



2021 ANNUAL REPORT

NEW YORK STATE SENATE STANDING COMMITTEE ON PROCUREMENT

A close-up photograph of a document titled "CONTRACT" in large, bold, serif capital letters. A silver pen lies diagonally across the top of the document. Below the title, the text "The Subject of the Agreement" is visible, followed by a paragraph of smaller text that is partially obscured by the pen and the angle of the shot. The document is resting on a dark, textured surface.

**SENATOR
ELIJAH REICHLIN-MELNICK**
CHAIR

THE SENATE
STATE OF NEW YORK



ELIJAH REICHLIN-MELNICK
SENATOR, 38TH DISTRICT

Albany Office:
617 Legislative Office Building
Albany, NY 12247
(518) 455-2991
Fax (518) 426-6737

Rockland Office:
163 Airport Executive Park
Nanuet, NY 10954
(845) 623-3627
Fax (845) 425-4617

Westchester Office:
2 Church Street, Ste. 210
Ossining, NY 10562
(914) 941-2041
Fax (914) 941-2054

Chair
Procurement and Contracts

Committees
Consumer Protection
Education
Investigations and Government Operations
Local Government
Transportation
Veterans, Homeland Security
and Military Affairs

E-Mail Address:
reichlin@nysenate.gov

December 17, 2021

The Honorable Andrea Stewart-Cousins
Temporary President and Majority Leader
New York State Senate
Albany, NY 12247

Dear Leader Stewart-Cousins:

I am pleased to transmit the first Annual Report of the newly created Senate Standing Committee on Procurement and Contracts for the 2021 Legislative Session. As Chair, I am proud to lead our efforts to address important matters under my committee's jurisdiction, such as improving governmental transparency, supporting MWBE's and promoting greener procurement and contracting processes. Thank you for your leadership in creating this important committee.

During the 2021 session, this committee met four times in session and reported twenty bills. Five additional bills were reviewed and reported to the Rules Committee.

I thank my colleagues who served on the Committee for their efforts and support of the work that was done in the committee this year, and I thank you for the continued support from the Majority Conference in the Committee's operations.

Sincerely,

A handwritten signature in black ink, reading "Elijah Reichlin-Melnick". The signature is stylized with a large, flowing "E" and "R".

Senator Elijah Reichlin-Melnick
8th Senate District

2021 LEGISLATIVE SESSION REPORT

NEW YORK STATE SENATE STANDING COMMITTEE ON PROCUREMENT AND CONTRACTS

Senator Elijah Reichlin-Melnick, Chairperson

COMMITTEE MEMBERS

Senator Leroy Comrie	Senator George Borrello, <i>Ranking Member</i>
Senator Jeremy Cooney	Senator Daphne Jordan
Senator Anna Kaplan	
Senator James Sanders	

COMMITTEE STAFF

Marcello Figueroa, Committee Director
Amanda Fallon, Committee Clerk

COMMITTEE JURISDICTION AND OVERVIEW

The New York State Senate Standing Committee on Procurement and Contracts has legislative oversight responsibilities for issues concerning procurement and contracting actions including competitive bidding, procurement lobbying, preferred source, as well as minority and women owned business enterprises.

During the 2021 Legislative Session, fifty-nine (59) bills were referred to the Committee for its review. Of these bills, twenty (20) were reported directly from the Committee and five (5) were discharged to the Committee on Rules. Thirteen (13) were passed by the Senate, and seven (7) passed in both houses. This work was conducted through a series of four (4) committee meetings. A list of all bills that were reported from the committee is provided at the end of this report.

COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2021:

- S370A (HOYLMAN) -- Requires certain state owned and operated parking garages, open parking lots and other parking facilities to install and maintain charging stations for plug-in electric vehicles
- S542A (KAMINSKY) -- Relates to provisions in state procurement contracts involving the use of low embodied carbon concrete
- S1215 (BENJAMIN) -- Relates to assisting contractors to identify minority group members and women for hiring opportunities
- S1826A (SKOUFIS) -- Requires software that blocks automated calls to be provided in state contracts that include information and communication technologies
- S3391 (BAILEY) -- Directs contracting state agencies to develop a growth plan in order to increase participation of MWBEs with respect to state contracts and subcontracts
- S3908A (KENNEDY) -- Relates to enacting the New York state buy American salt act
- S5921 (KRUEGER) Enacts the New York deforestation-free procurement act
- S6998 (REICHLIN-MELNICK) -- Relates to providing for discretionary buying thresholds

TWO HOUSE BILLS

In 2021, seven of the fifty-nine (59) bills referred to the Standing Committee on Procurement and Contracts passed both houses of the Legislature. The Governor has signed all of these bills into law.

Bill No.	Sponsor	Summary	Action
S542A	Kaminsky	Relates to provisions in state procurement contracts involving the use of low embodied carbon concrete	Ch.724 of 2021
S1215	Benjamin	Relates to assisting contractors to identify minority group members and women for hiring opportunities	Ch. 825 of 2021
S1878B	Skoufis	Relates to including the name of the individual or business enterprise that has been awarded an identical or substantially similar procurement contract in certain notices of procurement contract opportunities	Ch. 662 of 2021
S4165A	Bailey	Relates to the publication of information regarding waivers of compliance with state contract provisions concerning minority and women-owned business enterprise participation requirements	Ch. 348 of 2021
S4323C	Comrie	Establishes a construction industry advisory council on public contracting reform	Ch. 782 of 2021
S5517A	Kennedy	Relates to certain contracts involving industrial painting and industrial coatings	Ch. 613 of 2021
S6998	Reichlin-Melnick	Relates to providing for discretionary buying thresholds	Ch. 257 of 2021

SUMMARY OF COMMITTEE ACTIVITY

Bill No.	Sponsor	Summary	Significant Action
S. 370A	Hoylman	Requires certain state owned and operated parking garages, open parking lots and other parking facilities to install and maintain charging stations for plug-in electric vehicles	Reported from Committee
S. 542A	Kaminsky	Relates to provisions in state procurement contracts involving the use of low embodied carbon concrete	Ch.724 of 2021
S. 694	Kaplan	Relates to the requirements of the annual report from the division of minority and women's business development	Passed Senate Only
S. 1215	Benjamin	Relates to assisting contractors to identify minority group members and women for hiring opportunities	Ch. 825 of 2021
S. 1216	Benjamin	Requires state contractors to submit a statement on preventing human trafficking	Passed Senate Only
S. 1510	May	Establishes procurement goals for New York state food products on SUNY campuses	Reported to Finance
S.1826A	Skoufis	Requires software that blocks automated calls to be provided in state contracts that include information and communication technologies	Reported to the Floor
S. 1878B	Skoufis	Relates to including the name of the individual or business enterprise that has been awarded an identical or substantially similar procurement contract in certain notices of procurement contract opportunities	Ch. 662 of 2021
S. 2865A	Kavanagh	Relates to definition of tropical hardwoods for purposes of state purchasing restrictions	Reported to Finance
S.2939A	Comrie	Requires state agencies that issue requests for proposals to provide notification to elected officials for requests for proposals for projects in excess of ten million dollars	Reported to the Floor
S. 3390	Bailey	Relates to minority and women-owned business enterprises post completion certification, duties of the director and creating the minority and women-owned business enterprise fund	Reported to Finance
S. 3391	Bailey	Directs contracting state agencies to develop a growth plan in order to increase participation of MWBEs with respect to state contracts and subcontracts	Reported to the Floor

Bill No.	Sponsor	Summary	Significant Action
S. 3908A	Kennedy	Relates to enacting the New York state buy American salt act	Reported to the Floor
S. 4110A	Breslin	Relates to the purchase of domestically produced personal protective equipment	Passed Senate Only
S. 4165A	Bailey	Relates to the publication of information regarding waivers of compliance with state contract provisions concerning minority and women-owned business enterprise participation requirements	Ch. 348 of 2021
S4323C	Comrie	Establishes a construction industry advisory council on public contracting reform	Ch. 782 of 2021
S. 4644A	Biaggi	Relates to standards for food and beverages purchased, sold or promoted by state agencies	Reported to the Floor
S. 5303	Reichlin-Melnick	Relates to procurement contracts	Reported to the Floor Passed as part of Budget Part SS Ch. 55 of 2021
S. 5304	Reichlin-Melnick	Relates to posting the names of individuals who are authorized to sign state contracts	Passed Senate Only
S. 5305	Reichlin-Melnick	Extends provisions of law relating to the “Procurement Stewardship Act of 1995”	Passed Senate Only Passed as part of Budget Part RR Ch. 55 of 2021
S. 5479A	Borrello	Allows for in-state suppliers to receive preference in certain situations when the state is awarding contracts	Reported from Committee
S. 5517A	Kennedy	Relates to certain contracts involving industrial painting and industrial coatings	Ch. 613 of 2021
S. 5921	Krueger	Enacts the New York deforestation-free procurement act	Reported to the Floor
S. 6616	Skoufis	Establishes the ethical standards for state agency contractors act	Reported to Finance
S. 6998	Reichlin-Melnick	Relates to providing for discretionary buying thresholds	Ch. 257 of 2021



2021 ANNUAL REPORT

NEW YORK STATE SENATE
STANDING COMMITTEE
PROCUREMENT