

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2018**

No. 44

Introduced by Council Members Gentile, Rosenthal, Crowley, Perkins, Menchaca and Kallos.

A LOCAL LAW

To amend the New York city charter, in relation to completion by the department of investigation of city vendor name checks

Be it enacted by the Council as follows:

Section 1. Section 335 of the New York city charter is amended to read as follows:

§ 335 Centralized evaluation of contractor integrity, performance, and capability.

a. The mayor may evaluate the integrity, performance, and capability of entities that contract with the city, are seeking to contract with the city, or may seek to contract with the city. The mayor may designate one or more agencies to participate in such efforts. The evaluations of the mayor and any agency designated by the mayor may include conclusions regarding whether the entity should be considered a responsible contractor. The mayor and any agency designated by the mayor may make such evaluations and conclusions available to agencies and the public through a centralized data base.

b. Where evaluation pursuant to subdivision a of this section or other applicable rules and procedures includes a determination by the department of investigation of whether an entity that contracts with the city, seeks to contract with the city, or may seek to contract with the city, or any individual affiliated with such entity, is currently or has ever been, within a relevant timeframe the subject of an investigation by such department, such department shall, to the extent

practicable, submit such determination to the relevant agency at least 30 days prior to the anticipated commencement of the contract. However, such department may exercise its discretion with respect to the release of information that may affect the integrity of an ongoing investigation or may be subject to confidentiality requirements imposed by law or agreements with other law enforcement agencies. Such department shall provide an explanation to an agency if its review is not completed within thirty calendar days of the request. This subdivision shall not be construed to create a private right of action in relation to its provisions.

§2. This local law takes effect 120 days after it becomes law, except that the department of investigation, the procurement policy board and the mayor's office of contract services may take all actions necessary for its implementation, including the promulgation of rules, before such effective date.

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 December 11, 2017 and returned unsigned by the Mayor on January 17, 2018.

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. 44 of 2018, Council Int. No. 1633-A of 2017) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEVEN LOUIS, Acting Corporation Counsel.