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

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2015-2016 Regular Sessions

I N A S S E M B L Y

May 19, 2015

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:

Section 1. Paragraph j of subdivision 1 of section 163 of the state finance law, as amended by section 2 of part L of chapter 55 of the laws of 2012, is amended to read as follows:

j. "Best value" means the basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses [or], certified minority- or women-owned business enterprises as defined in subdivisions one, seven, fifteen and twenty of section three hundred ten of the executive law OR SERVICE-DISABLED VETERAN-OWNED BUSINESS ENTERPRISES AS DEFINED IN SUBDIVISION ONE OF SECTION THREE HUNDRED SIXTY-NINE-H OF THE EXECUTIVE LAW to be used in evaluation of offers for awarding of contracts for services.

S 2. Subdivision 6 of section 163 of the state finance law, as amended by section 1 of part P of chapter 55 of the laws of 2013, is amended to read as follows:

6. Discretionary buying thresholds. Pursuant to guidelines established by the state procurement council: the commissioner may purchase services and commodities in an amount not exceeding eighty-five thousand dollars without a formal competitive process; state agencies may purchase services and commodities in an amount not exceeding fifty thousand 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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purchase commodities or services from small business concerns or those certified pursuant to [article] ARTICLES fifteen-A AND SEVENTEEN-B of the executive law, or commodities or technology that are recycled or remanufactured, or commodities that are food, including milk and milk products, grown, produced or harvested in New York state in an amount not exceeding two hundred thousand dollars without a formal competitive process.

S 3. This act shall take effect immediately; provided however, that the amendments to section 163 of the state finance law made by sections one and two of this act shall not affect the repeal of such section and shall be deemed repealed therewith.