

NOTICE
OF ADOPTION OF FINAL RULE

The Procurement Policy Board has adopted an amendment to **Chapter 3 Intergovernmental Purchases** of its Rules pursuant to Section 311 of the New York City Charter. The amendment was published on January 14, 2009 in the City Record. A public hearing was held on February 18, 2009. The amendment was adopted by the Procurement Policy Board on March 4, 2009.

Basis and Purpose of the Amendment

The amendment conforms the record requirement of section 3-09 to section 316 of the NYC Charter and LL 16 of 2004 by requiring the ACCO to determine that the price for purchases of services and construction is fair and reasonable when making an intergovernmental or cooperative purchase.

The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

Paragraph (1) of subdivision (e) of section 3-09 of Title 9 of the Rules of the City of New York is amended as follows:

* * *

(e) Record. Records shall include at a minimum:

(1) the determination that for goods the price is lower than the prevailing market price; for services or construction that the price is fair and reasonable; and including an explanation of how such determination was made;