

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2023**

No. 169

Introduced by Council Members Stevens, Won, Louis, Nurse, Farías, Avilés, Menin, Ossé, Williams, Schulman, Gutiérrez, Richardson Jordan, Restler, Riley, Sanchez, Hudson, Lee, Ayala, De La Rosa, Hanif, Dinowitz, Gennaro and Rivera.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to a study, report and rulemaking regarding procurement process time schedules

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 6 of the administrative code of the city of New York is amended by adding a new section 6-148 to read as follows:

§ 6-148 Study and report on procurement of human services contracts.

a. Definitions. For the purposes of this section, the following terms have the following meanings:

Covered contract. The term “covered contract” means a contract for human services that has a value greater than the small purchase limit set forth, pursuant to section 314 of the charter, in section 3-08 of title 9 of the rules of the city of New York.

Human services. The term “human services” means social services contracted for by an agency on behalf of third party clients including but not limited to day care, foster care, home care, health or medical services, housing and shelter assistance, preventive services, youth services, the operation of senior centers, employment training and assistance, vocational and educational programs, legal services and recreation programs.

b. The city chief procurement officer shall, no later than July 1, 2024, conduct a study on the timing and duration of the city's procurement process, including the time to complete the steps of such process, for covered contracts. Such study shall, at minimum, include the following:

1. Identification of procurement methods utilized in the city's procurement process for covered contracts;

2. Description of the steps of the procurement methods identified pursuant to paragraph 1 of this subdivision; and

3. An evaluation of the time needed for an agency or vendor to complete each step described pursuant to paragraph 2 of this subdivision.

c. No later than October 1, 2024, the city chief procurement officer shall submit a report on the study required by subdivision b of this section to the mayor, the speaker of the council and the procurement policy board. Such report shall include recommendations for the procurement policy board to consider in promulgating rules pursuant to paragraph 6 of subdivision b of section 311 of the charter.

d. The procurement policy board shall review the report submitted pursuant to subdivision c of this section, and, pursuant to section 1043 of the charter, no later than October 1, 2025, promulgate rules setting forth time schedules for completing the steps described pursuant to paragraph 2 of subdivision b of this section, in accordance with paragraph 6 of subdivision b of section 311 of the charter.

e. No later than October 1, 2026, and no later than October 1 of each year thereafter, the city chief procurement officer shall submit to the mayor, the speaker of the council and the procurement policy board a report on the completion of procurement method steps by agencies and vendors

within the time schedules set forth in rules promulgated as described in subdivision d of this section.

§ 2. Paragraphs 7 and 8 of subdivision b of section 311 of the New York city charter, paragraph 7 as added by vote of the electors of the city of New York at a general election held on November 7, 1989, paragraph 8 as amended by local law number 12 for the year 2006, are amended to read as follows:

7. procedures for the fair and equitable resolution of contract disputes; [and]

8. rules relating to the making of small purchases in a manner that will advance the purposes of the program for minority- and women-owned business enterprises and emerging business enterprises established pursuant to subdivision b of section thirteen hundred four[.]; *and*

§ 3. This local law takes effect 45 days after it becomes law.

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 November 15, 2023 and returned unsigned by the Mayor on December 18, 2023.

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. 169 of 2023, Council Int. No. 511-A of 2022) 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.

SPENCER FISHER, Acting Corporation Counsel.