§ 163. Contracts for services of state agencies. 1. Notwithstanding any inconsistent provision of law, general, special or local, the state and any department, bureau, board, commission, authority, or any other agency or instrumentality of the state, are hereby severally authorized and empowered, subject to the approval of the governor, to enter into any contract or agreement for the production of any goods, materials, or equipment or the processing, reprocessing, altering or repair thereof, deemed by the governor necessary or desirable to effectuate postwar adjustments or defense effort, upon such terms and conditions as he may approve.

2. Such contract or agreement may be made only with the United States of America, or any office, department, agency or instrumentality thereof, or with any person, firm or corporation engaged in the production or supply of any goods, materials or equipment or the processing, reprocessing, altering or repair thereof, for or for use, directly or indirectly, by the United States of America, or any of its agencies.

3. In the performance of any such contract or agreement any such department, bureau, board, commission, authority, or any other such agency or instrumentality of the state, is hereby authorized and empowered to use any of the real or personal property of the state, under its control and supervision and temporarily to employ or transfer any of its personnel.

4. The making or performance of any such contract or agreement shall in no wise be deemed to affect or result in the impairment, diminution or abridgment of the compensation, or any of the civil service, retirement and other rights, privileges and immunities of any employee engaged in the performance of any service thereunder.

5. Any such contract or agreement shall provide for payment to the state of compensation, price or other consideration which in no wise shall be less than the compensation, price or other consideration generally obtainable by private persons, firms or corporations for the performance of similar contracts or agreements, provided the same is

reasonably ascertainable.

6. All moneys received on account of any contracts or agreements made pursuant to this section or pursuant to the provisions of section fifty-two-a of the New York state war emergency act prior to the repeal thereof shall be received by the state and deposited in the special fund provided for in section ninety-seven-a of the state finance law. The moneys in such fund may be expended and used to defray the expenses incidental to such contract or agreement in accordance with the terms and conditions of such contract or agreement and to reimburse the general fund of the state for any expenditures made in the first instance for such purposes. Such moneys shall be paid out of such fund on vouchers approved by the head of the department or agency, to which any moneys may be allocated by the director of the budget, after audit by and upon warrant of the comptroller.