State of New York
OCT 31 2012
Department of State
Secretary of State

State of New York
Executive Chamber

No. 50

EXECUTIVE ORDER

TEMPORARY SUSPENSION OF PROVISIONS RELATING TO TRANSPORTATION INFRASTRUCTURE RECOVERY FOR THE STATE DISASTER EMERGENCY

WHEREAS, on October 26, 2012 I issued Executive Order No. 47 declaring a disaster emergency in all 62 counties in the State of New York;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend specific provisions of any statute, local law, ordinance, orders, rules or regulations, or parts thereof, of any agency during a State disaster emergency, if compliance with such provisions would prevent, hinder or delay action necessary to cope with the disaster, hereby temporarily suspend, for the period from the date of this Executive Order until further notice, the following laws:

Section 38(1), (2) and (3) of the Highway Law and Article 4-C of the Economic Development Law, in the event that the Commissioner of Transportation determines it necessary to authorize the award of emergency contracts and/or to combine design and construction services in contracts and to use such services when needed;

Section 112 of the State Finance Law, to the extent consistent with Article V, Section 1 of the State Constitution, and to the extent that the Commissioner of Transportation determines it necessary to add additional work, sites and time to State contracts or award emergency contracts;

Section 136-a of the State Finance Law, to the extent that the Commissioner of Transportation determines it necessary to combine design and construction services in one contract and/or to obtain design and construction inspection services;

Section 163 of the State Finance Law, to the extent of allowing the Commissioner of Transportation to purchase necessary commodities and materials without following the standard procurement process;

Article 8 of the Environmental Conservation Law, and Part 15 of Title 17 and Part 617 of Title 6 of the New York Code of Rules and Regulations, to the extent that the Commissioner of Transportation determines that work is immediately necessary for the replacement, rehabilitation, or reconstruction of structures; and

Part F of Chapter 56 of the Laws of 2011, to the extent of allowing the Commissioner of Transportation to award design-build and best value contracts without following the prescribed procurement process.

GIVEN under my hand and the Privy Seal of the State in the City of Albany this thirty-first day of October in the year two thousand twelve.

BY THE GOVERNOR

Secretary to the Governor