

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2016**

No. 117

Introduced by Council Members Rosenthal, Chin, Johnson, Koo, Mendez, Rose, Wills, Rodriguez, Richards, Palma, Dickens, Koslowitz, Menchaca, Miller, Reynoso, Crowley, Van Bramer, Cohen, Garodnick, Levin and Kallos.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to amending reporting requirements related to M/WBE participation

Be it enacted by the Council as follows:

Section 1. Subparagraph a of paragraph 1 of subdivision l of section 6-129 of the administrative code of the city of New York, as amended by local law number 1 for the year 2013, is amended to read as follows:

(a) the number and total dollar value of contracts awarded, disaggregated by industry classification [and], size of contract[,], *and status as MBE, WBE, EBE, or non-certified firm, and further disaggregated by minority and gender group, and the number and dollar value of such contracts that were awarded to firms that are certified both as MBEs and WBEs, including but not limited to, contracts valued at or below [twenty thousand dollars] the micropurchase limit as set forth in the rules of the procurement policy board in paragraph (ii) of subdivision (c) of section 3-08 of title 9 of the rules of the city of New York, contracts valued above [twenty thousand dollars and at or below one hundred thousand dollars] the micropurchase limit but at or below the small purchase limit as defined in the rules of the procurement policy board in subdivision (a) of section 3-08 of title 9 of the rules of the city of New York, contracts valued above [one hundred thousand*

dollars] *the small purchase limit* and at or below one million dollars, contracts valued above one million dollars and at or below five million dollars, contracts valued above five million dollars and at or below twenty five million dollars, and contracts valued above twenty five million dollars;

§ 2. Subparagraph b of paragraph 1 of subdivision l of section 6-129 of the administrative code of the city of New York, as amended by local law number 1 for the year 2013, is amended to read as follows:

(b) for those contracts for which an agency set participation goals in accordance with subdivision i of this section:

[(i) The number and total dollar amount of such contracts disaggregated by industry classification, size of contract and status as MBE, WBE, EBE, or non-certified firm, and further disaggregated by minority and gender group, and the number and dollar value of such contracts that were awarded to firms that are certified both as MBEs and WBEs;]

[(ii)] (i) the number and total dollar value of such contracts that were awarded to qualified joint ventures and the total dollar amount attributed to the MBE, WBE or EBE joint venture partners, disaggregated by minority and gender group, size of contract and industry classification, and the number and dollar value of such contracts that were awarded to firms that are certified both as MBEs and WBEs;

[(iii)] (ii) The number and total dollar value of subcontracts approved during the reporting period that were entered into pursuant to contracts for which participation requirements under this section have been established (including both contracts awarded during the current reporting period and those awarded in earlier reporting periods that remain open during the current reporting period), and the number and total dollar amount of such subcontracts awarded to MBEs, WBEs and EBEs, disaggregated by minority and gender group, size of subcontract and industry

classification, and the number and dollar value of such subcontracts that were awarded to firms that are certified both as MBEs and WBEs;

[(iv)] (iii) a list of the requests for full or partial waivers of participation requirements for such contracts made pursuant to paragraph 11 of subdivision i of this section and the determinations made with respect to such requests, and the number and dollar amount of those contracts for which such waivers were granted, disaggregated by industry classification; and

[(v)] (iv) a list of the requests for modification of participation requirements for such contracts made pursuant to paragraph 12 of subdivision i of this section and the determinations made with respect to such requests, and the number and dollar amount of those contracts for which such modifications were granted, disaggregated by industry classification;

§ 3. Paragraph 4 of subdivision l of section 6-129 of the administrative code of the city of New York, as amended by local law number 1 for the year 2013, is amended to read as follows:

(4) The data that provide the basis for the reports required by this subdivision shall be made available electronically to the council *in a non-proprietary format that permits automated processing* at the time the reports are submitted.

§ 4. This local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on September 14, 2016 and approved by the Mayor on September 28, 2016

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 117 of 2016, Council Int. No. 1019-A of 2015) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel