

# STATE OF NEW YORK

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5348

2021-2022 Regular Sessions

## IN SENATE

March 2, 2021

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Introduced by Sen. STEC -- read twice and ordered printed, and when printed to be committed to the Committee on Procurement and Contracts

AN ACT to amend the general municipal law, in relation to authorizing municipalities to contract for services through any other governmental entity

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

1 Section 1. Subdivision 16 of section 103 of the general municipal law,  
2 as amended by chapter 497 of the laws of 2013, is amended to read as  
3 follows:

4 16. Notwithstanding the provisions of subdivisions one, two and three  
5 of this section, and section one hundred four of this article, any offi-  
6 cer, board or agency of a political subdivision or of any district ther-  
7 ein authorized to make purchases of apparatus, materials, equipment or  
8 supplies, or to contract for services related to the installation, main-  
9 tenance or repair of apparatus, materials, equipment, and supplies, may  
10 make such purchases, or may contract for [~~such~~] services [~~related to the~~  
11 ~~installation, maintenance or repair of apparatus, materials, equipment,~~  
12 ~~and supplies~~], as may be required by such political subdivision or  
13 district therein through the use of a contract let by the United States  
14 of America or any agency thereof, any state or any other political  
15 subdivision or district therein if such contract was let to the lowest  
16 responsible bidder or on the basis of best value in a manner consistent  
17 with this section and made available for use by other governmental enti-  
18 ties; provided, however, that no political subdivision or district ther-  
19 ein, other than a city with a population of one million or more inhabit-  
20 ants or any district, board or agency with jurisdiction exclusively  
21 therein, may make such purchases or contract for such services through  
22 the use of such a contract let on the basis of best value in a manner  
23 consistent with this section unless the political subdivision or  
24 district shall first adopt a local law, rule, regulation or resolution,

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

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1 as the case may be, pursuant to subdivision one of this section, author-  
2 izing the use of best value for awarding purchase contracts.

3 The authority provided to political subdivisions and districts therein  
4 pursuant to this subdivision shall not relieve any obligation of such  
5 political subdivision or district therein to comply with any applicable  
6 minority and women-owned business enterprise program mandates and the  
7 preferred source requirements of section one hundred sixty-two of the  
8 state finance law.

9 § 2. This act shall take effect immediately; provided, that the amend-  
10 ments to subdivision 16 of section 103 of the general municipal law,  
11 made by section one of this act, shall not affect the repeal of such  
12 subdivision and shall be deemed repealed therewith.