shall be placed in the agency contract file, and shall further be submitted to the council no later than fifteen days following contract award, and the determination or summary of such determination shall be included in the notice of the award of contract published pursuant to section three hundred twenty-five of this chapter.

§ 2. Paragraph 1 of subdivision d of section 328 of the New York city charter, as added by a vote of the electors at a general election held on November 7, 1989, is amended to read as follows:

(1) an emergency contract awarded pursuant to section three hundred fifteen or to an accelerated procurement as defined under section three hundred twenty-six, provided that the agency shall, [as soon as is practicable] within 15 days of the execution of that contract, submit any such contract to the comptroller for an audit of the procedures and basis for the determination of the need for an emergency or accelerated procurement, or

§ 3. This local law takes effect immediately.

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02/03/2025 11:30 AM