

## Statement of Basis and Purpose of Proposed Rule

On December 30, 2013, Mayor Bloomberg signed into law Local Law 135 of 2013 to amend Section 315 of the New York City Charter (“City Charter”) to provide notification to the New York City Council (“Council”) when agencies procure emergency goods, services or construction. The amendment to the City Charter requires agencies to provide the Council with the written determination of the basis for each emergency procurement and the selection of the contractor within fifteen days after contract award. This proposal seeks to amend Chapter 3 of Title 9 of the Rules of the City of New York to reflect the changes made to Section 315 of the City Charter.

PPB’s authority for these rules is found in sections 311 and 1043 of the New York City Charter.

### **The Proposed Rule Amendments**

New material is underlined and deletions are [bracketed].

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this board, unless otherwise specified or unless the context clearly indicates otherwise.

### **Section 1. Paragraph (3) of subdivision (e) of section 3-06 of Chapter 3 of Title 9 of the Rules of the City of New York is amended as follows:**

(e) Public Notice and Filing Requirements. Solicitations in emergency procurements are subject to the following public notice and reporting requirements:

\* \* \* \* \*

(3) A determination of the basis for the emergency and the selection of the vendor shall be filed with the Corporation Counsel and the Comptroller, and shall [include:] further be submitted to the City Council no later than fifteen days following the contract award. The determination shall include:

- (i) the date emergency first became known;
- (ii) a list of goods, services, and construction procured;
- (iii) the names of all vendors solicited;
- (iv) the basis of vendor selection;
- (v) contract prices;
- (vi) the past performance history of the selected vendor;
- (vii) a listing of prior/related emergency contract; and

(viii) PIN.

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