

Notice of Adoption of Rule

Pursuant to the authority vested in the Procurement Policy Board (PPB) by Section 311 of the New York City Charter and in accordance with the requirements of Section 1043 of said Charter, the PPB has adopted amendments to Chapter 1 of Title 9 of the Rules of the City of New York.

Statement of Basis and Purpose of Final Rule

This Procurement Policy Board Rule (PPB) amendment updates the provisions of the PPB Rules relating to subscription purchasing to account for modern technologies and changes in industry practices.

This rule amendment streamlines the process for agencies to purchase physical and electronic subscriptions, by clarifying and broadening the definition of subscriptions, thereby allowing agencies to purchase necessary books, periodicals and training materials outside of the procedures set forth in the PPB Rules.

On April 27, 2023, the PPB voted to initiate the rulemaking process under the Citywide Administrative Procedure Act for this rule amendment. A proposed version of this amendment was published in the *City Record* on May 3, 2023. A public hearing was held on June 7, 2023.

The PPB did not receive either written comments or oral testimony at the public hearing. In the absence of comments and in consideration of the PPB's discussions during the April public meeting, the PPB adopted the amendment on [date].

The PPB's authority to promulgate this rule is found in section 311 of the New York City Charter.

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

SECTION 1. PARAGRAPH (5) OF SUBDIVISION (f) OF SECTION 1-02 OF TITLE 9 OF THE RULES OF THE CITY OF NEW YORK IS AMENDED TO READ AS FOLLOWS:

(5) subscriptions[, including] to research databases; paper or electronic subscriptions[,] for magazines, [and] newspapers, other periodicals, [orders for] or books [and " ; off-the-shelf"] training [videotapes,] materials including, but not limited to, webcasts, courses, programs, videos, and assessments; and attendance at standard commercially-available training seminars or subscriptions to organizations providing such seminars.