

# STATE OF NEW YORK

---

1025--B

2017-2018 Regular Sessions

## IN ASSEMBLY

January 10, 2017

---

Introduced by M. of A. PRETLOW, COLTON -- read once and referred to the Committee on Environmental Conservation -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to guidelines for disqualifying stand-by contractors

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 4 of section 3-0309 of the environmental  
2 conservation law is amended by adding a new paragraph a-1 to read as  
3 follows:

4 a-1. guidelines for disqualifying contractors which shall be based  
5 upon section one hundred thirty-nine-b of the state finance law and such  
6 other factors deemed appropriate including, but not limited to, past  
7 performance on state contracts, reasonableness of price charged for past  
8 performance of state contracts, any negligence or malfeasance committed  
9 during the past performance of state contracts, and any conviction of a  
10 crime which reflects upon the honesty, integrity or capability of a  
11 contractor; provided, however that a criminal conviction shall be  
12 considered in a manner consistent with article twenty-three-A of the  
13 correction law;

14 § 2. This act shall take effect on the one hundred twentieth day after  
15 it shall have become a law. Effective immediately, the addition, amend-  
16 ment and/or repeal of any rule or regulation necessary for the implemen-  
17 tation of this act on its effective date are authorized to be made on or  
18 before such effective date.

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

LBD04460-03-7