

LOCAL LAW PERMANENT 1 OF 2017
LOCAL LAW INTRO. NO. 1 of 2017
A LOCAL LAW AMENDING ARTICLE XII OF THE
BROOME COUNTY CHARTER AND CODE REGARDING
THE BOARD OF ACQUISITION AND CONTRACT

SECTION 1. Article XII of the Broome County Charter and Code is amended to read as follows:

ARTICLE XII Board of Acquisition and Contract

§ A1201. Board created; organization and procedures.

There shall be a Board of Acquisition and Contract, which shall consist of the County Executive, the Commissioner of Public Works, Parks, Recreation and Youth Services, and the Chairman of the County Legislature, or their designees. The Board of Acquisition and Contract shall have all the powers and duties in relation to the acquisition of real property and the approval and execution of contracts as are set forth in §§ A1202, A1203, A1204, A1205 and A1206 of this article.

The Board of Acquisition and Contract shall meet at the call of the County Executive, who shall serve as Chairman of such Board. All meetings of the Board of Acquisition and Contract shall be open to the public, and the Board shall be required to keep written minutes of its proceedings, which shall be available to public inspection at all reasonable times.

The agenda along with any and all back-up materials for all meetings of the Board of Acquisition and Contract shall be distributed and available four (4) full business days in advance of said meeting. Those items not listed on the agenda or lacking any back-up materials shall not be considered at said meeting, and instead shall be added as an item to the agenda of the next regular meeting of the Board of Acquisition and Contract.

Any single member of the the Board of Acquisition and Contract, or their designee, may request that an item on the agenda shall lie over until the next regular meeting. A majority of the Board of Acquisition and Contract members may also vote to table an item indefinitely or to table an item to a date certain.

Requests for approval received between regular meetings of the Board of Acquisition and Contract shall require a statement of necessity that explains the urgency of the request, and shall require unanimous approval. Absent unanimous approval, the request shall be added as an item to the agenda of the next regular meeting of the Board of Acquisition and Contract. The Board of Acquisition and Contract shall adopt further rules of procedure for the conduct of its meetings and shall establish its regular meeting dates.

The Board of Acquisition and Contract shall have and exercise all powers and duties conferred or imposed upon it by the Charter and this Code. The members of such Board shall receive no additional salary or compensation for their services, but shall, within the appropriations provided therefore, be entitled to actual and necessary disbursements and expenses in performing the duties of their office.

The Board of Acquisition and Contract may make recommendations to the County Legislature relative to the operations of the Board and County contracts.

§ A1203. Approval and execution of public works contracts

The Board of Acquisition and Contract shall award all public works contracts involving an expenditure of more than \$7,000. Public works contracts involving \$7,000 or less shall be awarded by the Director of Purchasing. In either case, no public works contract shall be deemed effective until a written agreement approved by the Department of Law has been executed by the County Executive and the contractor.

All contracts, except for the purchase of equipment, supplies, materials and services incidental thereto, shall be executed on behalf of the County by the County Executive in accordance with the provisions of General Municipal Law § 103. Whenever such contract involves the expenditure of an amount greater than the limitation provided by General Municipal Law § 103, except contracts for the acquisition of real property, the contracts shall be awarded to the lowest responsible bidder in a manner as set forth in General Municipal Law § 103. A copy of each contract, when executed, shall be filed with the Comptroller, together with a copy of the local law, resolution or ordinance of the County Legislature upon which the right to make such contract rests, other than the annual appropriation act.

Whenever any contract for the construction, reconstruction, repair or alteration of any public work or improvement involves the expenditure of more than \$250,000, any change order involving an expenditure equal to 1% of the contract amount or \$25,000, whichever is greater, or any change order, the amount of which, when added to all previous change orders, exceeds 10% of the contract amount, shall be approved first by the Board of Acquisition and Contract and then by the Public Works and Transportation Committee of the County Legislature or the Committee of the County Legislature which considers and reports upon legislation relating to the department or agency responsible for such public work or improvement. The initial approval of the Board of Acquisition and Contract would remain pending until approval is granted by the Public Works and Transportation Committee or appropriate committee of the County Legislature.

SECTION 2. This Local Law shall take effect upon filing with the Secretary of State.