S T A T E O F N E W Y O R K

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2009-2010 Regular Sessions

I N A S S E M B L Y

February 17, 2009

Introduced by M. of A. ROSENTHAL, BRODSKY, GLICK, CANESTRARI, JOHN, MILLMAN, GALEF -- Multi-Sponsored by -- M. of A. BRADLEY, BRENNAN, CAHILL, CHRISTENSEN, CLARK, COLTON, COOK, DelMONTE, ESPAILLAT, FIELDS, GORDON, GOTTFRIED, HOYT, JACOBS, KOON, LUPARDO, MAYERSOHN, McENENY, PEOPLES, PHEFFER, REILLY, SCHROEDER, SWEENEY, WRIGHT -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to central procurement offices

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

Section 1. The public authorities law is amended by adding a new article 1-B to read as follows:

ARTICLE 1-B

CENTRAL PROCUREMENT OFFICE

SECTION 60. CENTRAL PROCUREMENT OFFICE.

S 60. CENTRAL PROCUREMENT OFFICE. 1. AS USED IN THIS SECTION, THE TERM "AUTHORITY" SHALL MEAN A PUBLIC AUTHORITY OR OTHER PUBLIC BENEFIT CORPORATION CREATED UNDER THIS CHAPTER OR ANY OTHER PROVISION OF LAW.

2. THERE SHALL BE CREATED WITHIN EACH AUTHORITY A CENTRAL PROCUREMENT OFFICE. ALL CONTRACTS FOR THE PROCUREMENT OF GOODS AND SERVICES OF EVERY KIND FOR EACH SUCH AUTHORITY AND EACH AND EVERY SUBSIDIARY OF THE AUTHORITY SHALL BE ENTERED INTO ON BEHALF OF SUCH AUTHORITY BY THE CENTRAL PROCUREMENT OFFICER OR HIS OR HER DELEGATE.

3. IN ADDITION, THE CENTRAL PROCUREMENT OFFICE SHALL HAVE RESPONSIBILITY TO MAINTAIN, IN A CENTRAL PLACE WHICH IS ACCESSIBLE TO THE PUBLIC, STANDARD INFORMATION REGARDING EACH PROCUREMENT CONTRACT WITH THE AUTHORITY AND EACH CONTRACTOR INVOLVED IN SUCH A CONTRACT. SUCH INFORMATION SHALL INCLUDE:

A. A COPY OF THE CONTRACT;

B. INFORMATION REGARDING THE METHOD BY WHICH THE CONTRACT WAS LET;

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

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C. SUCH STANDARD DOCUMENTS AS THE CONTRACTOR IS REQUIRED TO SUBMIT AND ANY MEMORANDA OF THE AUTHORITY AND ITS SUBSIDIARIES CONCERNING ANALYSIS OF THE COMPARATIVE COSTS OF USING THE VENDOR TO PERFORM THE WORK AND USING AUTHORITY EMPLOYEES TO PERFORM THE WORK;

D. INFORMATION REGARDING THE CONTRACTOR'S QUALIFICATIONS AND PERFORMANCE;

E. ANY EVALUATION OF THE CONTRACTOR AND ANY CONTRACTOR RESPONSES TO SUCH EVALUATIONS;

F. ANY AUDITS OF THE CONTRACT AND ANY CONTRACTOR RESPONSES TO SUCH AUDITS; AND

G. ANY DECISIONS REGARDING THE SUSPENSION OR DEBARMENT OF THE CONTRACTOR.

4. THE INFORMATION ON CONTRACTS AND CONTRACTORS SHALL BE COMPUTERIZED TO THE EXTENT FEASIBLE. THE COMPUTERIZED INFORMATION SHALL BE STORED IN A MANNER WHICH ALLOWS FOR MEANINGFUL READ-ONLY ACCESS TO SUCH INFORMATION BY THE NAME OF THE UNIT OF THE AUTHORITY USING THE CONTRACTOR, CONTRACTOR NAME, CONTRACT CATEGORY, AND CONTRACT NUMBER IN PRIOR NOTICES PUBLISHED BY THE AUTHORITY. THE COMPUTERIZED INFORMATION SHALL BE MADE AVAILABLE TO THE PUBLIC THROUGH COMPUTER TERMINALS ACCESSIBLE TO THE PUBLIC IN APPROPRIATE AUTHORITY LOCATIONS. THE AUTHORITY SHALL, TO THE EXTENT FEASIBLE, COOPERATE WITH ANY OTHER MUNICIPALITIES WHICH MAINTAIN SIMILAR INFORMATION REGARDING CONTRACTS AND CONTRACTORS IN THE SAME AREA AS THE AUTHORITY TO SHARE AND INTEGRATE THE AUTHORITY'S INFORMATION ON CONTRACTS AND CONTRACTORS WITH THE INFORMATION DEVELOPED BY SUCH OTHER MUNICIPALITIES.

S 2. This act shall take effect immediately.