

Legislative and Regulatory Reforms

New York City Procurement Policy Board Rule Updates

In Fiscal 2019, the Procurement Policy Board voted to adopt a number of changes to the Procurement Policy Board Rules (“PPB Rules”), which govern procurement actions for City agencies. The following changes were adopted by the PPB this year on September 27, 2018 and went into effect on November 5, 2018:

PASSPort Threshold Escalation and Term Changes

PPB Rules §§ 1-01, 2-08: This amendment to the PPB Rules increases the dollar threshold for mandatory PASSPort enrollment for vendors doing business with the City of New York. This PPB Rules amendment clarifies the nomenclature used to describe the electronic vendor record system established pursuant to Section 6-116.2(b) of the New York City Administrative Code.

Copies of Registered Contracts

PPB Rule § 2-12: This amendment to the PPB Rules permits the Comptroller to accept reproductions of signatures in lieu of original ink signatures. This change to the PPB Rules is consistent with applicable New York laws governing electronic contracts and signatures, the admissibility of reproductions in a court of law, and current trends favoring increased acceptance of electronic records.

M/WBE Noncompetitive Small Purchases

PPB Rule § 3-08: This amendment to the PPB Rules creates a new subtype of small purchase, known as an “M/WBE Noncompetitive Small Purchase.” The M/WBE Noncompetitive Small Purchase mechanism allows agencies to make purchases of goods and services from Minority and Women Owned Business Enterprises (“M/WBEs”) in amounts not exceeding \$150,000 without competition. Pursuant to the authority set forth in New York City Charter Section 311(i)(1), added by Chapter 504 of the Laws of 2017, this amendment also creates a separate small purchase threshold for M/WBE Noncompetitive Small Purchases.