STATE OF NEW YORK

191

2023-2024 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 4, 2023

Introduced by M. of A. MAGNARELLI, HUNTER -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to modernizing and increasing the transparency of local government procurement of goods and services

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

Section 1. Short title. This act shall be known and may be cited as the "local government procurement modernization and transparency act".

§ 2. Section 103 of the general municipal law is amended by adding a new subdivision 17 to read as follows:

17. (a) As an alternative to the notice procedure set forth in subdivision two of this section, a political subdivision may provide notice of requests for bids by posting the requests on the New York State Contract Reporter website. In addition, the municipality must post notice of requests for bids on a website maintained by the political subdivision itself. Before a political subdivision may utilize the online notification method outlined in this subdivision, the political subdivision must adopt a local law which provides that all requests for bids will be posted online pursuant to the procedures outlined in this subdivision. After a political subdivision adopts a local law pursuant to this paragraph, notice of the local law's adoption must be published once a week for three consecutive weeks in a newspaper of general circulation within the political subdivision. In addition, a political subdivision must continuously and conspicuously post on its website that notices of requests for bids are posted online with a link to the webpage where current and previous requests for bids have been posted.

(b) Once a political subdivision has designated the online bid notification process as the method for requesting bids, each request for bids must be continuously posted for at least five consecutive days on both

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

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the political subdivision's website and the New York State Contract Reporter website before the bid opening deadline. For the purpose of calculating the number of days, the first day the request for bids is posted online may not be counted but the day of the bid opening may be counted. The website posting must include the bid specifications, unless it is infeasible to post the bid specifications on the website in which case a summary of the request for bids must be posted online with a statement that the complete bid specifications are available in the office of the clerk of the political subdivision. The website posting must also include a statement indicating the address to which bids must be delivered and a statement of the date, time, and place where the bids will be publicly opened and read.

(c) Nothing in this subdivision precludes a political subdivision from publicizing notices of a request for bids in other manners in addition to the methods outlined in this subdivision. Nothing in this subdivision precludes a newspaper from publishing information of its own accord regarding any political subdivision's notice of request for bids or request for proposals.

§ 3. This act shall take effect immediately.