

**RESOLUTION NO. 287 -2013, INCREASING TRANSPARENCY  
IN RFP PROCESS**

**WHEREAS**, NEW YORK GENERAL MUNICIPAL LAW § 104-b requires the governing body of every political subdivision in the State to adopt policies and procedures for the procurement of goods and services, which are not subject to typical bidding requirements, “to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption”; and

**WHEREAS**, Chapter 1065 of the SUFFOLK COUNTY CODE sets forth the County’s procedures for procuring consulting/personal services; and

**WHEREAS**, Chapter 1065 generally requires that a Request for Proposals (“RFP”) be issued and advertised for consultant contracts in excess of \$25,000; and

**WHEREAS**, NEW YORK GENERAL MUNICIPAL LAW § 104-b requires municipalities to regularly review their procurement policies; and

**WHEREAS**, this Legislature finds that prospective vendors should have at least ten days to respond to an advertised RFP in order to enhance competition and discourage favoritism; and

**WHEREAS**, giving County Legislators and ordinary citizens ready access to basic information about the persons and entities responding to a RFP will also enhance transparency and oversight; now, therefore be it

**1st RESOLVED**, that § 1065-2 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**§ 1065-2. Procedure**

\* \* \* \*

C. RFP’s shall be advertised in the County’s official newspapers and on the website of the department requesting the RFP. At least ten days shall elapse between the publication and posting of such advertisement and the date when proposals responding to the RFP are required to be submitted to the County.

D. The name, business address and contact information of all persons and business entities responding to an advertised RFP shall be a public record subject to prompt disclosure to any person requesting such information immediately following the awarding of contract except, should the Department of Law determine that disclosing such information following the award of contract would impair contract negotiations with a vendor, the information may be withheld until such time as a contract is fully executed.

**2nd 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: April 23, 2013

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: April 30, 2013