STATE OF NEW YORK

6271

2021-2022 Regular Sessions

IN ASSEMBLY

March 12, 2021

Introduced by M. of A. BICHOTTE HERMELYN, SEAWRIGHT, SOLAGES, GOTTFRIED, JEAN-PIERRE, HYNDMAN, COOK, WALKER, DAVILA -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the state finance law, in relation to requiring that public contracts be divided by size into large, medium, small and micro contracts for the purpose of increasing opportunities for small businesses to participate in state contracts

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

Section 1. Paragraph c of subdivision 10 of section 163 of the state finance law, as amended by chapter 95 of the laws of 2000, is amended to read as follows:

c. The commissioner or state agency may elect to award a contract to one or more responsive and responsible offerers provided, however, that the basis for the selection among multiple contracts at the time of purchase shall be the most practical and economical alternative and shall be in the best interests of the state, and further provided that the requirements set forth herein shall not preclude the commissioner from establishing multiple award contracts for reasons including increased opportunities for small businesses to participate in state contracts. **To the extent feasible, the commissioner or state agency shall endeavor to divide contracts by size into large, medium, small and micro contracts for the purpose of increasing opportunities for small businesses, including minority-owned business enterprises and women-owned business enterprises as defined in section three hundred ten of the executive law, to participate in state contracts.**

§ 2. This act shall take effect on the sixtieth day after it shall have become a law; provided, however, that the amendments to paragraph c of subdivision 10 of section 163 of the state finance law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

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

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