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

7562

2015-2016 Regular Sessions

I N A S S E M B L Y

May 19, 2015

Introduced by M. of A. BLAKE -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to required prime contractor executive management staff for state contracts

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

Section 1. Paragraphs (h) and (i) of subdivision 2-a of section 313 of the executive law, as added by chapter 175 of the laws of 2010, are amended and a new paragraph (j) is added to read as follows:

(h) provide for the collection of statistical data by each agency concerning actual minority and women-owned business enterprise participation; [and]

(i) require each agency to consult the most current disparity study when calculating agency-wide and contract specific participation goals pursuant to this article[.]; AND

(J) REQUIRE THAT EACH PRIME CONTRACTOR INCLUDE AT LEAST ONE MINORITY AND ONE WOMAN AS PART OF THEIR EXECUTIVE MANAGEMENT STAFF. IF SUCH PRIME CONTRACTOR DOES NOT CURRENTLY HAVE THE REQUIRED STAFF AS SET FORTH UNDER THIS PARAGRAPH, SUCH CONTRACTOR SHALL, PRIOR TO RECEIVING ANY FUNDING FOR SUCH CONTRACT, (I) ESTABLISH A JOINT VENTURE WITH A CERTIFIED MINORITY OR WOMEN BUSINESS ENTERPRISE AND BOTH BUSINESSES SHALL THEN SERVE AS CO-PRIME CONTRACTORS; OR (II) IDENTIFY A PERSON OR PERSONS TO FILL SUCH EXECUTIVE POSITION FOR THE DURATION OF THE PROJECT.

S 2. This act shall take effect immediately; provided however, that the amendments to section 313 of the executive law made by section one of this act shall not affect the expiration of such section and shall be deemed to expire therewith.

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

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