

STATE OF NEW YORK

1348

2025-2026 Regular Sessions

IN ASSEMBLY

January 9, 2025

Introduced by M. of A. ROSENTHAL -- read once and referred to the
Committee on Housing

AN ACT to amend the public housing law, in relation to requirements for
certain contracts for materials, supplies, or services

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

1 Section 1. The public housing law is amended by adding a new section
2 151-b to read as follows:

3 § 151-b. Additional requirements for contracts below a certain thresh-
4 old. 1. Contracts for materials, supplies, or services which are not
5 required by section one hundred fifty-one of this article to be made on
6 sealed bids shall be procured in a manner so as to assure the prudent
7 and economical use of public moneys in the best interests of the taxpay-
8 ers, to facilitate the acquisition of materials, supplies, and services
9 of maximum quality at the lowest possible cost under the circumstances,
10 and to guard against favoritism, improvidence, extravagance, fraud, and
11 corruption. To further such objectives, an authority shall adopt inter-
12 nal policies and procedures governing all procurements of materials,
13 supplies, and services which are not required to be made pursuant to the
14 sealed bid requirements of section one hundred fifty-one of this article
15 or of any other general or special law.

16 2. Such policies and procedures shall contain provisions which, among
17 other things:

18 a. prescribe a procedure for determining whether a procurement of
19 materials, supplies, and services is subject to a sealed bid and docu-
20 menting the basis for any determination that a sealed bid is not
21 required by law;

22 b. set forth when each such method of procurement will be utilized,
23 taking into account which method will best further the purposes of this
24 section and the cost-effectiveness of the method;

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

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1 c. require adequate documentation of actions taken in connection with
2 each such method of procurement; and

3 d. identify the respective titles responsible for purchasing. Such
4 information shall be updated biennially.

5 3. An authority in a city with a population over one million shall
6 consult with the department of investigation of the city of New York and
7 develop a procurement corruption prevention training program.

8 a. Such procurement corruption prevention training program shall be
9 interactive and include:

10 i. information concerning the federal, state, and local statutes and
11 regulations related to gratuities and bribes;

12 ii. information concerning criminal liabilities related to gratuities
13 and bribes;

14 iii. examples of conduct that would constitute gratuities and bribes;
15 and

16 iv. information concerning employees' duties to report allegations of
17 bribery and corruption to the department of investigation of the city of
18 New York.

19 b. Such procurement corruption prevention training shall be provided
20 to all individuals with the respective titles identified in paragraph d
21 of subdivision two of this section on an annual basis.

22 4. An authority shall provide the individuals with the respective
23 titles identified in paragraph d of subdivision two of this section, in
24 writing in English and in the language identified by each individual as
25 the primary language of such individual, at the time of hiring and at
26 every annual procurement corruption prevention training provided pursu-
27 ant to subdivision three of this section, a compliant advisory alert
28 containing the information presented at such authority's procurement
29 corruption prevention training program and an acknowledgement form for
30 such individuals to sign stating that they have read, understood, and
31 agree to comply with the compliance advisory alert.

32 5. Every officer employee of an authority in a city with a population
33 over one million shall have an affirmative obligation to report, direct-
34 ly and without undue delay, to the department of investigation of the
35 city of New York any and all information concerning conduct which they
36 know or should reasonably know to involve corrupt or other criminal
37 activity or conflict of interest:

38 a. by another authority officer or employee, which concerns their
39 office or employment; or

40 b. by persons dealing with the authority, which concerns their deal-
41 ings with the authority. The knowing failure of any officer or employee
42 to report as required in this subdivision shall constitute cause for
43 removal from office or employment or other appropriate penalty.

44 6. An authority in a city with a population over one million utilizing
45 a pre-qualified list of bidders for contracts subject to this section
46 shall require all vendors on the pre-qualified list to attend a training
47 program developed in consultation with the department of investigation
48 of the city of New York prior to being placed on the pre-qualified list.

49 a. Such training program shall be interactive and include:

50 i. information about the authority's internal policies and procedures
51 governing all procurements of materials, supplies, and services which
52 are not required to be made pursuant to the sealed bid requirements of
53 section one hundred fifty-one of this article or of any other general or
54 special law;

55 ii. information concerning the federal, state, and local statutes and
56 regulations related to gratuities and bribes;

1 iii. information concerning criminal liabilities related to gratuities
2 and bribes;

3 iv. examples of conduct that would constitute gratuities and bribes;
4 and

5 v. information regarding the vendor's responsibilities related to a
6 contract.

7 b. Upon completion of the training program in paragraph a of this
8 subdivision, vendors shall submit to the authority a signed acknowledge-
9 ment form stating: "I acknowledge and understand that offering, giving,
10 and/or accepting bribes, gratuities, and/or gifts is a criminal offence
11 under federal and New York state law".

12 7. Within ninety days of the effective date of this section, an
13 authority shall establish a schedule of reasonable costs for the fifteen
14 most common service requests, inclusive of related materials, which are
15 not required by section one hundred fifty-one of this article to be made
16 on sealed bids. Such schedule of reasonable costs shall be based on the
17 type of services and related materials. Any contract subject to this
18 subdivision where the cost exceeds the schedule of reasonable costs
19 shall include a written explanation for the additional cost. Such sched-
20 ule of reasonable costs shall be updated annually.

21 8. An authority shall display signage at developments and offices in a
22 conspicuous place accessible to employees stating the following:
23 "Offering, giving, and/or accepting bribes, gratuities, and/or gifts is
24 a criminal offence under federal and New York state law".

25 9. The quality assurance and compliance departments of an authority
26 shall conduct semiannual audits of the contracts subject to this
27 section. Such audits shall include but not be limited to the total
28 number of transactions, the average contract cost, the frequency with
29 which specific vendors perform work, recordkeeping, and compliance with
30 this section. The findings of such audits shall be posted publicly on
31 the website of the authority.

32 10. An authority in a city with a population over one million shall
33 report any irregularities related to contracts for materials, supplies,
34 or services to the department of investigation of the city of New York.

35 11. This section shall apply to any authority located in a city with a
36 population over one million.

37 § 2. This act shall take effect on the first of January next succeed-
38 ing the date on which it shall have become a law. Effective immediately,
39 the addition, amendment and/or repeal of any rule or regulation neces-
40 sary for the implementation of this act on its effective date are
41 authorized to be made and completed on or before such effective date.