

STRICKEN AS OF 10/29/2014
AMENDED COPY AS OF 5/23/2014

Intro. Res. No. 1330-2014

Laid on Table 4/29/2014

Introduced by Legislators Cilmi, Muratore, McCaffrey, Kennedy and Trotta

**RESOLUTION NO. -2014, AMENDING PROCEDURES
FOR PROCURING CONSULTANT SERVICES**

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, Chapter 1065 authorizes a three (3) member committee, comprised of two (2) County Executive representatives and one (1) legislative representative, to waive the RFP requirement; and

WHEREAS, RFPs should be waived in only limited circumstances; and

WHEREAS, this Legislature determines that there has been an unacceptable proliferation of RFP waivers; and

WHEREAS, the membership of the RFP waiver committee should be expanded to include one (1) additional County Executive representative and one (1) additional legislative representative; and

WHEREAS, a supermajority vote of the committee should be required for RFP waivers to ensure that any approved waiver has both executive and legislative support; now, therefore be it

1st RESOLVED, that § 1065-4 of the SUFFOLK COUNTY CODE is hereby amended as follows:

§ 1065-4. Exceptions; contracts for client services.

* * * * *

- B. Formal bid solicitations or RFPs for the hiring of certain consultant services requiring special or technical skill, training or expertise in the \$25,000 and up range may be waived by a four-fifths vote of the entire membership of a waiver committee made up of the County Executive or his/her duly authorized representative, the Presiding Officer of the County Legislature or his or her duly authorized representative, the Minority Leader of the County Legislature or his or

her duly authorized representative and [a] two members appointed by the County Executive, where it would be in the best interest of the County to do so.

* * * *

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.

___ Underlining denotes addition of new language
[] Brackets denote deletion of existing language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: