

6402

I N   S E N A T E

February 3, 2012

---

Introduced by Sen. HASSELL-THOMPSON -- read twice and ordered printed,  
and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, in relation to allowing Westchester county to require bidders for public works, construction or purchase contracts to hire and retain persons residing in certain targeted communities

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

1     Section 1. The general municipal law is amended by adding a new  
2     section 103-h to read as follows:

3     S 103-H. CONTRACTS FOR PUBLIC WORKS IN WESTCHESTER COUNTY; TARGETED  
4     COMMUNITIES. 1. FOR THE PURPOSES OF THIS SECTION, A "TARGETED COMMUNITY"  
5     SHALL MEAN ANY CITY, TOWN, OR VILLAGE WITHIN A COUNTY WHERE THE COMBINED  
6     AVERAGE OF THE UNEMPLOYMENT RATE AND THE POVERTY RATE OF SUCH COMMUNITY  
7     IS GREATER THAN THE COMBINED COUNTYWIDE AVERAGE OF UNEMPLOYMENT AND  
8     POVERTY RATE BY TEN PERCENT.

9     2. NOTWITHSTANDING ANY PROVISION OF LAW, THE COUNTY OF WESTCHESTER MAY  
10    REQUIRE THE LOWEST RESPONSIBLE BIDDER FOR ALL PUBLIC WORKS, CONSTRUCTION  
11    OR PURCHASE CONTRACTS TO HIRE AND RETAIN PERSONS RESIDING IN CERTAIN  
12    TARGETED COMMUNITIES HAVING THE HIGHEST RATES OF UNEMPLOYMENT WITHIN  
13    SUCH COUNTY.

14    3. THE COUNTY MAY REQUIRE THAT:

15    A. AT LEAST TEN PERCENT OF THE LABOR COSTS OF CONSTRUCTION CONTRACTS  
16    AWARDED BY THE COUNTY BE SPENT TO HIRE PERSONS RESIDING IN THE TARGETED  
17    COMMUNITIES WITHIN THAT COUNTY;

18    B. AT LEAST TWENTY PERCENT OF THE LABOR COSTS OF CONSTRUCTION  
19    CONTRACTS BE SPENT TO HIRE PERSONS RESIDING IN THE TARGETED COMMUNITIES,  
20    IF THE COMBINED AVERAGE UNEMPLOYMENT AND POVERTY RATE FOR A TARGETED  
21    COMMUNITY IS GREATER THAN TWENTY PERCENT OF THE COMBINED COUNTYWIDE  
22    AVERAGE OF UNEMPLOYMENT RATE AND THE POVERTY RATE; AND

23    C. AT LEAST THIRTY PERCENT OF THE LABOR COSTS OF CONSTRUCTION  
24    CONTRACTS COST BE SPENT TO HIRE PERSONS RESIDING IN THE TARGETED COMMU-  
25    NITIES IF THE COMBINED AVERAGE COMMUNITY UNEMPLOYMENT AND POVERTY RATE

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

LBD13139-03-2

1 IS GREATER THAN THIRTY PERCENT OF THE COMBINED COUNTYWIDE AVERAGE OF  
2 UNEMPLOYMENT RATE AND THE POVERTY RATE.

3 4. THE COMBINED AVERAGE UNEMPLOYMENT RATE AND POVERTY RATE SHALL BE  
4 COMPUTED ANNUALLY BASED ON STATISTICS PUBLISHED BY THE NEW YORK STATE  
5 BUREAU OF LABOR STATISTICS OR SIMILAR GOVERNMENT AGENCIES FOR THE PERIOD  
6 ENDING DECEMBER THIRTY-FIRST OF THE YEAR PRECEDING THE YEAR IN WHICH THE  
7 CONTRACT IS AWARDED. THE COMBINED AVERAGE SHALL BE THE SUM OF THE  
8 PRECEDING YEAR END UNEMPLOYMENT RATE PLUS THE PRECEDING YEAR END POVERTY  
9 RATE DIVIDED BY TWO.

10 5. THE COMBINED AVERAGE UNEMPLOYMENT RATE AND POVERTY RATE SHALL BE  
11 ESTABLISHED ANNUALLY BY RESOLUTION OR LOCAL LAW OF THE COUNTY.

12 6. THE COUNTY MAY REQUIRE THE LOWEST RESPONSIBLE BIDDER TO ESTABLISH  
13 APPRENTICESHIP AND TRAINING PROGRAMS FOR WORKERS RESIDING WITHIN THE  
14 TARGETED COMMUNITIES IN CERTAIN CONSTRUCTION TRADES SPECIFIED IN A  
15 RESOLUTION OR LOCAL LAW PASSED BY SUCH COUNTY.

16 S 2. This act shall take effect on the thirtieth day after it shall  
17 have become a law.