

7580

2015-2016 Regular Sessions

I N   A S S E M B L Y

May 19, 2015

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Introduced by M. of A. BICHOTTE, PEOPLES-STOKES -- (at request of the Office of General Services) -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the state finance law, in relation to authorizing state agencies to use discretionary purchasing authority for procurements from service-disabled veteran-owned business

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 2 of part L of chapter 55 of the laws  
3     of 2012, 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 [or], certi-  
9     fied minority- or women-owned business enterprises as defined in subdivi-  
10    sions one, seven, fifteen and twenty of section three hundred ten of  
11    the executive law OR SERVICE-DISABLED VETERAN-OWNED BUSINESS ENTERPRISES  
12    AS DEFINED IN SUBDIVISION ONE OF SECTION THREE HUNDRED SIXTY-NINE-H OF  
13    THE EXECUTIVE LAW to be used in evaluation of offers for awarding of  
14    contracts for services.  
15    S 2. Subdivision 6 of section 163 of the state finance law, as amended  
16    by section 1 of part P of chapter 55 of the laws of 2013, is amended to  
17    read as follows:  
18    6. Discretionary buying thresholds. Pursuant to guidelines established  
19    by the state procurement council: the commissioner may purchase services  
20    and commodities in an amount not exceeding eighty-five thousand dollars  
21    without a formal competitive process; state agencies may purchase  
22    services and commodities in an amount not exceeding fifty thousand  
23    dollars without a formal competitive process; and state agencies may

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

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1 purchase commodities or services from small business concerns or those  
2 certified pursuant to [article] ARTICLES fifteen-A AND SEVENTEEN-B of  
3 the executive law, or commodities or technology that are recycled or  
4 remanufactured, or commodities that are food, including milk and milk  
5 products, grown, produced or harvested in New York state in an amount  
6 not exceeding two hundred thousand dollars without a formal competitive  
7 process.  
8 S 3. This act shall take effect immediately; provided however, that  
9 the amendments to section 163 of the state finance law made by sections  
10 one and two of this act shall not affect the repeal of such section and  
11 shall be deemed repealed therewith.