

1 **2023 NYSAC Legislative Conference**  
2 **NYSAC Standing Committee on Intergovernmental Affairs**  
3 **Resolution #4**

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5 **Resolution Calling on the State of New York to Amend Procurement Related**  
6 **Laws in Order to Make for More Efficient Government**

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8 **WHEREAS**, state procurement laws control the manner by which local governments  
9 and public schools buy goods and services from commercial bidders; and

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11 **WHEREAS**, these statutes exist, in part, to promote transparency and to ensure the  
12 proper use of taxpayer dollars; and

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14 **WHEREAS**, request for proposals (RFP) and competitive public bidding requirements  
15 were created by the State legislature with the intent of providing transparency while  
16 increasing competition in order to lower government costs; and

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18 **WHEREAS**, local governments and schools spend billions of dollars annually on  
19 purchases of goods and services; and

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21 **WHEREAS**, the State in recent years has recognized that due to technology changes  
22 and increasing public service needs, more procurement flexibility is needed that will  
23 result in lower government purchasing costs and continuing to protect public interests;  
24 and

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26 **WHEREAS**, some of the recent changes to procurement laws include the ability for  
27 local governments and schools to piggyback off existing government contracts, allowing  
28 cooperative purchasing, and use of a “best value standard”; and

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30 **WHEREAS**, these changes have provided our local and state procurement officers with  
31 more tools on how to make a purchase, directly resulting in millions of dollars in savings  
32 for our taxpayers; and

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34 **WHEREAS**, while these changes were helpful, goods and services continue to increase  
35 in cost and more must be done to drive down expenses on our local government,  
36 including the following list of options other states, and our state (just not local  
37 governments), are allowed to provide and have proven to be successful in creating  
38 government efficiency:

- 39 • Increase bid limits (solely based on inflation) commodities \$25,000 and public  
40 works \$45,000,
- 41 • Ability to mandate electronic response to all bids not governed by Article 8 of the  
42 labor law; currently can only mandate electronic response for technology bids,
- 43 • Ability to receive public works bids electronically,
- 44 • Ability to use reverse auctions as a competitive procurement process,

- 1 • Allow for primary and secondary awards on competitive bids; secondary awards  
2 could only be used when the primary awardee cannot deliver due to product  
3 availability or labor availability, and supply chain delays and volatility.  
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5 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of  
6 Counties (NYSAC) calls on the State of New York to make the changes listed above,  
7 allowing for more flexibility for our counties to make purchases of goods and services,  
8 and ensure our residents are getting the most efficient use of their taxpayer dollars; and  
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10 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties  
11 of New York encouraging member counties to enact similar resolutions; and  
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13 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to  
14 Governor Kathy Hochul, the New York State Legislature, and all others deemed  
15 necessary and proper.