STATE OF NEW YORK

6513--B

2017-2018 Regular Sessions

IN SENATE

May 30, 2017

Introduced by Sens. ALCANTARA, SAVINO, COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the New York city charter, in relation to opportunities for minority and women-owned business enterprises

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

Section 1. Section 311 of the New York city charter is amended by adding a new subdivision i to read as follows:

i. In addition to other rules authorized by this section, the board may provide by rule that:

1. agencies may make procurements of goods and services for amounts not exceeding one hundred fifty thousand dollars from businesses certified as minority or women-owned business enterprises pursuant to section thirteen hundred four of the charter without a formal competitive process.

2. agencies may award contracts for goods and services on the basis of best value to the bidder or offerer which optimizes quality, cost and efficiency, among responsive and responsible bidders or offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis and may include the prospective bidder's record of complying with existing labor standards, maintaining harmonious labor relations, and protecting the health and safety of workers. Such basis may also identify a quantitative factor for awarding of contracts for bidders or offerers that are businesses certified as minority or women-owned business enterprises pursuant to section thirteen hundred four of the charter.

3. the rule or rules promulgated to implement paragraph one of this subdivision shall provide that the city shall, commencing on the first

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

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of October of the first full calendar year following the adoption of such rule or rules, submit an annual report to the governor and the state legislature of the total number and total dollar value of procurements of goods and services for amounts not exceeding one hundred fifty thousand dollars from:

(i) businesses certified as minority or women-owned business enterprises pursuant to section thirteen hundred four of the charter;

(ii) all other businesses; and

(iii) information about the number of businesses certified as minority or women-owned business enterprises pursuant to section thirteen hundred four of this charter able to perform the specific type and scale of work involved in each procurement.

§ 2. Severability. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid and after exhaustion of all further judicial review, the judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this act directly involved in the controversy in which the judgment shall have been rendered.

§ 3. This act shall take effect immediately and shall apply to any contract entered into, renewed, modified or amended on or after such date.