

# STATE OF NEW YORK

1831

2019-2020 Regular Sessions

## IN ASSEMBLY

January 17, 2019

Introduced by M. of A. MAGNARELLI, HUNTER -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to modernizing and increasing the transparency of local government procurement of goods and services

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "local government procurement modernization and transparency act".

3 § 2. Section 103 of the general municipal law is amended by adding a  
4 new subdivision 17 to read as follows:

5 17. (a) As an alternative to the notice procedure set forth in subdivi-  
6 vision two of this section, a political subdivision may provide notice  
7 of requests for bids by posting the requests on the New York State  
8 Contract Reporter website. In addition, the municipality must post  
9 notice of requests for bids on a website maintained by the political  
10 subdivision itself. Before a political subdivision may utilize the  
11 online notification method outlined in this subdivision, the political  
12 subdivision must adopt a local law which provides that all requests for  
13 bids will be posted online pursuant to the procedures outlined in this  
14 subdivision. After a political subdivision adopts a local law pursuant  
15 to this paragraph, notice of the local law's adoption must be published  
16 once a week for three consecutive weeks in a newspaper of general circu-  
17 lation within the political subdivision. In addition, a political subdivi-  
18 vision must continuously and conspicuously post on its website that  
19 notices of requests for bids are posted online with a link to the  
20 webpage where current and previous requests for bids have been posted.

21 (b) Once a political subdivision has designated the online bid notifi-  
22 cation process as the method for requesting bids, each request for bids  
23 must be continuously posted for at least five consecutive days on both  
24 the political subdivision's website and the New York State Contract

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

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1 Reporter website before the bid opening deadline. For the purpose of  
2 calculating the number of days, the first day the request for bids is  
3 posted online may not be counted but the day of the bid opening may be  
4 counted. The website posting must include the bid specifications, unless  
5 it is infeasible to post the bid specifications on the website in which  
6 case a summary of the request for bids must be posted online with a  
7 statement that the complete bid specifications are available in the  
8 office of the clerk of the political subdivision. The website posting  
9 must also include a statement indicating the address to which bids must  
10 be delivered and a statement of the date, time, and place where the bids  
11 will be publicly opened and read.

12 (c) Nothing in this subdivision precludes a political subdivision from  
13 publicizing notices of a request for bids in other manners in addition  
14 to the methods outlined in this subdivision. Nothing in this subdivision  
15 precludes a newspaper from publishing information of its own accord  
16 regarding any political subdivision's notice of request for bids or  
17 request for proposals.

18 § 3. This act shall take effect immediately.