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:

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

§ 359-a. Procurement contracts. For the purposes of section twenty-eight hundred seventy-nine of this chapter as applied to the authority, the term "procurement contract" shall mean any written agreement for the acquisition of goods or services of any kind by the authority in the actual or estimated amount of [~~fifteen~~] **fifty** thousand dollars or more. **The authority may utilize a procurement contract let by any department, agency or instrumentality of the United States government and/or any department, agency, office, political subdivision or instrumentality of any state or states. The authority shall document in the procurement record its rationale for the use of such a contract. Such rationale shall include, but need not be limited to, a determination of need, a consideration of the procurement method by which the contract was awarded, an analysis of alternative procurement sources including an explanation why a competitive procurement or the use of a centralized contract let by the commissioner of the office of general services is not in the best interest of the authority, and the reasonableness of cost. The authority shall accept sole responsibility for any payment due the vendor or contractor as a result of the authority's use of the contract.**

§ 2. This act shall take effect immediately.

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

LBD14870-01-2