

Introduced by

LOCAL LAW NO. 10 - 2010

A LOCAL LAW TO AMEND THE COUNTY GOVERNMENT LAW,
IN RELATION TO THE ESTABLISHMENT OF THE DEPARTMENT
OF SHARED SERVICES

Passed by the Nassau County Legislature on June 21, 2010.

Voting: ayes: 10 nays: 8 abstained: 0

Became a law on June 22, 2010 with the approval of the Deputy County Executive acting on behalf of the County Executive.

APPROVED AS PER CHARTER
[Signature]
Deputy County Attorney

BE IT ENACTED by the Nassau County Legislature as follows:

Section 1. Article VII of the County Government Law of Nassau County, as last amended by local law 12 of 2003, is amended to read as follows:

§ 701. Department Established.

1. There shall be a Department of Shared Services, the head of which shall be the Commissioner of Shared Services who shall be appointed by the County Executive subject to confirmation by the County Legislature. The Commissioner shall appoint such other officers and employees of the department, within the appropriation therefor, as are necessary to effectuate the purposes of the department.

2. The Commissioner shall designate an individual or individuals, who shall be Deputy Commissioners, to perform the administrative duties of and in the place and stead

of the Commissioner during the absence, disability or unavailability of said Commissioner and shall file such designations with the County Clerk and the Clerk of the Legislature. The Commissioner may indicate the manner and extent of such designation.

§ 702. Purchasing and Inventory Duties: Competitive Bids

- a) The Commissioner shall make all purchases and all contracts for supplies, materials, equipment of every nature for the county and services in connection with the operation, renovation and maintenance of county facilities and equipment for any county department, institution, office or agency for which the county may in any event be liable provided that the County Legislature may by resolution except from the operation of this article by two-thirds vote of the voting strength thereof exempt such further purchases as Commissioner or his designee may recommend in writing.
- b) Before making any purchase, the Commissioner or his designee shall give opportunity for competition under such rules and regulations as may be from time to time established by ordinance; provided that in case any single purchase or contract shall involve an expenditure of more than ten thousand dollars, it shall be made from or let by sealed bids or proposals, after public notice published at least once in the official newspapers at least five days prior to the day on which such sealed bids or proposals are to be opened, to the lowest bidder who shall give security for the performance of this contract, if required by Commissioner or his designee; except that the Commissioner or his designee may award such contract to a bidder other than the lowest bidder, as aforesaid, where such other

bidder maintains a place of business in or sells supplies, materials or equipment manufactured in the County of Nassau or in adjoining municipality and submits a bid not exceeding ten percent more than the otherwise lowest bidder.

- c) The Commissioner shall supply a copy of the public notice to the Clerk of the County Legislature.
- d) The awarding of any contract exceeding \$100,000 shall be subject to the approval of the Rules Committee of the County Legislature. In case of an emergency, upon the recommendation in writing by the Commissioner or his designee setting forth the nature of the emergency, the County Executive may authorize the Commissioner or his designee to immediately purchase in the open market the necessary materials, supplies, equipment or services in connection with the operation, renovation and maintenance of county facilities or equipment, notwithstanding that the emergency purchase may involve the expenditure of more than ten thousand dollars. Any emergency purchase made pursuant to this section shall be limited to the amount and term deemed necessary in the sole direction of the Commissioner or his designee to remediate the emergency. If such contract involves an expenditure of \$100,000 or more, a resolution ratifying the act of the Commissioner awarding the contract shall be introduced to the County Legislature for consideration at its next available legislative meeting in accordance with the rules of the County Legislature. In addition, at the time such ratifying resolution is called at all committee meetings and the legislative

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meeting, the Commissioner, or his designee, must appear before the County Legislature and justify the expenditure. Without a resolution passed by the County Legislature, any contract executed by the Commissioner or his designee which is exempt from the public notice requirements and the bid procedures of this section by reason of an emergency shall be limited to a term of one (1) year and to expenditure equal to \$100,000 plus any funds expended to remediate the emergency prior to the legislative meeting at which such ratifying resolution was voted upon.

- e) Without a resolution passed by the County Legislature, any open services contract executed by the Commissioner or his designee shall be limited to an expenditure of one hundred thousand (\$100,000) dollars and to a term of one (1) year. In addition, without a resolution passed by the County Legislature, no person, firm, entity, principal of any firm or entity or affiliated person, affiliated firm, affiliated entity or affiliated principal of any firm or entity shall, in any year, be awarded open services contracts by the Commissioner the aggregate amount of expenditures under which exceed three hundred thousand (\$300,000) dollars.

§ 703. **Stores account.** The Commissioner shall have charge of such storerooms and warehouses of the county as may be provided by resolution of the County Legislature. Supplies, materials or equipment required by any department, institution, office or agency of the county may be furnished upon requisition from the stores under the control of the

Commissioner and, whenever so furnished, shall be paid for by the department, institution, office or agency to which furnished by means of a warrant payable to the credit of the stores account. The Commissioner shall not make any purchases for, or furnish from stores under his control to, any department, institution, office or agency, any supplies, materials or equipment unless there be to the credit of such department, institution, office or agency an unencumbered balance of an appropriation applicable to such purchase sufficient to pay for such supplies, material of equipment.

§ 704. **Requisitions.** At such times during each quarter of each fiscal year as the Commissioner may designate, it shall be the duty of the heads of each department, institution, office or agency to submit to the Commissioner on forms to be supplied by him a requisition for all supplies, materials and equipment the purchase of which has been authorized by the budget for such fiscal year and the necessity for the purchase of which can be clearly foreseen, together with the dates on which such supplies, materials or equipment will be required.

§705. **Commissioner may act for town, cities, villages and districts.** The Commissioner, upon the request of any town, city, village, school district or special district in the county, may act as purchasing agent for such town, city, village, school district or special district, either for all or part of its purchase, upon such conditions as may be prescribed by ordinance.

§706. **Shared Services.** Upon the written direction of the County Executive, any of the following shared services shall be performed, in whole or in part, by the Department of Shared Services, on behalf of some or all County agencies to the extent directed by the County Executive:

- (a) Financial management functions including, but not limited to, accounting, claims, deposits, payments, and loans.
- (b) Payroll and personnel administration;
- (c) Property management functions including, but not limited to, building maintenance, building services, custodial services, heating and ventilation management, facilities planning, real estate administration, public safety, and abandoned property;
- (d) Information Technology support functions, including, but not limited to, support services for computers, systems and programming, and telephones;
- (e) Motor vehicle support functions, including, but not limited to, housing, maintenance, inventory and repair
- (f) Environmental planning and initiatives, including, but not limited to, fuel and energy consumption
- (g) Printing and graphics functions
- (h) Record maintenance functions
- (i) Mail services
- (j) Public relations and constituent affairs
- (k) Secretarial and clerical services
- (l) Functions related to labor relations and negotiations

(m) Other services that are necessary for the effective functioning of more than one County Department.

§707. **Effect on other County Departments.** Nothing herein shall limit the power of any County Department, agency or office to perform any such services to the extent authorized by other provisions of state or local law.

§2. **Construction.** Any reference in any law, ordinance, resolution, rule or regulation to the Office of Purchasing shall be deemed to apply to the Department of Shared Services and any reference to the Director of Purchasing shall be deemed to apply to the Commissioner of Shared Services.

§3. This local law shall take effect immediately.

APPROVED



County Executive

DATE 6/22/10