

**RESOLUTION NO. 42 -2013, TO CREATE A TASK FORCE
TO ENHANCE THE COUNTY'S PROCUREMENT PROCESS**

WHEREAS, the goals of competitive bidding statutes are to avoid favoritism, encourage competition and ensure the efficient use of taxpayer monies; and

WHEREAS, beginning in 2005 the New York State Legislature enacted legislation (codified in sections 139-j and 139-k of State Finance Law) to increase the transparency and fairness of the State's procurement process; and

WHEREAS, sections 139-j and 139-k of State Finance Law require every state contracting agency that undertakes a procurement to designate a person or persons to be responsible for communications relative to the procurement who may be contacted by bidders or potential bidders; require bidders and potential bidders to limit their contacts with the government to those persons designated by the contracting agency; and provide for the disclosure of contacts between bidders/contractors and the procuring government agency; and

WHEREAS, the County of Suffolk should determine whether the provisions of sections 139-j and 139-k of State Finance Law should be adopted by the County and made part of the County's procurement process; and

WHEREAS, a task force familiar with procurement issues should be formed to study this issue and make recommendations to the County Executive and this Legislature; now, therefore be it

1st RESOLVED, that a Procurement Process Task Force is hereby created to study the provisions of sections 139-j and 139-k of New York State Finance Law and make recommendations to this Legislature and the County Executive which provisions of this law, if any, should be adopted by the County to improve its procurement policy; and be it further

2nd RESOLVED, that the Task Force shall be comprised of the following seven (7) members:

- 1) the County Executive, or his or her designee;
- 2) the Presiding Officer, or his or her designee;
- 3) the Minority Leader, or his or her designee;
- 4) the County Attorney, or his or her designee;
- 5) the Suffolk County Comptroller, or his or her designee; and
- 6) two representatives of the Department of Public Works who are familiar with the County's procurement practices, to be designated by the Commissioner of the Department of Public Works;

and be it further

3rd **RESOLVED**, that the chairperson of the Task Force shall be selected by a majority of the membership of said Task Force; and be it further

4th **RESOLVED**, that the Task Force shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be for the purpose of organization and the appointment of a chairperson, vice chairperson, and a secretary; and be it further

5th **RESOLVED**, that the members of said Task Force shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

6th **RESOLVED**, that the Task Force shall hold regular meetings, keep a record of all its proceedings, and determine the rules of its own proceedings with special meetings to be called by the chairperson upon his or her own initiative or upon receipt of a written request therefor signed by at least three (3) members of the Task Force. Written notice of the time and place of such special meetings shall be given to each member at least four (4) days before the date fixed by the notice for such special meeting; and be it further

7th **RESOLVED**, that four (4) members of the Task Force shall constitute a quorum to transact the business of the Task Force at both regular and special meetings; and be it further

8th **RESOLVED**, that clerical services involving the month-to-month operation of this Task Force, as well as supplies and postage as necessary, will be provided by the staff of the County Legislature; and be it further

9th **RESOLVED**, that the Task Force may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

10th **RESOLVED**, that the Task Force may delegate to any member of the Task Force the power and authority to conduct such hearings and meetings; and be it further

11th **RESOLVED**, that the Task Force shall cooperate with the Legislative Committees of the County Legislature and make available to each Committee's use, upon request, any records and other data it may accumulate or obtain; and be it further

12th **RESOLVED**, that this Task Force shall submit a written report of its Findings and Determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than one hundred eighty (180) days subsequent to the effective date of this Resolution for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

13th **RESOLVED**, that the Task Force shall expire, and the terms of office of its members terminate, as of December 31, 2013, at which time the Task Force shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

14th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II

action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: February 5, 2013

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: February 14, 2013