

STATE OF NEW YORK

1301

2023-2024 Regular Sessions

IN SENATE

January 11, 2023

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the public authorities law, in relation to requiring the metropolitan transportation authority to create an annual report on all minor and major contract cost overruns

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

1 Section 1. The public authorities law is amended by adding a new
2 section 1269-h to read as follows:

3 § 1269-h. Report on contract cost overruns. 1. The authority shall
4 create an annual report on all minor and major contract cost overruns.

5 2. For the purposes of this section, "minor cost change" is defined as
6 a change equal to or greater than ten percent but less than twenty-five
7 percent of the original project cost; "median cost change" is defined as
8 a change equal to or greater than twenty-five percent but less than
9 fifty percent of the original project cost; and "major cost change" is
10 defined as a change equal to or greater than fifty percent of the
11 original project cost.

12 3. Such report shall include, but shall not be limited to: a list of
13 all contracts with minor cost changes, median cost changes, and major
14 cost changes; all contracting firms involved in such contracts; the
15 winning bid amounts of such contracts; the original and actual costs
16 incurred from such contracts, and the difference between the two
17 numbers; a description of the project; completion delays, if any; and a
18 detailed analysis of why the contract bid amount was exceeded.

19 4. Such report shall be in a form prescribed by the authority and
20 shall be accessible in electronic format.

21 5. Each report shall be delivered to the governor, the temporary pres-
22 ident of the senate and the speaker of the assembly on or before the
23 fifteenth of February of each calendar year and shall contain all
24 required information and all relevant contracts as required by this

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

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1 section from the preceding calendar year. The first report shall be
2 submitted on the fifteenth of February after the effective date of this
3 section.

4 § 2. This act shall take effect immediately.