

4856

2015-2016 Regular Sessions

I N S E N A T E

April 22, 2015

Introduced by Sen. CROCI -- (at request of the Office of General Services) -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

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.