

# STATE OF NEW YORK

4387

2025-2026 Regular Sessions

## IN SENATE

February 4, 2025

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Procurement and Contracts

AN ACT to amend the state finance law, in relation to requiring consideration of union made commodities and services in the awarding of certain procurement contracts

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph j of subdivision 1 of section 163 of the state  
2 finance law, as amended by section 28 of part PP of chapter 56 of the  
3 laws of 2022, is amended to read as follows:

4 j. "Best value" means the basis for awarding contracts for services to  
5 the offerer which optimizes quality, cost and efficiency, among respon-  
6 sive and responsible offerers. Such basis shall reflect, wherever possi-  
7 ble, objective and quantifiable analysis. Such basis may also identify a  
8 quantitative factor for offerers that are small businesses, certified  
9 minority- or women-owned business enterprises as defined in subdivisions  
10 one, seven, fifteen and twenty of section three hundred ten of the exec-  
11 utive law or service-disabled veteran-owned business enterprises as  
12 defined in subdivision one of section forty of the veterans' services  
13 law to be used in evaluation of offers for awarding of contracts for  
14 services. Such basis shall also identify as a quantitative factor  
15 whether the commodities or services offered were manufactured by or will  
16 be performed by members of a labor organization as defined in section  
17 two hundred ninety-two of the executive law.

18 § 2. This act shall take effect on the thirtieth day after it shall  
19 have become a law; provided, however, that the amendments to paragraph j  
20 of subdivision 1 of section 163 of the state finance law made by section  
21 one of this act shall not affect the repeal of such section and shall be  
22 deemed to be repealed therewith.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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