

4998

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

Introduced by M. of A. ESPAILLAT, PERALTA, WRIGHT, COLTON, WALKER --
Multi-Sponsored by -- M. of A. BOYLAND, PERRY, ROBINSON -- read once
and referred to the Committee on Corporations, Authorities and Commis-
sions

AN ACT to amend the public authorities law, in relation to requiring the
metropolitan transportation authority to hold a public hearing prior
to the awarding of a sole source contract

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The public authorities law is amended by adding a new
2 section 1265-b to read as follows:
3 S 1265-B. SOLE SOURCE CONTRACTS. NOTWITHSTANDING ANY INCONSISTENT
4 PROVISIONS OF THIS CHAPTER, EXCEPT WHEN THERE IS AN EMERGENCY INVOLVING
5 DANGER TO LIFE OR PROPERTY, THE AUTHORITY SHALL NOT AWARD A SOLE SOURCE
6 CONTRACT WITHOUT COMPETITIVE BIDDING THEREON UNTIL IT SHALL HAVE HELD A
7 PUBLIC HEARING ON THE AWARD OF SUCH CONTRACT PRIOR TO THE MAKING OF SUCH
8 AWARD. NOTICE OF SUCH HEARING SHALL BE PUBLISHED PRIOR THERETO ONCE A
9 WEEK FOR TWO SUCCESSIVE WEEKS IN TWO OF THE DAILY NEWSPAPERS PUBLISHED
10 IN THE CITY AND IN THE CITY RECORDS. PUBLIC COMMENT SHALL BE HEARD WITH
11 RESPECT TO SUCH PROPOSED AWARD OF CONTRACT. ANY RESOLUTION OF THE
12 AUTHORITY AWARDING SUCH A SOLE SOURCE CONTRACT WITHOUT COMPETITIVE
13 BIDDING SHALL BE ADOPTED ONLY AFTER SUCH HEARING AND SHALL STATE THE
14 REASONS THEREFOR. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO
15 CONTRACTS FOR PERSONAL, ARCHITECTURAL, ENGINEERING, OR OTHER PROFES-
16 SIONAL SERVICES.
17 S 2. This act shall take effect on the thirtieth day after it shall
18 have become a law.

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

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