§ 2053-r. Contracts. 1. All contracts or orders for work, material or supplies performed or furnished in connection with construction shall be awarded by the authority pursuant to resolution of the governing body except as hereinafter provided. Such awards, when applicable, shall be made in compliance with paragraph (e) of subdivision four and subdivision seven of section one hundred twenty-w of the general municipal law. In any construction contract, the authority may provide a program for the payment of damages for delays and incentive awards in order to encourage timely project completion. An action, suit or proceeding contesting the validity of a contract awarded pursuant to this section, or the validity of the procedures relating to such award, shall be governed by the provisions of subdivision six of section one hundred twenty-w of the general municipal law and the term "municipality" as used in such subdivision six shall mean the authority.

2. The person whose bid or proposal is accepted shall give security for the faithful performance of the contract, and such other security as the authority may require, and may be required to maintain any construction done under the contract for such period as shall be stipulated, all in the manner prescribed and required by the authority and the sufficiency of such security shall, in addition to the justification and acknowledgement, be approved by the authority. All bids or proposals shall be publicly opened by the governing body or its duly authorized agent. If the person whose bid or proposal has been accepted after advertising shall neglect or refuse to accept the contract within five days after written notice that the contract has been awarded to him on his bid or proposal or if he accepts but does not execute the contract and give proper security, the authority shall have the right to declare his deposit forfeited. In case any work shall be abandoned by any contractor, the authority may, if it determines that the public interest is thereby served, adopt on behalf of the authority any or all subcontracts made by such contractor for such work and all such subcontractors shall be bound by such adoption if made. No bid or proposal shall be accepted from or any contract awarded to any person or corporation who is in arrears to the authority or the county upon any obligation of the authority or of the county. Every contract shall be executed in duplicate, one copy of which shall be held by the authority

and one copy of which shall be delivered to the contractor. The authority may adopt, utilize, ratify and confirm any request for proposals, invitation for sealed bids, plans, specifications and notices heretofore or hereafter published by the county with respect to any proposed project. The provisions of this section shall supersede any inconsistent provisions of the general municipal law, or any other general, special or local law, or the charter of the county. The authority shall be deemed an authority for the purpose of section twenty-eight hundred seventy-eight of this chapter.

3. For the purposes of article fifteen-A of the executive law only, the authority shall be deemed a state agency as that term is used in such article, and its contracts for design, construction, services and materials shall be deemed state contracts within the meaning of that term as set forth in such article.