§ 20-c. Privatization. 1. (a) Except as otherwise specified in the appropriation for system support and information services program in the office of temporary disability assistance within the department of family assistance, or as authorized by subdivision two-a of section twenty-two of this article, the department shall not enter into any contract with a private entity under which that entity would perform any of the public assistance and care eligibility determination functions, duties or obligations of the department as set forth in this chapter.

(b) Social services districts may enter into a contract or agreement for the performance of functions, duties or obligations required to be performed pursuant to this chapter, however, the collective bargaining representative of employees who normally perform such functions or provide such services for such social services district shall be permitted the opportunity to competitively bid for any contract let pursuant to this section with the overall cost and quality of the proposal being major criteria in the selection.

2. No contract with a contractor for services pursuant to this section shall be entered into by the office or district unless the office or district contracting for such service has:

(a) Provided the certified collective bargaining organization representing the permanent employees affected by the district's exercise of its right to contract out with sixty days advance notice of its intent to contract out for services pursuant to this section;

(b) Considered whether the proposed contract will result in actual cost savings to the office; and

(c) Evaluated and made a favorable determination based upon a required disclosure of information from the potential contractor regarding any final actions relating to (a) the responsibility taken by any contracting agency, law enforcement authority or the department of labor against bidders, contractors or subcontractors and (b) debarments pursuant to express statutory authorization.

3. A contract shall not be approved unless it contains a description of the service quality expectations pursuant to the contract and a description of the method by which the quality of services shall be monitored and evaluated by the district based upon specific performance

measures contained in the contract. The proposed contract must include specific provisions pertaining to the qualifications of the staff that will perform the work under the contract. The proposed contract shall contain specific information regarding the actual number of employees to be retained, hours of work, wage rates and associated benefit levels, titles, and job descriptions.

4. Existing rights. Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any other local law or under the applicable collective bargaining agreement.

5. The provisions of this section shall not impair, restrict or otherwise modify applicable restrictions contained in federal law and regulations promulgated thereto.