

STATE OF NEW YORK

3129

2019-2020 Regular Sessions

IN ASSEMBLY

January 28, 2019

Introduced by M. of A. PRETLOW, COLTON -- read once and referred to the
Committee on Environmental Conservation

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 Assem-
bly, 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.

LBD04652-01-9