# 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 Assembly, do enact as follows:**

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

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

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made on or before such effective date.

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

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