State of New York

Executive Chamber

No. 75

EXECUTIVE ORDER

TEMPORARY SUSPENSION OF PROVISIONS RELATING TO CONTRACTS TO CONDUCT SURVEYS OF ELECTRICAL SYSTEMS IN RESIDENCES AND BUILDINGS ON LONG ISLAND

WHEREAS, on October 26, 2012, I issued Executive Order Number 47, declaring a disaster emergency in all 62 counties in the State of New York; and

WHEREAS, Hurricane Sandy caused significant flood damage to certain homes and buildings located in Nassau and Suffolk Counties and on the Rockaway Peninsula in Queens County (collectively, "impacted area"), including water damage to electrical panels, wires, outlets, and appliances, making it potentially unsafe to restore electricity; and

WHEREAS, in order to determine if it is safe to restore electricity to certain homes and buildings in the impacted area, the Long Island Power Authority ("LIPA") is undertaking a survey of such residences and buildings to determine whether there is visual evidence of flood damage that would affect the electrical equipment in homes and buildings and whether an electrical inspection certificate from either a licensed electrician or an electrical inspection agency would be required before the restoration of power; and

WHEREAS, LIPA must therefore enter into contracts for such survey in an expedited manner and full compliance with certain statutory and regulatory requirements may delay or impede LIPA's ability to do so;

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 or modify 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 emergency, hereby temporarily suspend or modify, as the case may be, during the period from the date that the disaster emergency was declared pursuant to Executive Order Number 47, issued on October 26, 2012, until further notice, the following laws and any rules and regulations associated therewith, as they apply to contracts to undertake the survey contemplated by this order:

Section 1020-cc of the Public Authorities Law and Section 112 of the State Finance Law to the extent they require approval of such contracts; Section 138 of the State Finance Law to the extent it prohibits the assignment of such contracts; and Section 142 of the State Finance Law.

GIVEN under my hand and the Privy Seal of the State in the City of Albany this fourteenth day of November in the year two thousand twelve.

BY THE GOVERNOR

Secretary to the Governor