

STATE OF NEW YORK

9404

IN ASSEMBLY

March 1, 2022

Introduced by M. of A. PAULIN -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to procurement contracts

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

1 Section 1. Section 359-a of the public authorities law, as amended by
2 section 7 of part TT of chapter 54 of the laws of 2016, is amended to
3 read as follows:

4 § 359-a. Procurement contracts. For the purposes of section twenty-
5 eight hundred seventy-nine of this chapter as applied to the authority,
6 the term "procurement contract" shall mean any written agreement for the
7 acquisition of goods or services of any kind by the authority in the
8 actual or estimated amount of [~~fifteen~~] fifty thousand dollars or more.

9 The authority may utilize a procurement contract let by any department,
10 agency or instrumentality of the United States government and/or any
11 department, agency, office, political subdivision or instrumentality of
12 any state or states. The authority shall document in the procurement
13 record its rationale for the use of such a contract. Such rationale
14 shall include, but need not be limited to, a determination of need, a
15 consideration of the procurement method by which the contract was
16 awarded, an analysis of alternative procurement sources including an
17 explanation why a competitive procurement or the use of a centralized
18 contract let by the commissioner of the office of general services is
19 not in the best interest of the authority, and the reasonableness of
20 cost. The authority shall accept sole responsibility for any payment
21 due the vendor or contractor as a result of the authority's use of the
22 contract.

23 § 2. This act shall take effect immediately.

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

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