



Legislation Text

File #: Int 0479-2024, Version: A

Int. No. 479-A

By Council Members Won, Restler, Louis, Cabán and Schulman

A Local Law to amend the administrative code of the city of New York, in relation to requiring the establishment of standards and procedures to determine the existence of conflicts of interest and other misconduct concerning city contracts

Be it enacted by the Council as follows:

Section 1. Title 6 of the administrative code of the city of New York is amended by adding a new section 6-150 to read as follows:

§ 6-150 Conflicts of interest and misconduct concerning city contracts. a. As used in this section, the following terms have the following meanings:

City chief procurement officer. The term “city chief procurement officer” has the same meaning as set forth in section 6-129.

Contract. The term “contract” means any written agreement, purchase order, or instrument by which the city is committed to expend or does expend funds in return for goods, professional services, standard services, or construction, provided that such term does not include any such agreement, purchase order, or instrument awarded pursuant to an emergency procurement in accordance with section 315 of the charter, or an intergovernmental procurement in accordance with section 316 of the charter.

Contractor. The term “contractor” means a person who has been awarded a contract by an agency.

Covered contract. The term “covered contract” means a contract entered into on or after the effective date of the local law that added this section that, by itself or when aggregated with the value of all other contracts awarded to such contractor during the immediately preceding 12 months, has a value in excess of

\$100,000.

Subcontractor. The term “subcontractor” means a person who, pursuant to an agreement with a contractor, performs work or provides services for a contract.

b. 1. In consultation with the conflicts of interest board and the department of investigation, the city chief procurement officer shall establish standards and procedures that a contractor that is a party to a covered contract shall use to determine the existence of any conflict of interest relating to such covered contract for any officer or employee of such contractor or for any officer or employee of a subcontractor of such contractor.

2. In consultation with the department of investigation, the city chief procurement officer shall establish standards and procedures that a contractor that is a party to a covered contract shall use to determine the existence of any conduct by any owner, officer, or employee of such contractor, or by any owner, officer, or employee of a subcontractor of such contractor, relating to such covered contract that involves corruption, criminal activity, gross mismanagement, or abuse of authority.

3. The city chief procurement officer shall periodically review the standards and procedures established pursuant to this subdivision and update such standards and procedures as the city chief procurement officer determines to be necessary.

4. Within 7 days after the establishment of, or any update to, the standards and procedures established pursuant to this subdivision, the city chief procurement officer shall submit copies of such standards and procedures to the mayor and the speaker of the council.

c. A covered contract shall include a provision requiring a contractor to use the standards and procedures established pursuant to subdivision b of this section to determine the existence of:

1. Any conflict of interest relating to such covered contract for any officer or employee of such contractor, or for any officer or employee of a subcontractor of such contractor, provided that nothing in this section shall be construed to excuse a contractor or subcontractor on a covered contract from compliance with any applicable provision of law, including any applicable provision of chapter 68 of the charter; and

2. Any conduct involving corruption, criminal activity, gross mismanagement, or abuse of authority by any owner, officer, or employee of such contractor, or by any owner, officer, or employee of a subcontractor of such contractor, relating to such covered contract.

d. A contractor who has been awarded a covered contract shall, upon execution of such covered contract, certify to the agency that awarded such contract that such contractor has used the standards and procedures established pursuant to subdivision b of this section to determine the existence of a conflict of interest or conduct involving corruption, criminal activity, gross mismanagement, or abuse of authority as required by subdivision c of this section.

e. If a contractor who has been awarded a covered contract becomes aware of the existence of any such conflict of interest or conduct involving corruption, criminal activity, gross mismanagement, or abuse of authority relating to such covered contract during the term of such covered contract, such contractor shall notify the agency that awarded such contract, the mayor's office of contract services, and the department of investigation. Such contractor shall provide such notice in writing within 10 business days of such contractor becoming aware of such conflict of interest or such conduct.

f. No later than July 1, 2027, and no later than July 1 of each year thereafter, the city chief procurement officer shall post on the city's website and submit to the mayor and the speaker of the council a report that summarizes the number and types of conflicts of interest or conduct involving corruption, criminal activity, gross mismanagement, or abuse of authority about which a contractor has notified the mayor's office of contract services pursuant to subdivision e of this section.

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

Session 13
ARP
LS #8699
12/10/2025

Session 12
JTB
LS #8699

4/8/2022