

CAPA Public Hearing
September 14, 2015

1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

TRANSCRIPT OF THE
CITY ADMINISTRATIVE PROCEDURES ACT
PUBLIC HEARING

MONDAY, SEPTEMBER 14, 2015

SPECTOR HALL

22 READE STREET, MAIN FLOOR

BOROUGH OF MANHATTAN

2:35 p.m.

Reported By:

Jennifer Cassella

CAPA Public Hearing
September 14, 2015

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HEARING CONVENED AT 2:35 p.m.

PRESENT:

Stephanie Ruiz, Clerk

CAPA Public Hearing
September 14, 2015

3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

MS. RUIZ: Good afternoon. This Public Hearing concerning the proposed rules by the Procurement Policy Board will now come to order. The Hearing today will provide the public an opportunity to comment on the seven proposed amendments to Chapters 1, 2 and 3 of Title 9 of the Rules of the City of New York entitled "The Procurement Policy Board Rules."

We want to be sure that anyone desiring to be heard has an opportunity to do so. All persons wishing to speak must fill out a request slip, which may be obtained from me. Each speaker will be allotted approximately three minutes. When you testify, please state your name and affiliation, if any. You may also submit written testimony to me which will be made part of the record. Any written submissions must be given to me before the close of the public hearing.

Item No. 1: Proposed amendment to Chapter 3 of Title 9 of the Rules of the City of New York to reflect the changes

CAPA Public Hearing
September 14, 2015

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

previously made to Section 314 of the New York City Charter that require notification to New York City Council on emergency procurements.

Does anyone wish to testify?

(No response.)

MS. RUIZ: If no one wishes to testify, onto the second item.

Item No. 2: Proposed amendment to Chapter 3 of Title 9 of the Rules of the City of New York to increase the dollar amount between which procurement and award of contracts for construction may be made without competition from \$20,000 to \$35,000.

Does anyone wish to testify?

(No response.)

MS. RUIZ: If no one wishes to testify, onto the third item.

Item No. 3: Proposed amendment to Chapter 4 of Title 9 of the Rules of the City of New York to permit all services contracts and task orders under task order contracts to be extended pursuant to the

CAPA Public Hearing
September 14, 2015

5

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

rule.

Does anyone wish to testify?

(No response.)

MS. RUIZ: If no one wishes to testify, onto the fourth item.

Item No. 4: Proposed amendment to Chapter 3 of Title 9 of the Rules of the City of New York to permit one or more of the New York City retirement systems to use a negotiated acquisition mechanism in order to allow direct contracts with a vendor that has successfully provided investment services met to such system under an emerging manager program.

Does anyone wish to testify?

(No response.)

MS. RUIZ: If no one wishes to testify, onto the fifth item.

Item No. 5: Proposed amendment to Chapter 3 of Title 9 of the Rules of the City of New York to include electronic mailings as a manner in which invitations for bids and request for proposals are distributed.

CAPA Public Hearing
September 14, 2015

6

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

Does anyone wish to testify?

(No response.)

MS. RUIZ: If no one wishes to testify, onto the sixth item.

Item No. 6: Proposed amendment to Chapter 3 of Title 9 of the Rules of the City of New York to establish requirements for implementing quantitative factors for minority-and-women-owned business enterprises when evaluating bids and offers for contracts being awarded on the basis of best value.

Does anyone wish to testify?

(No response.)

MS. RUIZ: If no one wishes to testify, onto the seventh item.

Item No. 7: Proposed amendment to Chapter 1 of Title 9 of the Rules of the City of New York to clarify the definition of a Minority-and-Women-Owned Business Enterprise as per New York City Local Law 1 of 2013.

Does anyone wish to testify?

(No response.)

CAPA Public Hearing
September 14, 2015

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

MS. RUIZ: If no one wishes to
testify, that concludes today's hearing.
We ask the reporter make any written
submissions part of the final record of the
proceeding. The hearing is now closed.
Thank you.

(Time noted: 3:38 p.m.)

CAPA Public Hearing
September 14, 2015

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

STATE OF NEW YORK)
COUNTY OF RICHMOND) ss:

I, JENNIFER CASSELLA, a Notary Public
within and for the State of New York, do hereby
certify:

I reported the proceedings in the
within-entitled matter, and that the within
transcript is a true record of such proceedings
to the best of my ability.

I further certify that I am not related
to any of the parties to this action by blood
or marriage; and that I am in no way interested
in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set
my hand this 16th day of September, 2015.

JENNIFER CASSELLA

**CAPA Public Hearing
September 14, 2015**

A	direct (1) 5:12 distributed (1) 5:25 dollar (1) 4:12	mailings (1) 5:23 MAIN (1) 1:11 manager (1) 5:15 MANHATTAN (1) 1:12 manner (1) 5:23 marriage (1) 8:16 matter (2) 8:11,17 mechanism (1) 5:11 met (1) 5:14 minority-and-women-owned (2) 6:10,21 minutes (1) 3:16 MONDAY (1) 1:9
ability (1) 8:13 acquisition (1) 5:11 ACT (1) 1:3 action (1) 8:15 ADMINISTRATIVE (1) 1:3 affiliation (1) 3:18 afternoon (1) 3:2 allotted (1) 3:16 allow (1) 5:12 amendment (7) 3:23 4:10,21 5:7 5:20 6:6,18 amendments (1) 3:7 amount (1) 4:13 approximately (1) 3:16 award (1) 4:13 awarded (1) 6:12	E	N
B	E (2) 8:2,2 electronic (1) 5:22 emergency (1) 4:4 emerging (1) 5:15 Enterprise (1) 6:22 enterprises (1) 6:11 entitled (1) 3:9 establish (1) 6:8 evaluating (1) 6:11 extended (1) 4:25	name (1) 3:17 negotiated (1) 5:11 New (14) 3:9,25 4:2,4,12,23 5:9,10 5:22 6:8,20,22 8:4,8 Notary (1) 8:7 noted (1) 7:8 notification (1) 4:3
basis (1) 6:12 best (2) 6:13 8:13 bids (2) 5:24 6:11 blood (1) 8:15 Board (2) 3:4,10 BOROUGH (1) 1:12 business (2) 6:10,21	F	O
C	F (1) 8:2 factors (1) 6:9 fifth (1) 5:19 fill (1) 3:14 final (1) 7:5 FLOOR (1) 1:11 fourth (1) 5:6 further (1) 8:14	obtained (1) 3:15 offers (1) 6:11 opportunity (2) 3:6,12 order (3) 3:5 4:24 5:11 orders (1) 4:24 outcome (1) 8:17
C (2) 8:2,2 Cassella (3) 1:22 8:7,22 certify (2) 8:9,14 changes (1) 3:25 Chapter (7) 3:24 4:11,22 5:8,21 6:7,19 Chapters (1) 3:8 Charter (1) 4:3 City (13) 1:3 3:9,25 4:3,4,12,23 5:9 5:10,22 6:8,20,22 clarify (1) 6:20 Clerk (1) 2:4 close (1) 3:22 closed (1) 7:6 come (1) 3:5 comment (1) 3:7 competition (1) 4:15 concerning (1) 3:3 concludes (1) 7:3 construction (1) 4:14 contracts (5) 4:14,24,25 5:12 6:12 CONVENED (1) 2:2 Council (1) 4:4 COUNTY (1) 8:5	G	P
D	given (1) 3:21 Good (1) 3:2	p.m (3) 1:13 2:2 7:8 part (2) 3:20 7:5 parties (1) 8:15 permit (2) 4:23 5:9 persons (1) 3:13 please (1) 3:17 Policy (2) 3:4,10 PRESENT (1) 2:3 previously (1) 4:2 PROCEDURES (1) 1:3 proceeding (1) 7:6 proceedings (7) 3:1 4:1 5:1 6:1 7:1 8:10,12 procurement (3) 3:4,10 4:13 procurements (1) 4:5 program (1) 5:15 proposals (1) 5:24 proposed (9) 3:3,7,23 4:10,21 5:7 5:20 6:6,18 provide (1) 3:6 provided (1) 5:13 public (5) 1:4 3:3,6,22 8:7 pursuant (1) 4:25
day (1) 8:19 definition (1) 6:20 desiring (1) 3:12	H	Q
	HALL (1) 1:10 hand (1) 8:19 heard (1) 3:12 hearing (7) 1:4 2:2 3:3,5,22 7:3,6 hereunto (1) 8:18	
	I	
	implementing (1) 6:9 include (1) 5:22 increase (1) 4:12 interested (1) 8:16 investment (1) 5:13 invitations (1) 5:23 item (13) 3:23 4:9,10,20,21 5:6,7 5:19,20 6:5,6,17,18	
	J	
	Jennifer (3) 1:22 8:7,22	
	K	
	L	
	Law (1) 6:22 Local (1) 6:22	
	M	

**CAPA Public Hearing
September 14, 2015**

<p>quantitative (1) 6:9</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>R (1) 8:2 READE (1) 1:11 record (3) 3:20 7:5 8:12 reflect (1) 3:25 related (1) 8:14 reported (2) 1:21 8:10 reporter (1) 7:4 request (2) 3:14 5:24 require (1) 4:3 requirements (1) 6:8 response (7) 4:7,18 5:4,17 6:3,15 6:25 retirement (1) 5:10 RICHMOND (1) 8:5 Ruiz (9) 2:4 3:2 4:8,19 5:5,18 6:4 6:16 7:2 rule (1) 5:2 rules (10) 3:4,8,10,24 4:11,22 5:8 5:21 6:7,19</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>second (1) 4:9 Section (1) 4:2 September (2) 1:9 8:19 services (2) 4:23 5:14 set (1) 8:18 seven (1) 3:7 seventh (1) 6:17 sixth (1) 6:5 slip (1) 3:14 speak (1) 3:13 speaker (1) 3:15 SPECTOR (1) 1:10 ss (1) 8:5 state (3) 3:17 8:4,8 Stephanie (1) 2:4 STREET (1) 1:11 submissions (2) 3:21 7:5 submit (1) 3:18 successfully (1) 5:13 sure (1) 3:11 system (1) 5:14 systems (1) 5:10</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>T (2) 8:2,2 task (2) 4:24,24 testify (15) 3:17 4:6,9,17,20 5:3,6 5:16,19 6:2,5,14,17,24 7:3 testimony (1) 3:19 Thank (1) 7:7 third (1) 4:20 three (1) 3:16 Time (1) 7:8</p>	<p>Title (8) 3:8,24 4:11,22 5:8,21 6:7 6:19 today (1) 3:5 today's (1) 7:3 transcript (2) 1:2 8:12 true (1) 8:12</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>use (1) 5:10</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>value (1) 6:13 vendor (1) 5:12</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>want (1) 3:11 way (1) 8:16 WHEREOF (1) 8:18 wish (7) 4:6,17 5:3,16 6:2,14,24 wishes (7) 4:8,19 5:5,18 6:4,16 7:2 wishing (1) 3:13 within-entitled (1) 8:11 WITNESS (1) 8:18 written (3) 3:19,20 7:4</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>York (14) 3:9,25 4:3,4,12,23 5:9,10 5:22 6:8,20,22 8:4,8</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>1 (4) 3:8,23 6:19,22 14 (1) 1:9 16th (1) 8:19</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2 (2) 3:8 4:10 2:35 (2) 1:13 2:2 20,000 (1) 4:15 2013 (1) 6:23 2015 (2) 1:9 8:19 22 (1) 1:11</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>3 (7) 3:8,24 4:11,21 5:8,21 6:7 3:38 (1) 7:8 314 (1) 4:2 35,000 (1) 4:16</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>4 (2) 4:22 5:7</p>	<hr/> <p style="text-align: center;">5</p> <hr/> <p>5 (1) 5:20</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>6 (1) 6:6</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p>7 (1) 6:18</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9 (8) 3:8,24 4:11,22 5:8,21 6:7,19</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------