



**ASSEMBLY STANDING COMMITTEE ON CITIES  
ASSEMBLY STANDING COMMITTEE ON LOCAL GOVERNMENTS**

**NOTICE OF PUBLIC HEARING**

**SUBJECT:** Local Government Procurement

**PURPOSE:** To examine potential new local procurement policies, related to the purchase of goods, for transparency, fairness, and accountability

**Thursday  
December 14, 2023  
10:30 a.m.  
Hearing Room C  
Albany, New York 12248**

Each year, local governments spend billions to procure goods. Local government procurement is generally governed by section 103 of the New York State General Municipal Law. The declaration of policy accompanying section 103 states that the purpose is "...to assure the prudent and economical use of public moneys for the benefit of all the inhabitants of the state and to facilitate the acquisition of facilities and commodities of maximum quality at the lowest possible cost."

Currently local governments may award procurement contracts to the "lowest responsible bidder" or on the basis of "best value," but in recent years, there have been several requests to modify local procurement authority. For example, New York City has requested authorization to adopt a "progressive design" policy, which would involve the initial selection of a qualified bidder with work then "progressing" toward a design and contract price. There has also been advocacy to allow local government food procurement contracts to include values-based procurement, with higher prices authorized for "values" like environmental sustainability.

The purpose of this hearing is to solicit input on these and other potential local government procurement proposals, including, whether they provide adequate transparency, fairness, and accountability measures to protect taxpayers.

Persons wishing to present pertinent testimony to the Committees at the above hearing should complete and return the enclosed reply form as soon as possible. It is important that the reply form be fully completed and returned so that persons may be notified in the event of emergency postponement or cancellation. Oral testimony will be limited to five minutes' duration. In preparing the order of witnesses, the Committees will attempt to accommodate individual requests to speak at particular times in view of special circumstances. These requests should be made on the attached reply form or communicated to Committee staff as early as possible.

Ten copies of any prepared testimony should be submitted at the hearing registration desk. The Committees would appreciate advance receipt of prepared statements. Attendees and participants at any legislative public hearing should be aware that these proceedings are video recorded. Their likenesses may be included in any video coverage shown on television or the internet.

In order to meet the needs of those who may have a disability, the Assembly, in accordance with its policy of non-discrimination on the basis of disability, as well as the 1990 Americans with Disabilities Act (ADA), has made its facilities and services available to all individuals with disabilities. For individuals with disabilities, accommodations will be provided, upon reasonable request, to afford such individuals access and admission to Assembly facilities and activities.

**Edward C. Braunstein  
Member of Assembly  
Chair  
Assembly Committee on Cities**

**Fred W. Thiele, Jr.  
Member of Assembly  
Chair  
Assembly Committee on Local Governments**

PUBLIC HEARING REPLY FORM

Persons wishing to present testimony at the public hearing on Local Government Procurement are requested to complete this reply form as soon as possible and mail, email, or fax it to:

Joey Creamer  
Analyst  
Assembly Committee on Local Governments  
Room 520 – Capitol  
Albany, New York 12248  
Email: creamerj@nyassembly.gov  
Phone: (518) 455-4363  
Fax: (518) 455-5182

- I plan to attend the following public hearing on Local Government Procurement to be conducted by the Assembly Committees on Cities and Local Governments on December 14, 2023.
- I plan to make a public statement at the hearing. My statement will be limited to 5 minutes, and I will answer any questions which may arise. I will provide 10 copies of my prepared statement.
- I will address my remarks to the following subjects:

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- I do not plan to attend the above hearing.
- I would like to be added to the Committee mailing list for notices and reports.
- I would like to be removed from the Committee mailing list.
- I will require assistance and/or handicapped accessibility information. **Please specify the type of assistance required:** \_\_\_\_\_

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