



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: May 22, 2024

Sponsored by Council Members: Hotchkiss, Cavanaugh, Porter, Middleton

Introduced by Committee: Rules and Procedures/Special Studies

ORDINANCE

entitled

AN ORDINANCE TO AMEND THE CODE OF
THE CITY OF BINGHAMTON, CHAPTER 26,
CITY COUNCIL, TO CLARIFY LEGISLATIVE
SIGN OUT PROCESS

WHEREAS, the Council of the City of Binghamton has recommended that the Code of the City of Binghamton, Chapter 26, *City Council*, §26-9, *Discharge of legislation from committee*, be amended; and

WHEREAS, City Council wishes to amend Code of the City of Binghamton accordingly.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Code of the City of Binghamton, Chapter 26, Chapter 26, *City Council*, §26-9, *Discharge of legislation from committee*, is hereby amended as follows:

§26-9. Discharge of legislation from committee. [Amended 5-15-1997 by Ord. No. 72-97; 8-4-2003 by Ord. No. 03-93; 4-5-2017 by Ord. No. 17-26; Amended 3-29-2023 by Ord. No. 23-64]

A. Any formal legislation signed out of committee by a majority of committee members, or a majority of members of the Council, shall be first read legislation at one of the next two regular business meetings or a special business meeting for that purpose held within the same timeframe.

B. Any legislation that has been returned to committee, after first read, will automatically be returned to the assigned Council floor for a second reading at the next regular business meeting or special business called for that purpose, unless one or more Council members removes his or her name from the legislation and, as a result, there is no longer a majority of committee members or a majority of Council members who signed the legislation; in which event the legislation will be returned to committee. [Amended 8-21-2006]

C. All second read legislation having and maintaining adequate sponsorship of Council, either signed out of committee by a majority of committee members, or a majority of the members of Council, must be voted upon during second reading.

Section 2. That this ordinance shall take effect immediately.

Introductory No. O24-33

Permanent No. _____

Sponsored by City Council Members: Hotchkiss,
Cavanaugh, Porter, Middleton

AN ORDINANCE TO AMEND THE CODE OF
THE CITY OF BINGHAMTON, CHAPTER 26,
CITY COUNCIL, TO CLARIFY LEGISLATIVE
SIGN OUT PROCESS

The within Ordinance was adopted by the Council of
the City of Binghamton.

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Councilmember Porter				
Councilmember Middleton				
Councilmember Cavanaugh				
Councilmember Hotchkiss				
Councilmember Mativetsky				
Councilmember Kosty				
Councilmember Dundon				
Total				

Code of the City of Binghamton

Adopted Defeated

____ Ayes ____ Nays ____ Abstain ____ Absent

I hereby certify the above to be a true
copy of the legislation adopted by the
Council of the City of Binghamton at a
meeting held on _____. Approved
by the Mayor on _____.



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: May 22, 2024

Sponsored by Council Members: Middleton, Dundon, Cavanaugh, Mativetsky, Kosty

Introduced by Committee: Municipal and Public Affairs

RESOLUTION

entitled

A RESOLUTION TO ACCEPT FUNDING FROM
THE BROOME COUNTY DISTRICT
ATTORNEY'S OFFICE FOR THE
INSTALLATION OF CAMERAS TO ENHANCE
PUBLIC SAFETY

WHEREAS, the City of Binghamton is eligible to receive \$66,000 in funding from the Broome County District Attorney's Office to be used for the installation of cameras to enhance public safety; and

WHEREAS, the funds do not require a local match and the funds will be administered by the Chief of Police or his designee.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE that the Mayor, or his designee, is hereby authorized to execute any and all documents, approved as to form and content by the Office of Corporation Counsel, as may be necessary to accept \$66,000 in funding from the Broome County District Attorney's Office to be used for the installation of cameras to enhance public safety; and be it further

RESOLVED that there is no City match for the acceptance of such funds and that the Chief of Police or his designee shall be the project administrator.

Introductory No. R24-39

Permanent No. _____

Sponsored by City Council Members: Middleton,
Dundon, Cavanaugh, Mativetsky, Kosty

A RESOLUTION TO ACCEPT FUNDING FROM
THE OFFICE OF THE DISTRICT ATTORNEY'S
TRAFFIC DIVERSION PROGRAM FOR THE
INSTALLATION OF CAMERAS TO ENHANCE
PUBLIC SAFETY

The within Resolution was adopted by the Council of
the City of Binghamton.

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Councilmember Porter				
Councilmember Middleton				
Councilmember Cavanaugh				
Councilmember Hotchkiss				
Councilmember Mativetsky				
Councilmember Kosty				
Councilmember Dundon				
Total				

Code of the City of Binghamton

Adopted Defeated

____ Ayes ____ Nays ____ Abstain ____ Absent

I hereby certify the above to be a true
copy of the legislation adopted by the
Council of the City of Binghamton at a
meeting held on _____. Approved
by the Mayor on _____.



**IN
THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Dated: June 05, 2024

Sponsored by Councilmember(s):

Introduced by Committee(s) on: Public Works

LOCAL LAW NO. 3 OF 2024
entitled

A LOCAL LAW ESTABLISHING ADDITIONAL
LOWEST RESPONSIBLE BIDDER RULES AND
REGULATIONS THAT PROVIDE FOR THE
DELIVERY OF CONSTRUCTION SERVICES ON A
HIGH QUALITY BASIS

WHEREAS, the letting of public contracts for public works projects is governed by Section 103 of the General Municipal Law and requires that contracts be let to the "lowest responsible bidder"; and

WHEREAS, the taxpayers and residents of the City of Binghamton have a strong public interest in the establishment of an effective screening process for determining which individuals or other entities are a "lowest responsible bidder"; and

WHEREAS, an effective screening process can benefit the City of Binghamton and its taxpayers and residents by avoiding cost overruns, scheduled delays and defective or inferior work when such work is performed by an entity that is the lowest bidder, but whom or which is not responsible; and

WHEREAS, Division 4, Article III of Chapter 2 of the Code of Ordinances of the City of Binghamton establishes a Board of Contract and Supply; and

WHEREAS, Section 2-79 of Division 4 authorizes the Board of Contract and Supply to award public works contracts to the lowest responsible bidder; and

WHEREAS, the City of Binghamton has determined that non-responsible bidders could be more effectively screened if potential bidders were required to disclose certain information that is relevant to determining whether they are responsible bidders; and

WHEREAS, the City of Binghamton has determined that potential bidders on public works contracts should be required to submit all performance evaluations of any type performed on the potential bidder by any source within the last five (5) years; and

registration, certificates or certifications had ever been suspended or revoked, whether liens had been filed against the firm as a result of its failure to pay subcontractors, suppliers or workers, whether firm has ever been denied bonding or insurance coverage, or been discontinued by a surety or insurance company, whether firm had ever been found guilty of violating any laws, including but not limited to contracting or antitrust laws, tax or licensing laws, labor or employment laws, environmental, health or safety laws, whether the firm's owners, directors or managers have ever been subject to any criminal indictment or criminal investigation concerning the firm's business and finally whether the firm had ever been subject to any bankruptcy proceeding; and

WHEREAS, City of Binghamton has determined that potential bidders on public works contracts should be required to answer such questions in relation to a period of five (5) years into the past; and

WHEREAS, City of Binghamton has determined that potential bidders on public works contracts should be required to answer such questions and be subject to prosecution under the laws of the State of New York for any incomplete, inaccurate or false statements made in answering these questions; and

WHEREAS, the City of Binghamton has determined that due to the potential economic benefit that would accrue to the City of Binghamton and the surrounding municipalities that it is in the best interest of the residents and taxpayers of the City of Binghamton to establish a system where by a preference would be given to bidders who will employ local labor or laborers; and

WHEREAS, labor or laborers are "local" if they reside or their primary place of business is located within Broome County, New York; and

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Code of Ordinances Section 2-93 shall no longer be reserved.

Section 2. That the Code of Ordinances Section 2-93 shall be hereafter be entitled "Additional Requirements for Responsible Bidder on Public Works Projects".

WHEREAS, the City of Binghamton has determined that the information disclosed should also include whether the firm has ever been prohibited from doing business with any other governmental agency or private enterprise, whether the firm had ever been declared non-responsible by any other governmental agency or private enterprise, whether the firm has ever defaulted, terminated for cause or failed to complete a project awarded to it, whether the firm had ever been required to pay liquidated damages, whether any of the firm's professional licenses, registration, certificates or certifications had ever been suspended or revoked, whether liens had been filed against the firm as a result of its failure to pay subcontractors, suppliers or workers, whether firm has ever been denied bonding or insurance coverage, or been discontinued by a surety or insurance company, whether firm had ever been found guilty of violating any laws, including but not limited to contracting or antitrust laws, tax or licensing laws, labor or employment laws, environmental, health or safety laws, whether the firm's owners, directors or managers have ever

been subject to any criminal indictment or criminal investigation concerning the firms business and finally whether the firm had ever been subject to any bankruptcy proceeding; and

WHEREAS, City of Binghamton has determined that potential bidders on public works contracts should be required to answer such questions in relation to a period of five (5) years into the past; and

WHEREAS, City of Binghamton has determined that potential bidders on public works contracts should be required to answer such questions and be subject to prosecution under the laws of the State of New York for any incomplete, inaccurate or false statements made in answering these question; and

WHEREAS, the City of Binghamton has determined that due to the potential economic benefit that would accrue to the City of Binghamton and the surrounding municipalities that it is in the best interest of the residents and taxpayers of the City of Binghamton to establish a system where by a preference would be given to bidders who will employ local labor or laborers; and

WHEREAS, labor or laborers are "local" if they reside or their primary place of business iflocated within Broome County, New York; and

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Code of Ordinances Section 2-93 shall no longer be reserved.

Section 2. That the Code of Ordinances Section 2-93 shall be hereafter be entitled "Additional Requirements for Responsible Bidder on Public Works Projects".

Section 3. That the Code of Ordinances Section 2-93 shall read as follows:

A. Whenever any person, corporation or other entity shall desire to submit a bid on any public works project or any part of such a contract, that firm shall as a part of their bid complete and submit a

"Contractor/Subcontractor Questionnaire",

B. All answers submitted in response to the "Contractor/Subcontractor Questionnaire" shall be complete, accurate and true for a period of five

(5) years in the past and be made under penalty oflaw.

C. Whenever a bidder answers a question in the affirmative that bidder must submit an attachment, providing details concerning the matter in question, including applicable dates, locations, names or

projects/project owners and circumstances.

D. The following questions shall be contained in the

"Contractor/Subcontractor Questionnaire":

(1) Has the Firm been debarred, suspended or otherwise prohibited from doing business with any federal, state or local governmental

agency, or private enterprise?

(2) Has the Firm been denied prequalification, declared non-responsible, or otherwise declared ineligible to submit bids or proposals for work by any federal, state or local government agency, or private enterprise?

(3) Has the Firm defaulted, been terminated for cause, or otherwise failed to complete any project that it was awarded?

(4) Has the Firm been assessed or required to pay liquidated damages in connection with work performed on any project?

(5) Has the Firm had any business or professional license, registration, certificate or certification suspended or revoked?

(6) Have any liens been filed against the Firm as a result of its failure to pay subcontractors, suppliers, or workers?

(7) Has the firm been denied bonding or insurance coverage, or been discontinued by a surety or insurance company?

(8) Has the Firm been found in violation of any laws, including but not limited to contracting or antitrust laws, tax or licensing laws, labor or employment laws, environmental, health or safety laws?

(9) Has the Firm or its owners, officers, directors or managers been the subject of any criminal investigation concerning any aspect of the Firm's business?

(10) Has the Firm been the subject to any bankruptcy proceeding?

E. The "Contractor/Subcontractor Questionnaire" shall be completed by a director, officer or manager of the entity submitting the bid and shall bare that person's signature.

F. A failure to submit information or documents responsive to the "Contractor/Subcontractor Questionnaire", or the submission of any false statement, misrepresentation or omission regarding a material fact concerning any aspect of the "Contractor/Subcontractor Questionnaire" will render that bidder ineligible to be awarded the contract.

G. Further, should the bidder engage in any conduct which would require an affirmative answer to any of the questions of the "Contractor/Subcontractor Questionnaire" during the completion of a public works contract, the City of Binghamton may at its discretion render the contract void and render the bidder ineligible for future contracts for a period of two years.

Section 4. That a copy of the "Contractor/Subcontractor Questionnaire" is attached hereto as Exhibit "A".

Section 5. That the Code of Ordinances Section 2-94 shall no longer be reserved.

Section 6. That the Code of Ordinances Section 2-94 shall be hereafter entitled,

"Preference for Certain Responsible Bidders in the Letting of Public Works Contracts" and shall read as follows

A. It shall be the policy of the City of Binghamton to give preference to otherwise qualified contractors who will employ local labor or laborers.

B. "Local" Defined. For the purposes of this section, labor or laborers are local if they reside or maintain their principle place of business within the County of Broome, New York.

C. The bidding specifications for all public works contracts shall require that all bidders shall submit with their bid, a statement of whether or not local labor or laborers will be used on the project. If local labor will not be used, the bidder may submit a statement of why local labor is not being used. If local labor is being used, then the bidder certification shall specify what percentage of the labor will be performed by local labor or laborers.

Section 5. That the Code of Ordinances Section 2-95 shall no longer be reserved.

Section 6. That the Code of Ordinances Section 2-95 shall be hereafter entitled, "Severability" and shall read as follows:

The several provisions of Division 4, Article III of Chapter II of the City Charter shall be severable in accordance with the following rules:

A. If any court of competent jurisdiction shall adjudge any provision of this division to be invalid, such judgment shall not affect any other provision of this chapter.

B. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this division to a particular contract, such judgment shall not affect the application of said provision to any other contract.

Section XX. That this Local Law will take effect upon filing with the Secretary of the State.

LOCAL LAW ESTABLISHING RESPONSIBLE BIDDER
REQUIREMENTS ON PUBLIC WORKS PROJECTS

BE IT ENACTED by the Legislature of the City of ___ as follows:

Section 1. Legislative Intent

It is the intent of this Local Law to enhance the City's ability to identify the lowest "responsible bidder" on public works construction project by instituting more comprehensive submission requirements and an evaluation system which is in compliance with New York State General Municipal Law. The City, based on its experience, has determined that quality workmanship, efficient operation, safety and timely completion of projects are not necessarily assured by awarding a public works contract solely on the basis of low price. This Local Law establishing uniformity of guidelines for determining the responsibility of bidders will assure efficient use of taxpayer dollars, will promote public safety and is in the public interest.

Section 2. Applicability

This Local law shall apply to construction projects subject to the competitive bidding requirements of General Municipal Law § 103 and advertised for bids on or after effective date.

Section 3. Public works

For purposes of this chapter, the term "public works" shall mean the following: any constructing, altering, reconstructing, repairing, rehabilitating, refinishing, refurbishing, remodeling, remediating, renovating, custom fabricating, maintenance, landscaping, improving, moving, wrecking, painting, decorating, demolishing, and adding to or subtracting from any public building, structure, airport facility, highway, roadway, street, alley, bridge, sewer, drain, ditch, sewage disposal plant, water work, parking facility, railroad, excavation, or other project, development, real property, or improvement, or to do any part thereof, whether or not the performance of the work herein described involves the addition to, or fabrication into, any structure, project or development, real property or improvement herein described of any material or article of merchandise, which is paid for out of a public fund or out of a special assessment. The term also includes any public works leased by a political subdivision under a lease containing an option to purchase.

Section 4. Responsible Bidder Questionnaire

A. New York Vendor Responsibility Questionnaire

Before a public contract may be awarded, contracting officials shall determine the responsibility of potential contractors and subcontractors by reviewing uniform questionnaires submitted by each contractor and subcontractor for the project. All bidders are required to submit the New York State Vendor Responsibility Questionnaire For-Profit Construction (CCA-2) form (hereinafter "uniform questionnaire") to ascertain information as to integrity, responsibility and competence.

B. . List of Subcontractors

Each bidder shall submit a list of the subcontractors used in the calculation of the

C. . Conformance by Subcontractors

Subcontractors shall complete the New York State Vendor Responsibility Questionnaire and meet the same responsibility standards as contractors to be eligible to work on public work contracts. Questionnaires shall be completed by subcontractors no later than seven (7) days following the opening of the bid and announcement of the lowest apparent bidder. The City reserves the right to reject the bid on the basis of unsatisfactory questionnaire responses submitted by a subcontractor designated to perform work by the bidding general contractor.

Section 5. Requirements.

All general bidders for construction projects funded by the City as set forth above in Section 2, shall as a condition for bidding, agree in writing that they shall comply with, and require subcontractors to comply with, with the following obligations set forth below in this Section.

A. All bidders shall fill out the uniform questionnaire in order to ascertain the financial responsibility, accountability, reliability, skill, judgment, and integrity of the apparent lowest bidder. All bidders shall require sub-bidder to fill out the uniform questionnaire within seven (7) days of bid opening.

B. The City shall utilize the "Guidelines for Responsibility Determinations" as set forth in Executive Order No. 170 (9 NYCRR 4.170) in evaluating responsibility of contractors and determining the lowest responsible bidder.

C. Contractors and all subcontractors shall properly classify their workers as employees rather than as independent contractors, unless those workers meet the definition of "independent contractors" as set forth in the New York Construction Fair Play Act, and shall treat such employees accordingly for purposes of workers' compensation insurance coverage, unemployment insurance, employment taxes and social security taxes.

D. Contractors and all subcontractors awarded public works contracts shall require each employee to sign in and out at the beginning and end of each day, and list name to his or her name his or her craft and apprenticeship status, and to provide such information to the City Commissioner of Public Works ("Commissioner"), on a bi-weekly basis. Such information shall be kept in the Commissioner's office for a period of three (3) years and copies of the same shall be made available to the public immediately upon Freedom of Information Law (FOIL) request.

Section 6. Credit Toward Bid Award

The following criteria shall be used as a credit toward a bid determining the lowest responsible bidder. If the City applies any credit(s) towards a bid, the credit(s) will not reduce the amount of a contract.

EXAMPLE: \$1,000,000.00 bid received a \$50,000 local bidder credit. For purposes of determining the lowest bidder, the contractor's bid is \$950,000. However, the contract price will remain \$1,000,000.00.

The City shall apply a credit equal to 5% or \$50,000, whichever is less, based on the local bidder's bid. A local bidder is an individual or business entity that (1) establishes it has a place of business located in the County where the work is to be performed for at least one year prior to the deadline for submitting bids, and (2) can demonstrate for one year prior to the deadline for submitting bids that it has paid a minimum of \$5,000 in sales tax in the County where the work is to be performed.

In the event a local bidder does not bid on the project, a bidder that establishes it has a place of business located within an adjacent county in New York where the work is to be performed for at least one year prior to the deadline for submitting bids will receive a credit equal to 1%, or \$10,000, whichever is less; and

B. The City shall apply a credit equal to 2% of \$20,000, whichever is less, towards the bid of a bidder with a local workforce. "Local workforce" means at least 25% of the bidder's construction employees reside in the County where the work is to be performed or in a county adjacent to the County where the work is to be performed. The bidder is not required to have a place of business in the County where the work is to be performed for this credit to apply.

The bidder is responsible for requesting credit based upon any of the above criteria.

Section 7. Procedure

A. The Commissioner shall distribute to all bidders a copy of this Local Law and the uniform questionnaire and thereafter collect from bidders all information required by this Local Law, and keep such information in his/her offices for a period of three (3) years, review of which shall be made available to the public.

B. If a bidder fails or refuses to provide all the information requested in this Local Law, or provides false information, the bidder's bid will be rejected at the bid opening.

C. The Commissioner shall post on the City website, one (1) week before the City makes an award of work to a contractor or subcontractor for a project of \$10,000 or more, a listing of the three apparent lowest bidders.

D. If any bidding contractor or designated subcontractor is found to have willfully violated New York Labor Law § 220 ("New York Prevailing Wage Law") that bidder shall automatically be deemed "non-responsible" and be rejected unless the Commissioner, as approved by the Council, determines otherwise. Otherwise, based on all of the information collected pursuant to this local law and any other factor the Council deems relevant, the Commissioner shall determine if the apparent lowest bidder is in fact "responsible."

E. If the apparent lowest bidder is deemed not to be responsible, then the next lowest bidder will be reviewed and so on until the lowest bidder is deemed responsible and selected as the lowest responsible bidder. In the event a bidder fails to furnish the requested information, the bidder shall be deemed disqualified and determined not responsible, the next lowest bidder shall become the apparent lowest bidder.

F. If the amount of the lowest responsible bidder appears disproportionately low when compared, with estimates undertaken by or on behalf of the City, and/or compared to other bids submitted (10% or greater disparity), the City reserves the right to inquire further of the apparent lowest bidder to determine whether the bid contains mathematical errors, omissions and/or erroneous assumptions, and whether the apparent lowest bidder has the capability to perform and complete the contract for the bid amount.

G. No later than five (5) calendar days prior to a final determination that the apparent lowest bidder is not responsible, the City will notify the party of same, in writing, stating the reasons and setting forth a time, date and place for the apparent lowest bidder to appear and be heard, but no later than ten (10) calendar days thereafter, prior to a final determination being made.

H. Any person or organization who believes that the Commissioner improperly determined that the lowest responsible bidder is "responsible" may, within five

(5) calendar days of the Award, request in writing to the Commissioner a hearing as set forth in Section 5(G) above. The hearing shall provide an opportunity for that person or organization to appear and be heard and present evidence and testimony as to why the contractor or subcontractor is not responsible based on the information provided in the questionnaire and any other relevant information. The City of _____ specifically reserves the right to utilize all information obtained by the City of _____ as a result of any related investigation, meeting or hearing, in consideration of contract awards. Such hearing shall be held within ten (10) calendar days of the written request for a hearing. After such hearing, the Commissioner may change his/her determination of the lowest responsible bidder.

Section 8. Incomplete Submissions by Bidder and Subcontractors

It is the sole responsibility of the contractor to comply with all submission requirements at the time it submits its bid to the City. The submission requirements also apply to all subcontractors, except that the contractor shall submit all subcontractor questionnaires to the City no later than seven (7) days following the bid opening. Contractor and/or subcontractor submissions deemed non-responsive will result in automatic rejection of the bid.

Section 9. Sanctions

A. Any bidder or subcontractor who fails to comply with any of the obligations described herein, and only following an opportunity for the bidder to be heard, may be subject to one or more of the following sanctions.

1. Temporary suspension of work on the project until compliance is obtained; or
2. Withholding by the City of payment due under the contract until compliance is obtained; or
3. Permanent removal from any further work on the project; or
4. Liquidated damages payable to the City in an amount equal to five percent (5%) of the dollar value of the general contract.

B. In addition to the above sanctions, any contractor or subcontractor, its alter ego or control group, or principal officer who has been determined to have violated any of the provisions of this Local Law shall be barred from performing any work on future contracts awarded by the City for six (6) months for the first violation, three (3) years for the second violation, and permanently for the third violation.

C. Any sum collected as a fine or penalty pursuant to this section shall be applied toward enforcement and administration costs.

Section 10. Public Records

All information submitted by a contractor or subcontractor pursuant to this Local Law is public record and shall be immediately available to any person upon request.

Section 11. Materiality

The requirements of this Ordinance are a material part of the bid documents and the contract and the successful bidder shall insert this Ordinance in all subcontracts.

Section 12. Severability

If any portion of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other portions or applications of this Ordinance which can be given effect without the invalid portions or applications and, to this end, the portions of this Ordinance are severable.

Section 13. Other Ordinances

Any prior Local Law or portion thereof in conflict with this Local Law is hereby repealed.

Section 14. Standing

Any resident, taxpayer of the municipality, or other organization may file an action in court challenging the non-enforcement of this law.

Section 15. Effective Date

This Local Law shall take effect upon filing in the Office of the Secretary of State, in accordance with Section 27 of the New York State Municipal Home Rule Law.

LOCAL LAW

Intro. No LL24-03

Perm No. _____

Sponsored by City Council Members:

**A LOCAL LAW ESTABLISHING ADDITIONAL
LOWEST RESPONSIBLE BIDDER RULES AND
REGULATIONS THAT PROVIDE FOR THE
DELIVERY OF CONSTRUCTION SERVICES ON A
HIGH QUALITY BASIS**

The within Local Law was adopted by the
Council of the City of Binghamton.

Date

City Clerk

Date Presented to the Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Councilmember Porter				
Councilmember Middleton				
Councilmember Cavanaugh				
Councilmember Hotchkiss				
Councilmember Mativetsky				
Councilmember Kosty				
Councilmember Dundon				
Total				

Code of the City of Binghamton

Adopted Defeated

_____ Ayes _____ Nays _____ Abstained _____ Absent

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on _____. Approved by the Mayor on _____.



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: June 05, 2024

Sponsored by Council Members:

Introduced by Committee: Rules and Procedures/Special Studies

ORDINANCE

entitled

AN ORDINANCE TO AMEND THE CODE OF
THE CITY OF BINGHAMTON, CHAPTER 26,
CITY COUNCIL, TO CLARIFY INSPECTION OF
CITY DEPARTMENTS, BUREAUS AND
INSTITUTIONS

WHEREAS, the Council of the City of Binghamton has recommended that the Code of the City of Binghamton, Chapter 26, *City Council, §26-3, Inspection of City departments, bureaus and institutions*, be amended; and

WHEREAS, City Council wishes to amend Code of the City of Binghamton accordingly.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Code of the City of Binghamton, Chapter 26, , *City Council, §26-3, Inspection of City departments, bureaus and institutions*, is hereby amended as follows:

§26-3. Inspection of City departments, bureaus and institutions.

Any member of the City Council shall have the authority to inspect any City department, bureau or institution at any reasonable time, including access to non-privileged departmental data and review of physical files and their contents.

Section 2. That this ordinance shall take effect immediately.

Introductory No. O24-43

Permanent No. _____

Sponsored by City Council Members:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF BINGHAMTON, CHAPTER 26, CITY COUNCIL, TO CLARIFY INSPECTION OF CITY DEPARTMENTS, BUREAUS AND INSTITUTIONS

The within Ordinance was adopted by the Council of the City of Binghamton.

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Councilmember Porter				
Councilmember Middleton				
Councilmember Cavanaugh				
Councilmember Hotchkiss				
Councilmember Mativetsky				
Councilmember Kosty				
Councilmember Dundon				
Total				

Code of the City of Binghamton

Adopted Defeated

____ Ayes ____ Nays ____ Abstain ____ Absent

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on _____. Approved by the Mayor on _____.



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: June 05, 2024

Sponsored by Council Members:

Introduced by Committee: Employees

ORDINANCE

entitled

**AN ORDINANCE TO MODIFY THE 2024
FINANCE BUDGET FOR PAYOUT OF AN
EMPLOYEE IN THE FINANCE DEPARTMENT**

WHEREAS, the Comptroller of the City of Binghamton finds it proper and necessary to amend the 2024 Finance budget for retirement payout in the amount of \$45,630; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on June 5, 2024.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Comptroller and the Acting City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2024 Finance budget for retirement payout in the amount of \$45,630:

Transfer From (Decrease):

Transfer To (Increase):

\$1,704.50 A7110.51000 (Laborer)
\$2,027.46 A5110.51000 (HEO)
\$3,094.20 A8160.51000 (St. Maint)
\$3,472.77 A7110.51000 (Park Maint)
\$9,152.31 A3120.51000 (Police Prob)
\$10,169.25 A3120.51000 (Pol. Gr. 1)
\$8,135.40 A3120.51000 (Police Prob)
\$1,875.48 A1440.51000 (Asst. Engr)
\$1,485.83 A1440.51000 (Engr Tech)
\$2,205.60 A5110.51000 (MEO)
\$2,487.20 A3120.51000 (Police Prob)

\$45,630.00 A1310.51000 (Wages-Comptroller)

\$45,630.00

\$45,630.00

Section 2. That this ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available

Chuck Shager, Comptroller



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: June 05, 2024

Sponsored by Council Members:

Introduced by Committee: Public Works

RESOLUTION
entitled

A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO SUPPLEMENTAL
AGREEMENT NO. 3 WITH BARTON &
LOGUIDICE DPC TO ADD TERMS AND
CONDITIONS FOR THE 6th WARD SEWER
INTERCEPTOR PROJECT

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 17-89, dated August 9, 2017, with Barton & Loguidice, DPC to provide engineering services for the 6th Ward Sewer Interceptor Project; and

WHEREAS, pursuant to Permanent Resolution 19-27, dated April 3, 2019, the City entered into Supplemental Agreement No. 1 with Barton & Loguidice DPC at a cost not to exceed \$468,000 for additional design, construction inspection, and construction management services for the 6th Ward Sewer Interceptor Project; and

WHEREAS, pursuant to Permanent Resolution 21-05, dated January 20, 2021, the City entered into Supplemental No. 2 Agreement with Barton & Loguidice DPC for additional design, construction inspection, and construction management services for the 6th Ward Sewer Interceptor Project at a cost not to exceed \$334,000; and

WHEREAS, the City Engineer recommends the City enter into Supplemental No. 3 Agreement with Barton & Loguidice DPC to include a no-cost amendment, to add the terms and conditions outlined in EFC's "Program Requirements and Bid Packet for Non-Construction Contracts", attached hereto as Exhibit A with Effective Date October 1, 2016, to the terms and conditions of the Original Agreement.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE that the Mayor, or his designee, is hereby authorized to enter into Supplemental No. 3 Agreement, approved as to form and content by the Office of Corporation Counsel, with Barton & Loguidice for a no-cost amendment, to add the terms and conditions outlined in EFC's "Program Requirements and Bid Packet for Non-Construction Contracts", attached hereto as Exhibit A with Effective Date October 1, 2016, to the terms and conditions of the Original Agreement.

