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

8104--A

2015-2016 Regular Sessions

I N A S S E M B L Y

June 9, 2015

Introduced by M. of A. PAULIN, MAGNARELLI, SKOUFIS -- read once and referred to the Committee on Education -- recommitted to the Committee on Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to contracts for the provision, maintenance and operation of cafeteria or restaurant service by a private food service management company

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

Section 1. Paragraph e of subdivision 14 of section 305 of the education law, as amended by chapter 464 of the laws of 1997, is amended to read as follows:

e. Notwithstanding the provisions of any general, special or local law or charter, a board of education or a trustee of a district, pursuant to rules and regulations promulgated by the commissioner, may award a contract for the transportation of pupils or a contract for mobile instructional units OR FOR THE PROVISION, MAINTENANCE AND OPERATION OF CAFETERIA OR RESTAURANT SERVICE BY A PRIVATE FOOD SERVICE MANAGEMENT COMPANY involving an annual expenditure in excess of the amount specified for purchase contracts in the bidding requirements of the general municipal law in compliance with the provisions of paragraph a of this subdivision or subsequent to an evaluation of proposals submitted in response to a request for proposals prepared by or for the board of education or trustee of a district. A CONTRACT AWARDED THROUGH A REQUEST FOR PROPOSALS MAY BE AWARDED BASED ON BEST VALUE IN ACCORDANCE WITH SECTION ONE HUNDRED THREE OF THE GENERAL MUNICIPAL LAW. The commissioner, in addition to his existing statutory authority to approve or disapprove transportation contracts, may reject any award of a transportation contract or a contract for mobile instructional units that is based on an evaluation of proposals submitted in response to a request for

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

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proposals if he finds that (1) the contractor is not the most responsive to the request for proposals, or (2) that the best interests of the district will be promoted thereby.

S 2. This act shall take effect July 1, 2016, provided that if this act shall become a law after such date, it shall take effect immediately and shall be deemed to have been in full force and effect on and after July 1, 2016.